

MINUTES OF THE ORDINARY MEETING OF COUNCIL 15th JULY 2005

CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Steve Cole – Department Local Government & Regional Development
Rob Walster – President, Shire of Bridgetown – Greenbushes

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

3. PUBLIC QUESTION TIME

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of the Council held 17th June 2005

7. STATUS REPORT (GREEN)

7.1 Report to 8th July 2005
That the status report be received

8. FINANCIAL REPORTS (PINK)

8.1 Financial Statements – June 30th 2005
8.2 Accounts for Payment – June 30th 2005

9. WORKS REPORTS

9.1 Works Supervisor Report (Tabled under separate cover)
That the Works Supervisor's report be received

10. ENVIRONMENTAL HEALTH OFFICER'S REPORT/RANGER'S REPORT

10.1 Environmental Health Officer Report Nil
That the Environmental Health Officer's report be received
10.2 Ranger Report (Supp)
That the Ranger's report be received

11. CHIEF EXECUTIVE OFFICER'S REPORT

11.1 – Chief Executive Officer Report
11.1.1 – RC Drilling on Mining Lease M40/61 (Kookynie)
11.1.2 – Development of Policy – Presentation Gifts (Councillors)
11.1.3 – Review of Code of Conduct

- 11.1.4 – Town Planning Scheme No.1 – Amendment No. 1
- 11.1.5 – Town Planning Scheme No.1 – Amendment No.2
- 11.1.6 – Budget Proposals for 2005/06 Financial Year

- 11.2 – Supplementary Report – *Motion to Accept Late Business*
- 11.2.1 - Request for Signage (Cnr. Champion & Britannia Streets, Kookynie)
- 11.2.2 - Goldfields Esperance Country Zone (GECZ)/Local Government Managers Australia (LGMA) Forum

12. REPORTS FROM COUNCILLORS

Nil

13. NEW BUSINESS OF AN URGENT NATURE

- 13.1 – Elected Members
- 13.2 – Chief Executive Officer

14. CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS (IN CAMERA)

Nil

15. REPORTS OF COMMITTEES AND MEMBERS

Minutes of the Audit Committee Meeting held Friday 17th June 2005.

That the Minutes of the Audit Committee Meeting held Friday 17th June 2005 be received.

16. NEXT MEETING – FRIDAY 19th AUGUST 2005 MENZIES COUNCIL CHAMBERS COMMENCING AT 9.00 AM

17. CLOSURE

SHIRE OF MENZIES

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF MENZIES, HELD AT THE COUNCIL CHAMBERS, MENZIES ON FRIDAY 15TH JULY 2005 COMMENCING AT 9.18 am.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President welcomed all elected members and declared the meeting open at 9.18 am.

The Shire President also welcomed Mr. Rob Walster (Shire President, Shire of Bridgetown-Greenbushes), Mr. Steve Cole (Department of Local Government & Regional Development, DLGRD) who were attending the meeting for the purpose of the President Support Program.

The President also welcomed Acting CEO (August 1st 2005) Mr. Peter Crawford.

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

Present:	Cr S Tonkin	Shire President
	Cr A Kelly	Deputy Shire President
	Cr I McGregor	
	Cr K Purchase	
	Cr I Tucker	
	Cr J Dwyer	
	Cr P Kennedy	via instantaneous communication @ 9.35am
	Mr T Nottle	Chief Executive Officer
	Mr B Pepper	Works Supervisor
	Mrs L McNamara	(Minutes)
Apologies:	Mrs J Nottle	D. Chief Executive Officer
Visitors:	Mr R Walster	President – Bridgetown Greenbushes
	Mr S Cole	DLGRD
	Mr P Crawford	Acting CEO (after 1 st August 05)

3. PUBLIC QUESTION TIME:

Public question time opened at 9.20am

There were no questions from the public and public question time was closed at 9.21am.

Immediately after the calling Public Question Time, the CEO advised Council that Cr. P Kennedy requested to attend the Council Meeting via instantaneous communication under Section 5.25(1)(b)(a) of the Local Government Act 1995, regulation 14A.

MOVED Cr I McGregor

SECONDED Cr K Purchase

That Council:

1. Approve Cr. P. Kennedy's request to attend the meeting via instantaneous communication under Section 5.25(1)(b)(a) of the Local Government Act 1995, regulation 14A.
2. Approve Cr. P. Kennedy's place of residence as a "suitable place" for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.

CARRIED BY ABSOLUTE MAJORITY 6/0

A connection was unable to be made until after the receiving of the Status Report.

4. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

5. ANNOUNCEMENTS BY SHIRE PRESIDENT WITHOUT DISCUSSION

President Stephen Tonkin advised Council of the following:

- Thank you to everyone who attended the function at the Hannan's Club for the departing Council Members and the CEO and DCEO.
- Advised that Cr. I Tucker wished to address the Council regarding the farewell function.
- Advised Council that Mr. Rob Walster and Mr. Steve Cole were attending the meeting in their capacity of facilitators of the President's Support Program.
- Advised Council that he would prefer to see "Notices of Motion" put forward at the Council meeting to allow Councillors and staff more time to research topics.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

MOVED Cr A Kelly

SECONDED Cr I McGregor

That the minutes of the Ordinary Meeting held on 17th June 2005 as previously circulated be confirmed as a true and accurate record.

CARRIED 6/0

7. STATUS REPORT

7.1 Status Report as at 7th July 2005.

Item 4 on Status Report

Sub Lease of the Menzies Railway Station-

Council requested the CEO to write to Rox Resources to advise that they occupied the building without a current lease agreement in place.

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 7.1
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MOVED Cr J Dwyer

SECONDED Cr I McGregor

That the Status Report as at 7th July 2005, be received.

CARRIED 6/0

Cr. P Kennedy joined the meeting via instantaneous communication (telephone) at 9.35am

8. FINANCIAL REPORTS

8.1 Financial Statements – to 30th June 2005.

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 8.1
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MOVED Cr I McGregor

SECONDED Cr A Kelly

That the Financial Statements for the period to the 30th June 2005 as presented, be adopted.

CARRIED 7/0

8.2 Accounts for Payment

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 8.2
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MOVED Cr J Dwyer

SECONDED Cr K Purchase

That cheque numbers 2967 - 3034 and direct bank payments totaling \$524,916.09 which have been paid by the Chief Executive Officer under delegated authority, be adopted.

CARRIED 7/0

9. WORKS REPORTS

9.1 Works Supervisor Report

The Report by Council's Works Supervisor, Mr. Brad Pepper, for the period to 7th July 2005 was tabled for Council's information.

COUNCIL DECISION \ OFFICER RECOMMENDATION

ITEM 9.1

MOVED Cr A Kelly

SECONDED Cr I Tucker

That the Works Supervisors report for the period to 7th July 2005 be received.

CARRIED 7/0

10. ENVIRONMENTAL HEALTH OFFICER & RANGER REPORTS

10.1 Environmental Health Officer's Report

Nil

10.2 Ranger's Report

The Ranger's report for the period ending the 7th July 2005 was tabled for Councillor information.

COUNCIL DECISION \ OFFICER RECOMMENDATION

ITEM 10.2

MOVED Cr I McGregor

SECONDED Cr A Kelly

That the Ranger's report for the period to 7th July 2005 be received.

CARRIED 7/0

11. CHIEF EXECUTIVE OFFICER'S REPORT

11.1.1 RC Drilling on Mining Lease M40/61 (Kookynie)

Location: Kookynie
Applicant: John Davis, Consultant Geologist - Barminco
File Ref: 213
Disclosure of Interest: None
Date: 5th July 2005
Author: Tony Nottle, Chief Executive Officer
Signature of Author:

Summary

Barminco request Council to consider an application to perform RC Drilling within Mining Lease M40/61.

Background

Mining Lease M40/61 surrounds the majority of the Kookynie Townsite.

Correspondence was received by Consultant Geologist (Barminco) advising that Barminco intended to perform RC Drilling within the lease. The Department of Industry & Resources (DoIR) require the company to consult with the relevant local authority if the lease encroaches into a designated townsite.

The drilling program will be taking place well outside the town boundary. Details can be seen on the circulated map (see also file. 213).

Comment

The CEO met with Mr. Davis on the 21st June 2005. It is clear by both the map and through conversation that the drilling should not affect the residents in Kookynie.

Consultation

A meeting was held with Mr. John Davis.

Statutory Environment – N/A

Policy Implications – There are no current policies relating to this matter.

Financial Implications – Nil

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1.1
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MOVED Cr I McGregor

SECONDED Cr K Purchase

That Council raise no objection to the proposed RC Drilling program by Barminco as indicated in the circulated map supplied.

CARRIED 7/0

11.1.2	Development of Policy – Presentation Gifts (Councillors)
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Location: N/A
Applicant: N/A
File Ref: 113B
Disclosure of Interest: None
Date: 7th July 2005
Author: Tony Nottle, Chief Executive Officer
Signature of Author:

Summary

This report requests the Council to consider the development of policies to address the situation of departing Members of Council.

Background

After Council's recent elections, it was decided at the June ordinary Meeting that a civic function be held for the departing members.

Council set a budget for the function as well as a budget for the cost of the gifts.

Comment

Since the decision was made at the last meeting, much confusion and discussion has taken place as to whether the decision was just. Council has opted not to rescind this decision.

To prevent this from happening again, the proposed policies are recommended:

Policy 4.5 – COUNCILLORS PRESENTATION OF GIFTS

1. Council will present a gift to a Councillor who completes their term on Council. The Councillor will be encouraged to suggest a gift within the following price range:

20 years and over of service	\$1,000
16 to 19 years of service	\$800
12 to 15 years of service	\$500
8 to 11 years of service	\$300
4 to 7 years of service	\$150

2. If the Councillor does not select a gift the President will select or nominate a gift to be presented to the Councillor

Policy 4.6 – FUNCTION FOR OUTGOING COUNCIL MEMBERS

Policy Statement

Councillors are entitled to a civic dinner after they have completed three (3) terms or twelve (12) years in office.

Purpose

To preserve the occasion of a dinner presentation for long serving Councillors

Policy 4.7 – PRESENTATION OF GAVEL AND STRIKER PLATE

That all outgoing Shire Presidents be presented with their gavel and striker plate suitably engraved on the completion of their term of Shire President.

Consultation – None Required

Statutory Environment

Council Policies provide guidelines to help both officers and members carry the required duties in a specific fashion.

Policy Implications

Should Council adopt these proposed policies, these will be added to the Shire’s Policy Manual and reviewed annually.

Financial Implications

These proposed policies bear a cost to Council, however it clearly states what should be budgeted for in the case of an elected Member departing. It is envisaged that this will provide clarity and a definite cost for such events in the future.

Voting Requirement – Absolute Majority

OFFICER RECOMMENDATION	ITEM 11.1.2
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That Council resolve to adopt the following Policies which are to be added to the Policy Manual:

Policy 4.5 – COUNCILLORS PRESENTATION GIFTS

1. Council will present a gift to a Councillor who completes their term on Council. The Councillor will be encouraged to suggest a gift within the following price range:

20 years and over of service	\$1,000
16 to 19 years of service	\$800
12 to 15 years of service	\$500
8 to 11 years of service	\$300
4 to 7 years of service	\$150

2. If the Councillor does not select a gift the President will select or nominate a gift to be presented to the Councillor

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Policy Statement

Councillors are entitled to a civic dinner after they have completed three (3) terms or twelve (12) years in office.

Purpose

To preserve the occasion of a dinner presentation for long serving Councillors

Policy 4.7 – PRESENTATION OF GAVEL AND STRIKER PLATE

That all outgoing Shire Presidents be presented with their gavel and striker plate suitably engraved on the completion of their term of Shire President.

COUNCIL DECISION

ITEM 11.1.2

MOVED Cr I McGregor

SECONDED Cr J Dwyer

That Council resolve to adopt the following Policies which are to be added to the Policy Manual:

Policy 4.5 – COUNCILLORS PRESENTATION GIFTS

1. Council will present a gift to a Councillor who completes their term on Council. The Councillor will be encouraged to suggest a gift within the following price range:

20 years and over of service	\$1,500
16 to 19 years of service	\$1,000
12 to 15 years of service	\$750
8 to 11 years of service	\$300
4 to 7 years of service	\$150

2. If the Councillor does not select a gift the President will select or nominate a gift to be presented to the Councillor

Policy 4.6 – FUNCTION FOR OUTGOING MEMBERS

Policy Statement

Councillors are entitled to a civic dinner after they have completed three (3) terms or twelve (12) years in office.

Purpose

To preserve the occasion of a dinner presentation for long serving Councillors

Policy 4.7 – PRESENTATION OF GAVEL AND STRIKER PLATE

That all outgoing Shire Presidents be presented with their gavel and striker plate suitably engraved on the completion of their term of Shire President.

CARRIED BY ABSOLUTE MAJORITY 7/0

REASON FOR VARIATION TO OFFICER RECOMMENDATION:

Council was of the opinion that the proposed dollar values in Policy 4.5 were too little.

11.1.3 Review of Code of Conduct

Location: N/A
Applicant: N/A
File Ref: 108
Disclosure of Interest: None
Date: 5th July 2005

Author: Tony Nottle, Chief Executive Officer
Signature of Author:

Summary

This report requests the Council to review the Code of Conduct.

Background

Council will recall that at Council's ordinary meeting in April 2004, the Council reviewed and amended the code of conduct to update the document as required.

Comment

After review of the document, it is the opinion of the author that the current Code of Conduct does not require any changes or amendments.

Consultation – None required

Statutory Environment –

5.103. of the Local Government Act 1995 States that:

A local government is to review its code of conduct within 12 months after each ordinary elections day and make such changes to the code as it considers appropriate.

Policy Implications – There are no current policies relating to this matter.

Financial Implications – Nil

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1.3
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MOVED Cr A Kelly

SECONDED Cr J Dwyer

That Council adopt the Code of Conduct as presented in the Councillor Information Booklet without amendment.

CARRIED 7/0

11.1.4	Town Planning Scheme No 1 – Amendment No 1
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Location: N/A
Applicant: N/A
File Ref: 231 TPS 01-01
Disclosure of Interest: None

Date: 7th July 2005
Author: Tony Nottle, Chief Executive Officer
Signature of Author:

Summary

The author requests the Council's authorisation to proceed with the Shire of Menzies Town Planning Scheme No. 1 – Amendment No. 1 due to the advertising period for submissions expiring.

Background

Council was first presented the Amendment proposal at its Ordinary Meeting of Council held in August 2004.

Since the adoption of this original amendment, an advertisement was placed by the CEO in both the West Australian and Kalgoorlie Miner newspapers on the 15th December 2004, allowing 42 days as per the Town Planning Regulations 1967 for submissions.

Submissions closed 27th January 2005.

Due to the Environmental Protection Authority not providing a "level of assessment" the submission had to be re-advertised. Submissions for this advertising closed 10th June 2005.

Comment

No submissions were received during the re-advertised period.

As none of the previous submissions indicated any objections or any comment affecting the proposal, Council may wish to adopt the amendment without change.

Consultation –

Should Council make no changes to Amendment No. 1, correspondence will be sent to the Western Australian Planning Commission (accompanied by other documentation) of Council's decision.

Advertising has been carried out in accordance with Town Planning Regulations 1967

Statutory Environment

Town Planning Regulations 1967

18. Scheme to be forwarded to the Commission

(1) Within 28 days of passing a resolution under regulation 17(2) the responsible authority shall forward the Scheme documents to the Commission together with —

(a) a schedule of submissions made on the Scheme;

- (b) its recommendations made in respect of those submissions;
- (c) particulars of the modifications (if any) to the Scheme recommended by the responsible authority;
- (d) a copy of the resolution passed under regulation 17(2); and
- (e) if that resolution was a resolution under regulation 17(2)(b), a summary of the reasons why the responsible authority does not wish to proceed with the Scheme.

17. Consideration of submissions

- (2) After considering the submissions made pursuant to regulation 16(1) or if no submissions have been lodged within the period specified under regulation 15(5) for making submissions, the responsible authority shall pass a resolution either —
 - (a) that the Scheme be adopted with or without modification; or
 - (b) that it does not wish to proceed with the Scheme.

As there are no objections to the Amendment proposal, Council may wish carry out proceedings as per Regulation 17(2)(a)

Policy Implications – There are no current policies relating to this matter.

Financial Implications – It is not expected that the Council be subject to any further costs through the remainder of the process.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1.4
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MOVED Cr I McGregor

SECONDED Cr A Kelly

That Council, (having considered the submissions received), adopt Town Planning Scheme No. 1 – Amendment No.1 without change.

CARRIED 7/0

11.1.5	Town Planning Scheme No 1 – Amendment No 2
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Location:	N/A
Applicant:	Western Power
File Ref:	207 / 231 TPS 01-02
Disclosure of Interest:	None
Date:	7 th July 2005
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

Summary

The author requests the Council's authorisation to proceed with the Shire of Menzies Town Planning Scheme No. 1 – Amendment No. 2 due to the advertising period for submissions expiring.

Background

Council was first presented the Amendment proposal at its Ordinary Meeting of Council held in August 2004.

Since the adoption of this original amendment, an advertisement was placed by the CEO in both the West Australian and Kalgoorlie Miner newspapers on the 15th December 2004, allowing 42 days as per the Town Planning Regulations 1967 for submissions.

Submissions closed 27th January 2005.

Due to the Environmental Protection Authority not providing a "level of assessment" the submission had to be re-advertised. Submissions for this advertising closed 10th June 2005.

Comment

No submissions were received during the re-advertised period.

As none of the previous submissions indicated any objections or any comment affecting the proposal, Council may wish to adopt the amendment without change.

Consultation –

Should Council make no changes to Amendment No. 2, correspondence will be sent to the Western Australian Planning Commission (accompanied by other documentation) of Council's decision.

Advertising has been carried out in accordance with Town Planning Regulations 1967

Statutory Environment

Town Planning Regulations 1967

18. Scheme to be forwarded to the Commission

(1) Within 28 days of passing a resolution under regulation 17(2) the responsible authority shall forward the Scheme documents to the Commission together with —

- (a) a schedule of submissions made on the Scheme;
- (b) its recommendations made in respect of those submissions;
- (c) particulars of the modifications (if any) to the Scheme recommended by the responsible authority;

- (d) a copy of the resolution passed under regulation 17(2); and
- (e) if that resolution was a resolution under regulation 17(2)(b), a summary of the reasons why the responsible authority does not wish to proceed with the Scheme.

17. Consideration of submissions

- (2) After considering the submissions made pursuant to regulation 16(1) or if no submissions have been lodged within the period specified under regulation 15(5) for making submissions, the responsible authority shall pass a resolution either —
 - (a) that the Scheme be adopted with or without modification; or
 - (b) that it does not wish to proceed with the Scheme.

As there are no objections to the Amendment proposal, Council may wish carry out proceedings as per Regulation 17(2)(a)

Policy Implications – There are no current policies relating to this matter.

Financial Implications – It is not expected that the Council be subject to any further costs through the remainder of the process.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1.5
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MOVED Cr I McGregor

SECONDED Cr A Kelly

That Council, (having considered the submissions received), adopt Town Planning Scheme No. 1 – Amendment No.2 without change.

CARRIED 7/0

11.1.6	Budget Proposals for 2005 / 06 Financial Year
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Location: N/A
 Applicant: N/A
 File Ref: 113
 Disclosure of Interest: N/A
 Date: 7th July 2005
 Author: Tony Nottle, Chief Executive Officer
 Signature of Author:

Summary

Council is required to adopt the proposed budget.

Background

Circulated herewith, is the draft budget proposals for consideration and adoption for the 2005 / 2006 financial year.

Comment

At the 30 June 2005, Council's surplus was estimated at approximately \$450,777 and this has been allocated to reserve accounts as outlined in the budget documents. This surplus has been brought about by either cost savings in expenditure or non expenditure (not proceeding) on budgeted projects, eg purchase of Mack truck, carry over of construction of Shire Oval etc.

The Local Government Act 1995 does allow a Council to adopt a budget with a deficit or surplus for the year of up to 10% of total rate income (ie \$49,000), however the draft presented to Council is a balanced budget. Changes of course can occur however for every \$ added, a project of similar value is required to be deleted or extra income to that value, required to be found.

Deletions, which include a wage or plant operation component, provide no savings as those costs remain fixed for the year and will require reallocation to another job, unless staff numbers are reduced or plant sold off.

Council is required to adopt a penalty interest levy amount on rates and rubbish not paid by their due date.

An allowance has been made within the income budget document of \$13,000, similar to the amount raised last year. This of course can vary, depending on when a ratepayer chooses to make their payment.

Council will need to resolve the penalty amount (%) for outstanding rates and service charges unpaid at the expiry of the 35 day prescribed time or unpaid instalment on the due date. A penalty rate of 10% pa (maximum is 11%) for the one payment option and 5% pa (maximum is 5.5%) for the instalment option, both to be calculated on a daily basis from their due dates, is suggested.

The FESA levy, which has increased to \$35 on around 75% of lots and mining tenements in the District, will attract 11% for late payment.

Consultation – Proposed rate charges have been advertised and sent to the Department of Local Government & Regional Development for approval. Approval was received 7th July 2005.

Statutory Environment

The annual budget of a local government is to be adopted by the 31st August each year. It is recommended that this be done in July as to provide direction for staff and to ensure the budget is adopted prior to the Acting CEO's arrival in August.

Policy Implications

Council Policy 3.5 states that all projects and proposals should be submitted to the CEO prior to 30th April 2005. This policy also states that the Budget must be adopted by the 31st August 2005.

Financial Implications

This is the adoption of Council's budget for the 2005 / 06 financial year.

Voting Requirement – ABSOLUTE Majority

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 11.1.6

MOVED Cr I McGregor

SECONDED Cr A Kelly

1. That the following rate levels to be imposed for the 2005/2006 financial year:
 - a) General rates

Unimproved values (except Pastoral)	7.447 cents in the \$
Unimproved values (Pastoral)	3.51 cents in the \$
Gross Rental values	5.082 cents in the \$
Minimum Rate – all land	\$140
 - b) Payment Plan A – paid in full by due date
A discount of 5% be offered on all rates paid in full by 4pm on Friday 2nd September 2005
 - c) Payment Plan B – four equal payments

Dates due for each payment

First Instalment	2 nd September 2005
Second Instalment	4 th November 2005
Third Instalment	6 th January 2006
Fourth Instalment	3 rd March 2006

and for each instalment following the first payment, an administration fee of \$7 per assessment shall apply.

Note* This payment plan is not available for rates and service charges of less than \$200.

- d) Part Minimum Rate
50% of minimum rate is payable on prospecting leases which overlap other Shire boundaries.
 - e) Rubbish Charges
A Rubbish charge of \$110 per annum per 240 litre mobile garbage bin, be levied on serviced properties within the Menzies townsite.
- be adopted.

4. That the Schedule of Fees & Charges for the 2005 / 2006 financial year as listed in section 8 of the budget document, be adopted.
5. That the transfers to or from Reserve accounts as listed in section 9 of this budget document, be adopted.
6. That the maximum level of Councillor meeting attendance fees of \$120 per Council meeting, as well as the maximum level of meeting fee for the Shire President of \$240 per Council meeting, be adopted.

7. That the Shire President be paid an allowance of \$5,000 pa in accord with section 5.98 (5) of the Local Government Act and the Deputy President an allowance of \$2,000 pa in accord with section 5.98A of the Local Government Act.
8. That the significant Accounting Policies, as listed in section 2 of this budget document, be adopted.
9. That a penalty rate of 10% be charged for late payment of rates under the 1 payment option and 5% be charged under the instalment option.
10. That the proposed budget (as amended by Council where deemed appropriate) be adopted for the 2005 / 2006 financial year and the levels of income and expenditure be authorised.

CARRIED BY ABSOLUTE MAJORITY 7/0

*The President adjourned the meeting for morning tea at 11.05am
 (Connection with Cr. P Kennedy cancelled at 11.05am)
 The meeting resumed at 11.30am with all in attendance except Mrs. McNamara
 (Connection with Cr. P Kennedy re-established at 11.30am)*

11.2 CHIEF EXECUTIVE OFFICER SUPPLEMENTARY REPORT

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.2
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MOVED Cr I McGregor

SECONDED Cr K Purchase

That Council accept late business items 11.2.1 and 11.2.2.

CARRIED 7/0

11.2.1	Request For Signage (Cnr. Champion & Britannia Streets)
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Location:	Kookynie Townsite
Applicant:	Robyn McCarthy
File Ref:	139
Disclosure of Interest:	None
Date:	14 th July 2005
Author:	A G Nottle, Chief Executive Officer
Signature of Author:	

Summary

The applicant has requested that Council allow additional signage to assist in the advertising of her business at the corner of Britannia and Champion Streets in Kookynie.

Background

In August 2004, the applicant presented the Council with a proposed signage plan which was considered. Council opted for the matter to be sorted between the CEO and the applicant.

The sites were decided and signs erected at the roundabout and outside the front of the building.

Attached is a letter from the applicant (also see file 139) suggesting one of the signs on the highway was not an authorised Main Roads sign and therefore should be removed. The sign has since been removed, leaving an unused sign at the depot.

Mrs McCarthy has requested that she be able to attach the sign to the existing Champion / Britannia Street pole that was recently erected under the new signage program.

Comment

The sign erected on the highway was done so in error, which leaves an unused sign that could be utilised in another area.

The applicant advises Council in the letter:

"I have also discovered that my business sign at the roundabout in Kookynie is not large enough to attract attention to all visitors"

It is the opinion of the author that any more signage (albeit larger) at the Kookynie roundabout would only create confusion for motorists and become unsightly.

If the existing sign was to be attached to the street sign pole, it would also seem out of place due to the coloured powder-coated pole and coloured signs. (green & yellow) The sign in question is silver, blue and white.

It is also important to note that Council has not received payment from the applicant for the three signs and poles that were purchased on her behalf. (Council erected the signs free of charge).

It seems that the applicant requires more adequate signage and advertising at the corner of Britannia and Champion Streets. A standard sandwich board sign, placed in the area during business hours should address both the issues of larger signage and enhanced location signage.

It would also be advised that Council resolve not to purchase or erect any signs on behalf of applicants in the future. Council may wish to credit the applicants outstanding debtors bill for the cost of the sign not being used.

Consultation - None

Statutory Environment

Permanent signage is stipulated under the current Shire of Menzies Town Planning Scheme. Temporary sandwich board signs are permitted at the discretion of Council.

Policy Implications

There are no current policies relating to this matter.

Financial Implications

Council purchased the original signs on behalf of the applicant which were to be reimbursed upon erection. Due to one of the signs being erected in an incorrect location, Council may wish to credit the applicant the cost of this sign.

Voting Requirement – Simple Majority

OFFICER RECOMMENDATION	ITEM 11.2.1
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That Council:

1. Reject the application to attach the unused “Old Miners Cottage Crafts” sign onto the existing Britannia / Champion Streets sign pole.
2. Authorise the CEO to discuss alternative arrangements with Mrs. McCarthy in regards to advertising signs for Old Miners Cottage Crafts; and
3. That all future requests for signage be presented to Council for authorisation.

COUNCIL DECISION	ITEM 11.2.1
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This item was deferred until the next Council Meeting on the 19th August 2005 to allow the Councillors enough time to assess the situation and make an informed decision.

11.2.2 Goldfields Esperance Country Zone (GECZ)/Local Government Managers Australia (LGMA) Forum

Location:	N/A
Applicant:	N/A
File Ref:	WALGA GECZ
Disclosure of Interest:	None
Date:	14 th July 2005
Author:	A G Nottle, Chief Executive Officer
Signature of Author:	

Summary

The purpose of this item is for Council to receive information relating to the outcomes of the joint Goldfields-Esperance Country Zone (GECZ) and Local Government Managers Australia (LGMA) Forum that was held in Kalgoorlie-Boulder on 31 May 2005 to discuss

issues relating to local government backend processing and shared service agreements in our region.

Background

On Tuesday, 31 May 2005, the GECZ of the Western Australian Local Government Association (WALGA) and the Goldfields Branch of the LGMA jointly hosted a Forum in Kalgoorlie-Boulder to discuss issues relating to backend processing and shared service agreements.

The Forum was attended by a combination of Elected Members and Officers from the following organisations:

- City of Kalgoorlie-Boulder
- Shire of Coolgardie
- Shire of Dundas
- Shire of Esperance
- Shire of Ngaanyatjaraku
- Shire of Laverton
- Shire of Yilgarn
- Eastern Goldfields Medical Division of General Practice
- Goldfields-Esperance Area Consultative Committee

The Shires of Ravensthorpe, Wiluna, Leonora and Menzies extended their apologies for being unable to attend. City of Kalgoorlie Boulder Chief Executive Officer Mr Ian Fletcher and Executive Support Officer Mr Greg Golinski intend to visit the Shires of Wiluna, Leonora and Menzies in late July to relay the outcomes from the Forum, and to seek support for further investigation into the matters discussed as recommended within this item. Mr. Fletcher has already met with the Shire of Ravensthorpe who have indicated that they would be interested in exploring the concept further.

Prior to the Forum, a paper prepared by Mr Ian Fletcher on the subject of shared service agreements and backend processing was circulated to all participants. A copy of the paper is circulated. (See also file No. GECZ WALGA).

Mayor of the City of Kalgoorlie Boulder Ron Yuryevich officially opened the Forum, which was facilitated by Mr Colin Stewart, CEO of the Esperance Port Authority, with the following list of people being guest speakers throughout the day:

- Mr Ian Cowie, Director Strategies and Legislation Department of Local Government and Regional Development (DLGRD)
- Mr Ron Mance, WA Government Functional Review Implementation Team (FRIT)
- Mr Gary Baker, WA Government FRIT
- Mr David Tomasi, Haines Norton Chartered Accountants
- Mr Peter Riella, IP Systems
- Mr Alister Cameron, Clear Networks
- Mr Phil Herrick, Southern Phone

Both hard and soft copies of each of the above presentations are available from the City of Kalgoorlie Boulder on request.

Comment

Attendees of the Forum received presentations concerning local government backend processing and shared service agreements from the points of view of relevant stakeholders, namely local government, State government and service providers themselves.

Mr Ian Cowie from the DLGRD gave an overview on behalf of local government Minister John Bowler of how the WA Government sees the future of local government in Western Australia. Prior to the 2005 State election, it was made clear by both the Liberal and Labor Party that reform in local government in Western Australia was inevitable, regardless of the result of the 2005 election. The Forum was seen as a proactive and positive step forward in addressing local government reform issues, with backend processing a non-threatening means of instigating reform in local government.

Mr Ron Mance and Mr Gary Baker from the WA Governments Functional Review Implementation Team (FRIT) gave an overview of backend processing as it currently exists within the WA State Government, and made the point that local government do not have to reinvent the wheel should it be decided to go down this path. It will be possible to draw on the experience of the State Governments Functional Review Implementation Team.

Several issues were raised by forum delegates relating to the viability and appropriateness of implementing a backend processing model within our zone, as well as issues relating to the accessibility of broadband technology to some of the more remote areas within the zone.

The City of Kalgoorlie-Boulder Demand Aggregation Broker Ms Marlene Atiyeh, working for the Goldfields-Esperance region, is currently in the process of preparing a business case for telecommunication providers, and is seeking expressions of interest from current and potential providers to supply broadband service to communities within the GECZ.

The Goldfields-Esperance region is Australia's only reference site testing applications and broadband delivery technology to GP's located in communities throughout the region. It is a requirement that any telecommunication solution planned for communities in the region must include the Eastern Goldfields Regional Reference Site (EGRRS) installation. The EGRRS site may either be used as a delivery solution for that community or the supplier must provide a comparable service to the GP as part of the solution established for the community.

The key outcome of the Forum was a decision to establish a working party to further investigate the options surrounding local government reform in our region, comprising one representative from each local government organisation in the region. The working group would be charged with mapping out ways in which to further progress the issues discussed at the Forum relating to backend processing and shared service agreements within our region, as well as investigating the possibility of carrying out an independent assessment to determine the implications of these initiatives to our zone.

It was suggested that each local government seek Council endorsement for the above proposal prior to the next meeting of the GECZ of WALGA, which is scheduled for 21 July 2005, where any outcomes can be discussed further. Elected Members will be provided with further information following the outcomes of that meeting.

Consultation

None required at this stage.

Statutory Environment - N/A

Policy Implications

There are no current policies relating to this matter.

Financial Implications

At this stage Council is not required to allocate funding to the project. It is still in the investigation phase only.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 11.2.2

MOVED Cr I McGregor

SECONDED Cr J Dwyer

That Council:

1. Receive the information pertaining to the outcomes of the joint Goldfields – Esperance Country Zone and Local Government Managers Australia Forum held on the 31st May 2005;
2. Support further investigation into the potential for local government backend processing and shared service agreements within the Goldfields-Esperance Country Zone as well as the implications of such for the region.

CARRIED 7/0

12. REPORTS FROM COUNCILLORS

Nil

13. BUSINESS OF AN URGENT NATURE

13.1 COUNCILLORS

The President advised Council that Mr. Steve Cole also wished to address the Council regarding the Tjuntjuntjarra Community. Mr. Cole was asked to address the Council.

Mr. Cole provided the Council with a preamble regarding the Tjuntjuntjarra Community.

Mr. Cole advised Council of the following:

Shire had received increased funding due to the adding on of certain roads in the far Eastern Region of the Shire for the 05/06 year.

A Draft Memorandum of Understanding (MoU) was circulated amongst the Councillors.

The CEO left the meeting at 11.40am

The CEO and Mrs. McNamara returned to the meeting at 11.45am

Cr. I McGregor- According to the Draft MoU this leaves \$105,000 for Admin costs?
Mr. S Cole - Yes, and it is untied, and therefore up to the Council on how it was to be spent.

Mr. S Cole gave a summary of what was contained in the circulated document.

Mr. Cole - Believed the document was “revolutionary” as no other community or Shire operates under such a document to date.
Also advised Council that the Advisory Board may wish to carry out the enquiry ASAP to determine which Shire Tjuntjuntjarra should belong to.

Cr. S Tonkin- Advised that Council is concerned of the “unknown”
Council has no direct route to Tjuntjuntjarra
Grants Commission only funded roads heading South to the City of Kalgoorlie-Boulder

Mr Rob. Walster addressed Council in his capacity as a board member of the WA Local Government Grants Commission.

Mr. R Walster- Advised Council that it was a unique situation and that the Grants Commission will be watching the outcome with interest.

The President thanked Mr. Cole and Mr. Walster and requested the CEO to present the MoU to the next Council Meeting

Cr. A Kelly –

1. Enquired into the tree planting organised for Wednesday 20th July 2005, and asked was the Shire involved and could we consider planting trees near the 60km/h sign on the Southern end of the town entrance (bad corner for sun).

CEO advised that the tree planting was a Shire initiative under the Town Beautification Plan and that planting of the trees had not been considered for the corner at this stage but could be in the future.

2. Asked if there was enough money in the budget to purchase seats for the tennis courts, and whether something could be done about the public toilets.

CEO advised that there **may** be sufficient provision in the budget but this was not a request prior to the setting of the budget. CEO agreed that the toilets were not of a high standard and that something may need to be done in the future

Action: CEO to present report on the state of the public toilets at the rear of the Shire Hall and provide some options for Council to consider at the August 19th Meeting.

3. Accident on Goldfields Highway, could the Council move the 80km/h sign further South so that motorists are able to see it before they rise over the hill on the southern entrance to town.

CEO advised that the Shire is not authorised to place, remove or move any regulatory signage on the road and that only Main Roads WA can do so. CEO advised that Council could write to Main Roads WA requesting a review of the current signage in the area.

Action: CEO to present a report to Council with options for the Council to consider at the August 19th Meeting.

Cr. I Tucker-

1. Enquired into the letter that he requested to be sent to DPI regarding placing a toilet at the truck bay on the Northern entry into Menzies on the Goldfields Highway.

CEO advised that by requesting the DPI to consider allowing the placement of infrastructure on property that the Council did not own, would set a dangerous precedent. Therefore no letter was sent. No Council resolution had been made regarding this matter.

Action: CEO to present a report to Council at the August 19th Meeting on the truck bay regarding the options that are available to Council.

Cr. I Tucker requested that Council close the meeting to the general public and continue the meeting in camera as he wished to discuss items of a personal nature.

COUNCIL DECISION	ITEM 13.1A
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MOVED Cr I McGregor

SECONDED Cr J Dwyer

That the meeting be closed to members of the public under Section 5.23(1)(b) due to circumstances which result in the discussion of items of a personal nature.

CARRIED 7/0

R. Walster, S. Cole, B. Pepper, L. McNamara and P. Crawford departed the room at 12.15pm.

COUNCIL DECISION	ITEM 13.1B
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MOVED Cr I McGregor

SECONDED Cr J Dwyer

That Council:

1. Receive the letter tabled from Cr. I Tucker.
2. Authorise Cr. S. Tonkin and Cr. I. Tucker to address a protocol for recognition of aboriginal people at Council functions.

CARRIED 7/0

COUNCIL DECISION	ITEM 13.1C
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MOVED Cr I McGregor

SECONDED Cr I Tucker

That the meeting be re-opened to members of the public.

CARRIED 7/0

R.Walster, S.Cole and B.Pepper returned to the meeting at 12.37 pm.

Cr. P Kennedy-

1. Addressed the Council regarding the Menzies Hotel. Advised Council that the conditions / requests from Council were unacceptable and unreasonable.

The President advised Cr. Kennedy of the following:

- a) The Council should be seen as a lender of last resort
- b) The Council requires evidence of costings and difficulties in some form
- c) The Council cannot deal with public monies under these circumstances without the requested documents.

Cr Kennedy advised that he was unable to find a solution that is available.

Cr McGregor stated that it is the Ratepayer's money, and therefore the security of the ratepayer's money must be protected. It was not an unreasonable request.

Cr Kennedy stated that there was nothing he could do about it.

The President advised Mr. Kennedy that if that was the case, the Shire is unable to help with the original request for financial assistance.

Cr. Kennedy wished to discuss Cr. I Tucker's letter to the Council at next month's meeting.

*Cr. Kennedy left the meeting at 12.44pm by cancelling the telephone connection.
The President adjourned the meeting for lunch at 12.45pm*

The meeting resumed at 1.15pm with all in attendance who were present at the adjournment.

Cr J Dwyer-

1. Wishes to pass on her appreciation to the fantastic work that Shire staff are doing at Niagara Dam. It is very clean and well looked after.

2. Asked if the Council was still considering a visit to Moropoi Station at the request of Mr. Greg Stubbs.

CEO advised that a letter would be written to Mr. Stubbs inviting him to the Council Meeting in Kookynie in September, and requesting to have a tour of Moropoi Station after the closure of the meeting.

Action: CEO to write to Mr. Greg Stubbs inviting him to Council's ordinary meeting at Kookynie, and requesting a visit to Moropoi Station.

3. Advised Council that the investigation into the May elections have been completed and there were no cases to answer for.

13.2 CHIEF EXECUTIVE OFFICER

- 21st July 2005 at 10.00am, Zone Meeting for the GECZ to be held via teleconference.
- 26th August 2005, Goldfields Esperance Development Commission Board Meeting will be held in Menzies. Time of meeting will be circulated as soon as possible.
- As this was the CEO's last meeting, the CEO thanked the Council for their support over the past 2 years, and the previous Councillors, the staff and wished the Council and staff all the best in the future.

The President thanked the CEO for his efforts over the past 2 years.

14. CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS

Nil

15. REPORTS OF COMMITTEES AND MEMBERS

Minutes from the Audit Committee held 17th June 2005 were tabled for Councillor's information.

16. NEXT MEETING

The next Ordinary Council Meeting is scheduled for Friday 19th August 2005, Menzies Council Chambers at 9.00 am.

17. CLOSURE

There being no further business to discuss, the Shire President declared the meeting closed at 1.20pm.

These Minutes were confirmed as a true and accurate record of proceedings, at the Ordinary Council Meeting held on 19th August 2005

CONFIRMED

SHIRE PRESIDENT.....