

SHIRE OF MENZIES

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF MENZIES, HELD AT THE DAVYHURST MINESITE, DAVYHURST , ON FRIDAY 15TH APRIL 2005 COMMENCING AT 10.15am.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President welcomed all elected members and declared the meeting open at 10.15am.

The Shire President also welcomed Ms. Cheryl Gwillam, Director General of the Department of Local Government & Regional Development, Lindsay Bridge, Senior Project Officer (Aboriginal Communities) and Steve Cole also from the Department.

The Department representatives requested the meeting to discuss the Tjuntjuntjarra Community and the pending Local Government Advisory Board's decision.

C. Gwillam

- Thanked the President for meeting with the Department.
- Pointed out that the Advisory Board must still review the submission put forward in regards to Tjuntjuntjarra to Laverton or Tjuntjuntjarra to Menzies.
- Requested Council forward a letter of intent to the Department.

L. Bridge

- 2 elements, service delivery and service agreement to be organised
- Outcome will be dependent on the community

K. Pusey

- Need to see this project as not all about Tjuntjuntjarra. Needs to be seen as opening up the Eastern Section of the Shire and providing services
- Funding indications are unclear. Council is reluctant to commit prior to official funding being allocated
- A lot of the machinery at the community is in poor condition

K. Finlayson

- Agreed with Cr. Pusey's comments regarding commitment prior to allocation of funding
- Not fair on the community if a commitment was made and due to funding the services were not able to be delivered
- Advised of Ngaanyatjarraku Services who grade the roads in the lands and provide training to aboriginal people
- Council does not want to send a fleet of equipment from "outside sources" to upgrade the road with no employment opportunity for the community
- Prefer to liaise with Council's Works Supervisor to formulate a full-year plan.

C. Gwillam

- Menzies would need to approach the letter of intent with what the COMMUNITY wanted in mind

K. Finlayson

- Seems to be different wants and needs when you compare the administrators and the Council.
- Advised that Council had approached the community on numerous occasions in previous years in regards to services, however “no help required” was the response

T. Nottle

- Advised the Department representatives that the roads that have been listed as being on the inventory, (and subsequently increasing the amount of money available from the Grants Commission), is less than first predicted.

K. Pusey

- Possible problems with the Local Government Act 1995 (Tender Regulations) if Council desired to employ local people at the community to undertake the construction works.

T. Nottle

- Issue of providing Health & Building services.
- Council was always under the impression that the Aboriginal Health & Building Officer (currently Mr. K. Bender) was the officer for aboriginal communities.
- Advised that it is not just about Environmental Health Services, but also Building.
- Council already employs such an officer and believes that it should not duplicate its service provision

L. Bridge

- There is apparently mixed views regarding Mr. Bender’s responsibility as to if he is to undertake duties for aboriginal communities or not.

K. Finlayson

- Council’s small budget makes it near impossible to provide further services (EH & B) to duplicate what was understood to be undertaken by the Aboriginal Communities EHO Mr. Bender

S. Cole

- Suggested approaching the Local Government Grants Commission as to the disability factors already provided for the Community’s people

K. Pusey

- Needs to be a rolling five (5) year plan for the upgrade of the roads
- Just grading the roads will not improve the current road condition
- Usually as the roads improve, the user’s expectation is higher after time. Better road, faster traffic, and faster degradation of the road.

K. Finlayson

- Council would rather provide long term employment than engage a contractor through a tender process

C.Gwillam

- Thanked the Council and requested that a letter of intent be forwarded to the Department in the ensuing months

The President thanked Cheryl, Lindsay and Steve for their attendance.

The President adjourned the meeting for morning tea at 11.25am

The meeting resumed at 11.35am with all in attendance except Cheryl Gwillam, Lindsay Bridge and Steve Cole

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

Present:	Cr K Finlayson Cr K Pusey Cr P Kennedy Cr K Purchase Cr R Earnshaw	Shire President Deputy Shire President
	Mr Tony Nottle	Chief Executive Officer
Apologies:	Cr S Tonkin Cr I McGregor	
Visitors:	Mr. Dan Donald	Resident Manager Davyhurst Operations Croesus Mining (periodically)

3. PUBLIC QUESTION TIME:

As there were no members of the public present, Public Question Time was closed at 10.17am.

4. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

5. ANNOUNCEMENTS BY SHIRE PRESIDENT WITHOUT DISCUSSION

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL DECISION	ITEM 6.1
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MOVED Cr R Earnshaw

SECONDED Cr K Purchase

That the minutes of the Ordinary Meeting held on 18th March 2005 as previously circulated be confirmed as a true and accurate record.

CARRIED 5/0

7. STATUS REPORT

7.1 Status Report as at 7th April 2005.

Item 5 on Status Report

CEO to investigate self supporting loans for local businesses as part of Economic Development

CEO to request previous plans from other establishments regarding septic disposal from the EHO

*The President adjourned the meeting at 12.07pm for lunch
Council resumed the meeting at 12.50pm with all in attendance*

CEO advised the Council of the President and CEO's meeting with interested parties in Perth regarding Lake Ballard.

COUNCIL DECISION

MOVED Cr P Kennedy

SECONDED Cr R Earnshaw

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

CARRIED 5/0

8. FINANCIAL REPORTS

8.1 Financial Statements – to 31st March 2005.

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 8.1

MOVED Cr P Kennedy

SECONDED Cr K Purchase

That the Financial Statements for the period to 31st March 2005 as presented, be adopted.

CARRIED 5/0

8.2 Accounts for Payment

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 8.2

MOVED Cr K Pusey

SECONDED Cr R Earnshaw

That cheque numbers 2781 - 2820 and direct bank payments totaling \$31,727.65 which have been paid by the Chief Executive Officer under delegated authority, be adopted.

CARRIED 5/0

9. WORKS REPORTS

9.1 Works Supervisor Report

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

Cr. Pusey requested the Works Supervisor to investigate fuel consumption of some of the plant items.

COUNCIL DECISION \ OFFICER RECOMMENDATION	ITEM 9.1
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MOVED Cr K Purchase

SECONDED Cr K Pusey

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

CARRIED 5/0

10. ENVIRONMENTAL HEALTH OFFICER & RANGER REPORTS

10.1 Environmental Health Officers Report
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The Environmental Health / Building Officer's Report for March / April was tabled for Councillor information

COUNCIL DECISION \ OFFICER RECOMMENDATION	ITEM 10.1
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MOVED Cr K Purchase

SECONDED Cr P Kennedy

That the Environmental Health / Building Officer's report for March April 2005 be received.

CARRIED 5/0

10.2 Rangers Report

The Ranger's Report for January was tabled for Councillor information.

COUNCIL DECISION \ OFFICER RECOMMENDATION	ITEM 10.2
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MOVED Cr K Purchase

SECONDED Cr R Earnshaw

That the Ranger's Report for March 2005 be received.

CARRIED 5/0

11. CHIEF EXECUTIVE OFFICER'S REPORT

11.1.1	Establishment of Works & Services Working Group
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Location: N/A
Applicant: N/A
File Ref: 400
Disclosure of Interest: None
Date: 7th April 2005
Author: Tony Nottle, Chief Executive Officer
Signature of Author:

Summary

The author requests the Council to consider establishing a Works & Services Working Group.

Background

To date, Council has not had a Works & Services Working Group.

Comment

Over the past twelve (12) months the Shire has made some very important decisions in regards to the purchase of equipment. Almost \$750,000 would have been expended by the completion of the 04/05 budget on plant alone.

Major projects such as the floodway program and the Yarri Road upgrade have also seen expenditure of a further \$546,000.

In order to assist the CEO and the Works Supervisor in planning the works program and tendering for the correct specifications, the author requests the Council to consider a working group of both Councillors and employees to achieve the most desirable outcome.

This would create a collaborative approach and also assist in reducing the discussion regarding these topics at full Council Meetings.

The outdoor work force indicated that they would like to be able to meet and show the Councillors and senior staff their ideas and current working capabilities, which would assist the Council in making their choices during the budget period.

Consultation – Works Crew, Councillors and senior staff

Statutory Environment – As Council is not setting up a formal committee, (more like a discussion group) an absolute majority decision is not necessary.

Council may nominate Councillors to assist the CEO and staff on the group.

Policy Implications –

There are no current policies relating directly to this matter

Financial Implications –

There does not seem to be a direct effect on revenue or expenditure in this matter.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1.1
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MOVED Cr R Earnshaw

SECONDED Cr K Pusey

That Council nominate Councillors Purchase, Kennedy and Pusey along with the Chief Executive Officer and the Works Supervisor to create a Works and Services Working Group.

CARRIED 5/0

11.2 CHIEF EXECUTIVE OFFICER SUPPLEMENTARY REPORT

11.2.1	Application for Mining Tenement on Reserved Land
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Location: Menzies
Applicant: Westex Resources
File Ref: 213
Disclosure of Interest: None
Date: 12th April 2005
Author: A G Nottle, Chief Executive Officer
Signature of Author:

Summary

Council has been requested to consider allowing mining activity on Recreation Reserve 46874 (old racecourse).

Background

In October 2004 Council was requested to consider an application for a mining tenement which encroached over Reserve 46874 (Old Racecourse) and Reserve 3348 (Menzies Cemetery).

Council resolved:

“That Council object to any mining activity near other reserves located within the current Prospecting License 29/1816 and in particular the Menzies Cemetery

Reserve 3348, and request that the Department of Industry and Resources provide Council with an anthropological report regarding the surrounds of the reserve.”

Six (6) months later correspondence has been received from the Department of Industry and Resources, (after notification by the CEO), advising that no mining activity will occur within one hundred and forty (140) metres from Cemetery Reserve 3348.

It is still requested that the Council consider giving consent to mine within Recreation Reserve 46874.

Comment

It is the opinion of the author that the Council has made it clear that it does not wish the company to carry out activity within the reserve areas.

While it seems obvious that the new request is a measure to ensure that the Department of Industry and Resources (DoIR) do not have to perform an anthropological survey on the area, it is mentioned the company would not mine within 140 metres of the Cemetery Reserve 3348.

In light of this information Council will still have the discretion for the company to mine on the Recreation Reserve (old racecourse). The company has advised the DoIR that only mapping and rock chip sampling will be done (in the medium term) on the areas surrounding the 140 metre buffer.

In light of this information there may not need to be an anthropological survey carried out around the surrounds of the Cemetery Reserve 3348.

Consultation Ross Collins, DoIR

Statutory Environment - Sections 23 to 26 of the Mining Act 1978

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

Financial Implications - There are no direct financial implications regarding this application for the mining tenement.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 11.2.1

MOVED Cr R Earnshaw

SECONDED Cr P Kennedy

That Council raise no objection to the application for Mining Tenement on Prospecting License 29/1816.

CARRIED 5/0

12. REPORTS FROM COUNCILLORS

Nil

13. BUSINESS OF AN URGENT NATURE

13.1 COUNCILLORS

Cr R Earnshaw

- Due to this meeting being Cr. Earnshaw's final meeting for the Shire of Menzies, Cr. Earnshaw thanked the Council and advised that he had enjoyed his time on the Menzies Council

Cr P Kennedy

- Asked if the bores that were placed near the Cranky Jack Road were working sufficiently.
The CEO advised that they are working well
- Advised Council that a historical building (Shearing Shed) on Korong Station in the Laverton Shire was falling down. Cr Kennedy requested that Council join forces with the Laverton Shire Council in an attempt to ask the owner to save the building. (Council agreed it was in the best interest of the community and travelers on the Golden Quest Trail.
CEO to write to Golden Quest Discovery Trail and the Laverton Shire Council

Cr K Finlayson

- Recently returned from representing the Shire of Menzies at the Sydney Caravan & Camping Show for the Golden Quest Discovery Trail. Good response from travelers regarding the Lake Ballard Statues.
- Thanks to Cr Earnshaw for his hard work over the past four (4) years. Cr. Earnshaw had been a positive contributor and the President wished both Cr. Earnshaw and his family all the best in the future

13.2 CHIEF EXECUTIVE OFFICER

- **Infrastructure Workshop in Kalgoorlie held Friday 8th April 2005.**
- **Amendment Act 2004 (Local Government Act 1995 & Regulations) Meeting Monday 11th April 2005.**
- **Staff Appearance and Uniforms**
- **Official Announcement of Surplus Funds Allocated to the Shire of Menzies Under the Regional Road Group**

Correspondence Tabled

- **Inventory of Abandoned Minesites**

Correspondence Tabled

- **Correspondence Received from Mrs. Robyn McCarthy**

Correspondence Tabled

- **Menzies Hotel – Septic System Works**

Correspondence Tabled

- **Caltex Menzies Roadhouse**

The CEO met with the new owner of the Roadhouse to discuss development plans of the premises. He advised that the following actions would be carried out immediately.

The Lead Replacement Petrol (LRP) Bowser will be decommissioned and the LRP will be sold off.

A new diesel bowser will be placed at the front of the building. (replacing the LRP)

The owners are discussing with the Environmental Health / Building Officer the extensions to the Northern end of the Roadhouse to build a new Dining Room.

Construction will be of transportable type, to be made look like part of the building.

- **Local Government Elections**

Early voting has started. Election day 7th May 2005.

Postal Voting forms sent to Tjuntjuntjarra

- **AGM Western Australian Local Government Association – Ideas to CEO**

14. NEXT MEETING

The next Ordinary Council Meeting is scheduled for Friday 20th May 2005, Menzies Council Chambers at 9.00 am.

15. CLOSURE

There being no further business to discuss, the Shire President declared the meeting closed at 1.58pm.

These Minutes were confirmed as a true and accurate record of proceedings, at the Ordinary Council Meeting held on 20th May 2005

CONFIRMED

SHIRE PRESIDENT.....