



SHIRE OF MENZIES

MINUTES

**OF THE ORDINARY MEETING OF COUNCIL
HELD ON**

Thursday 27 June 2013

Shire of Menzies Council Chambers

Commencing at 10.00am

SHIRE OF MENZIES



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SHIRE OF MENZIES

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MINUTES OF ORDINARY MEETING OF COUNCIL

1. DECLARATION OF OPENING

The Shire President (Cr Gregory Dwyer) declared the meeting open at 10.10am , welcomed the attendees, visitors and guests and proceeded with the Agenda as planned.

2. ANNOUNCEMENT OF VISITORS

Mr Greg Kaeding, Jupiter Mines
Mr Gigi, Jupiter Mines
Ms Polly Hammond, Jupiter Mines
Mr Rob Northcoat, Eastern Goldfields Cycling Club
Mr Wayne Douglas, Eastern Goldfields Cycling Club
Mr Bret Howson

3. RECORD OF ATTENDANCE

3.1 PRESENT:

Councillors:	Cr G Dwyer	President
	Cr P J Twigg	Deputy President
	Cr C Bennell	Councillor
	Cr J A Dwyer	Councillor
	Cr C K Purchase	Councillor
	Cr I R Tucker	Councillor
Staff:	Mr N P Crawford	Chief Executive Officer
	Ms R Jones	Deputy CEO
	Mrs D Crawford	EA to CEO

3.2 APOLOGIES

Nil

3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

President Dwyer asked for one minute silence as a mark of respect for our late Manager Works and Services, Mr Brian Howson.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE.

Nil

7. DECLARATIONS OF INTEREST

Mr Peter Crawford declared a financial interest in Item 12.4.1

Mrs Daphne Crawford declared a financial interest in Item 12.4.1

8. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

9. CONFIRMATION/RECEIVAL OF MINUTES

9.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD 24 APRIL 2013

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER RECOMMENDATION
--

NO: 0357

Moved: Cr J Dwyer

Seconded: Cr K Purchase

That the minutes of the Ordinary Meeting of Council held on 24 April 2013 be confirmed as a true and accurate record.

9.16am

CARRIED: 6/0

9.2 RECEIVAL OF MINUTES OF THE SPECIAL COUNCIL MEETING HELD 29 MAY 2013
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VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION
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NO: 0358

Moved: Cr J Dwyer

Seconded: Cr P Twigg

That the minutes of the Special Meeting of Council held on 29 May 2013 be received.

9.18am

CARRIED: 6/0

10. PETITIONS/DEPUTATIONS/PRESENTATIONS

Mr Bret Howson thanked Council and staff for everything that was done to help Brian. Because of these efforts Bret was able to have two precious hours with his Dad before he passed away.

10.22am: Mr Howson left the meeting

Mr Rob Northcoat thanked Council for their monetary and in kind support of the Goldfields Cyclassic and presented the President with a framed photo and a replica of the winner's trophy. Mr Northcoat also showed two short film clips of the ride itself and of some of the local children interacting with the cyclists.

10.33am: CEO left the room

10.44am: CEO returned to the room

10.35am: Mr Northcoat and Mr Douglas left the meeting

Mr Greg Kaeding, Environmental Manager, Mr Gigi, Project Director and Ms Polly Hammond from Jupiter Mines provided a powerpoint presentation showing the proposed development of the Mt Mason mine. There was also some discussion about road usage in the area.

Mr Kaeding also commented about the previous presentation by stating that Jupiter would be supportive of community activities, particularly sport.

11.29am: Mr Kaeding, Mr Gigi and Ms Hammond left the meeting

11. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 PRESIDENT'S REPORT – TABLED AT THE MEETING

03/05/2013	Attended, along with Cr Jill Dwyer and DCEO Rose Jones, Over the Horizon Conference in Esperance. Overview of the Esperance Port and Rail infrastructure was the most beneficial to the delegates.
07/05/2013	Attended Housing Committee Meeting re tender document
08/05/2013	Attended, with CEO, meeting with John Vinar and Paul Lynch of Mindax for an update of their current status.
10/05/2013	Attended MRD Forum on vehicle configurations and load capacities for haulage of commodities.
13-14/05/2013	Along with Crs J Dwyer and I Tucker, flew to Perth and inspected transportable concrete floored display homes at Fleetwood, T and R Homes and McGrath Homes.
17/05/2013	Attended lunch with Landcorp Board in Kalgoorlie to express Council's concerns and hopes for the future that Landcorp may be involved with.
27/05/2013	With the CEO, met with Erin Bond, Manager Goldfields Department of Sport and Recreation who has taken over from

Mike Brewer, reinforcing DSR policies and discussion of ideas.

- 29/05/2013 Attended Special Meeting of Council. The Ordinary Meeting scheduled to be held at Tjuntjuntjara on 30 May 2013 had to be relocated as a visit to the community at that time was inappropriate because of traditional business taking place.
- 01-02/06/2013 Attended the Goldfields Cyclassic, incorporating the Menzies Classic and Golden Wheels race and presented trophies, prizes and Guernsey in the Menzies Town Hall at the Goldfields Cycle Club Dinner.
- Assisted with the Community Breakfast in Menzies on Sunday morning and then presented the overall winners Guernsey at Leonora for the Goldfields Cyclassic.
- 14/06/2013 Attended Lake Ballard Association meeting in Menzies to discuss legal opinion from McLeods Solicitors on the possible change for the Management Order being vested in the Shire of Menzies.
- Briefed by Doug Daws on behalf of the Freemasons for the installation of a stone stairway to the top of the hill/lookout on Lake Ballard.
- 21/06/2013 Met with Technicians from Satellite Television and Radio Australia in Menzies for the changeover from analogue to digital TV retransmission.
- 26/06/2013 Attended the Ordinary Board Meeting of the Goldfields Tourism Network in Kambalda with main business being 2013/14 budget.

**VOTING REQUIREMENTS:
Simple Majority Decision required**

COUNCIL DECISION/OFFICER'S RECOMMENDATION	NO: 0359
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Moved: Cr I Tucker

Seconded: Cr C Bennell

That the President's Report (Attachment 11.1) as tabled, be received.

11.55am

CARRIED: 6/0

11.57am: Cr Purchase left the room

11.59am: Cr Purchase returned to the room

12. REPORTS OF COMMITTEES AND OFFICERS

12.1 HEALTH AND BUILDING BUSINESS

12.1.1	PLANNING APPLICATION – USE OF FOOTPATHS
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SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Mr Justin Lee
FILE REF:	L/1/5
DISCLOSURE OF INTEREST:	None
DATE:	13 June 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	Minute 11.1.1 of Ordinary Meeting of Council 25 October 2012

ATTACHMENTS:

Attachment 12.1.1a: Planning application from Mr Justin Lee

SUMMARY:

For Council to consider a planning application from a local business to place tables and chairs on the public footpaths

BACKGROUND:

At the ordinary Meeting of Council held Thursday, 25 October 2012, Council approved a planning application for the operation of a “take away café” at Lot 1 Shenton Street in Menzies, subject to the applicant acquiring all necessary approvals under the *Food Act 2008*.

COMMENT:

The original application was for take away food sales but now the applicant wishes to have permission to place tables and chairs on the footpaths to accommodate patrons.

As this request for additional activities, (ie to place obstructions on a public thoroughfare) is an extension of the original approved planning application, a new application has been submitted.

There isn't reason why Council would not approve this application. The applicant will need to demonstrate to Shire staff what equipment he wishes to place on the footpath and where, to ensure that pedestrian traffic is not prohibited from moving freely in the area. He will also be required to produce evidence for Shire records that he has the appropriate public liability insurance cover for his operations.

The existing business is developing better than anticipated and is extremely popular with locals and tourists alike. The provision of this facility has been most positive in portraying the generous and friendly spirit of the Menzies community to the wider regions.

CONSULTATION:

Mr G Agnew - EHO

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter.

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0360
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Moved: Cr P Twigg

Seconded: Cr I Tucker

That Council approves the planning application from Mr Justin Lee to place tables and chairs on the footpath immediately in the vicinity of Lot 1 Shenton Street in Menzies, subject to:

- 1. Mr Justin Lee providing the Chief Executive Officer with evidence of his own public liability insurance cover for his operations showing the proposed use of the public thoroughfare,**
- 2. That the Chief Executive Officer seeks written confirmation from the Local Government Insurance Services that this public liability insurance cover is deemed to be adequate for planning approval, and,**

3. That Mr Lee gains the approval of the Chief Executive Officer of the type and location of such furniture that he wishes to use on the footpath and at all times abide by any directions given to him by the Chief Executive Officer regarding this application.

12.05pm

CARRIED: 6/0

**12.2 FINANCE AND ADMINISTRATION BUSINESS
NIL**

**12.3 WORKS AND SERVICES BUSINESS
NIL**

12.4 MANAGEMENT AND POLICY BUSINESS

Mr P Crawford, Chief Executive Officer, declared an interest in the next item to the extent that he may gain some financial reward as a result of the decision.

CEO offered to leave the room but was advised that he could remain in the meeting.

Mrs D Crawford, Executive Assistant to CEO, declared an interest in the next item to the extent that she may gain some financial reward as a result of the decision.

12.07pm: Meeting was adjourned for lunch

12.36pm: Meeting resumed

Absent from the meeting were DCEO Rose Jones and CEO's EA Daphne Crawford

12.4.1	CEO's ANNUAL PERFORMANCE REVIEW FOR YEAR ENDED 27 JUNE 2013
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SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	Personnel Files
DISCLOSURE OF INTEREST:	The author declares a financial interest in this matter as his salary package may be adjusted as a result of this performance review.
DATE:	10 June 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	N/A

ATTACHMENTS:

Attachment 12.4.1a: Performance Review Forms
Attachment 12.4.1b: Performance Review Form
Attachment 12.4.1c: Extract from the CEO's Contract of Employment, Section "Performance Reviews".

SUMMARY:

For Council to consider the process to be used in conducting a performance review of the Chief Executive Officer.

BACKGROUND:

The Local Government Act requires that the performance of the CEO (and all other employees) is reviewed at least annually during the term of their employment.

The CEO's performance review is due on 27 June 2013.

The purpose of conducting a performance review is to not only assess how the CEO has performed during the year under review but to also set goals for the coming year that Council would like to see the CEO focus on. An integral part of this process is to determine whether the CEO has the necessary resources to achieve Council's goals as well as at the same time meeting other statutory responsibilities such as compliance.

In conducting the performance review, Council has the option of either carrying out the review in-house (that is the Council lead by the President conducts the review and reports on the outcomes), or, Council could engage a consultant to facilitate the process and record the outcomes.

If Council is comfortable with an in-house performance review, the CEO can assist with provision of guiding notes prepared by the Department of Local Government, preparation of forms, arranging meetings etc. An in-house performance review would also save Council in the order of \$4,000 to 5,000.

COMMENT:

Council needs to determine how it wishes to carry out the CEO's performance review taking into account the requirements of the Local Government Act and the CEO's Contract of Employment.

The CEO is comfortable with either in-house or facilitated processes and would be prepared to discuss the pros and cons of both methods further with Council.

If Council appoints a Working Group to conduct the review, the Working Group in consultation with the CEO will need to determine the format and process of the review.

The recommendation of this report is based on the good working relationship and understanding that exists between Council and the CEO as well as saving unnecessary (and unbudgeted) expenditure.

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.
- Section 5.38 – Provides for the performance of the CEO to be reviewed at least once in relation to every year of employment.

CEO's Contract of Employment – Section 8 "Performance Reviews" provides guidance on the process to be undertaken

POLICY IMPLICATIONS:

Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS:

If conducted in-house the conduct of the CEO's performance review should not incur any additional costs to Council.

STRATEGIC IMPLICATIONS:

Annual review of an employee's performance is a valuable tool in assessing performance and setting goals consistent with the strategic goals of Council.

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER'S RECOMMENDATION:

That Council:

1. Determines that it wishes to conduct the annual performance review of the CEO, Mr Peter Crawford, by a working group of Councillors appointed by Council for that purpose,
2. Appoints the Shire President, Deputy President, Crs _____, _____, _____ and _____ to the CEO's Performance Review Working Group,
3. Requires the Performance Review Working Group to conduct the annual performance review of the CEO in a timely manner and report back to Council by no later than the Ordinary Meeting of Council in July 2013, the outcomes of the CEO's performance review and,
4. Agrees that the working group will use Attachment 12.4.1a as the review document

COUNCIL DECISION:	NO: 0361
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Moved: Cr C Bennell

Seconded: Cr P Twigg

That Council:

1. Determines that it wishes to conduct the annual performance review of the CEO, Mr Peter Crawford, by a working group of Councillors appointed by Council for that purpose,
2. Appoints the Shire President, Deputy President, Crs J Dwyer, K Purchase, I Tucker and C Bennell to the CEO's Performance Review Working Group,
3. Requires the Performance Review Working Group to conduct the annual performance review of the CEO in a timely manner and report back to Council by no later than the Ordinary Meeting of Council in July 2013, the outcomes of the CEO's performance review

Reason for the change was that the Working Group would liaise with the CEO on which forms would be used.

1.06pm

CARRIED: 6/0

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.2	GOLDFIELDS TOURISM NETWORK ASSOCIATION INC. – RENEWAL OF MEMORANDUM OF UNDERSTANDING (MOU)
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SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Goldfields Tourism Network Association Inc
FILE REF:	ADM 281
DISCLOSURE OF INTEREST:	None
DATE:	6 June 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 12.4.2a: Letter and Memorandum of Understanding from Goldfields Tourism Network Association Inc

SUMMARY:

For Council to consider renewing the Memorandum of Understanding with the Goldfields Tourism Network Association Inc.

BACKGROUND:

The Shire of Menzies currently has a Memorandum of Understanding (MOU) with the Goldfields Tourism Network Association Inc (GTN). This organisation also incorporates the Golden Quest Discovery Trail (GQDT) which has many sites located throughout the Shire.

The MOU is due for renewal on 1 July 2013 (See Attachment 12.4.2a)

COMMENT:

The Shire of Menzies has been a signatory to an MOU, initially with the GQDT for a number of years and lately renewed that MOU with the newly formed Goldfields Tourism Network.

The GTN provides support in marketing the tourist sites throughout the Shire and advice on maintenance requirements to these sites. At this point, it will be recommended that the Shire continues with the MOU and makes budget provision to allow for the membership fees of \$40,150 (Inclusive of GST).

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter.

FINANCIAL IMPLICATIONS:

Provision will be made in the forthcoming Budget for the fees.

STRATEGIC IMPLICATIONS:

Will provide assistance to the body to market the attractions of the district.

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER'S RECOMMENDATION:

That Council agrees to becoming a signatory to the Memorandum of Understanding with the Goldfields Tourism Network Association Inc for the 2013/2014 financial year at a cost of \$40,150 (includes GST).

This matter was deferred until after the Budget has been adopted

1.14pm

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.3 RESIGNATION OF DEPUTY CHIEF EXECUTIVE OFFICER

SUBMISSION TO:	Ordinary Meeting of Council, 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	S/4/3
DISCLOSURE OF INTEREST:	None
DATE:	14 June 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 12.4.3a: DCEO's letter of resignation
Attachment 12.4.3b: Position description for Deputy Chief Executive Officer

SUMMARY:

For Council to receive the report of the Deputy Chief Executive Officer's resignation.

BACKGROUND:

Ms Rose Jones was appointed as the Manager Corporate Services on 31 August 2012 and later had that title changes to the Deputy Chief Executive Officer.

COMMENT:

Ms Jones has now tendered her resignation, effective 30 September 2013 citing personal reasons for her decision (See Attachment 12.4.3a)

This will allow Rose to present the Budget, have the rates sent out and have the Audit completed before leaving.

With regards what course of action that we should take, there are a number of options to consider:

1. Advertise immediately to try and have someone on board prior to Rose's departure, or,

2. Appoint an acting DCEO in the interim

Both have benefits and disadvantages and should be discussed at length. Time is of the essence and it is fairly critical that we do not delay a decision.

With the decline in the mining industry, there does appear to be some LG financial people filtering back into our industry so it may be advantageous to advertise for a replacement offering the same package as was offered to Rose last year (See Attachment 12.4.3b).

If we were to advertise on Saturday 29 June 2013, a recommendation for an appointment could be presented to Council this July.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

Provision for this position has been made in the Budget

STRATEGIC IMPLICATIONS:

Will assist the Shire in managing its financial resources

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER'S RECOMMENDATION:

That Council:

1. Approves the proposal to advertise the position of Deputy Chief Executive Officer, and,
2. Appoints the President and Crs _____, _____,

and _____ to assist the Chief Executive Officer as members of the interview panel.

COUNCIL DECISION:	NO: 0362
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Moved: Cr J Dwyer`

Seconded: Cr P Twigg

That Council:

- 1. Approves the proposal to advertise the position of Deputy Chief Executive Officer, and,**
- 2. Appoints the President and Crs J Dwyer, I Tucker and P Twigg to assist the Chief Executive Officer as members of the interview panel.**

1.25pm

CARRIED: 6/0

1.25pm CEO left the meeting

1.26pm CEO returned to the meeting

1.27pm Mr N Mitchell, Ms R Jones and Mrs D Crawford entered the meeting

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.4 STRATEGIC COMMUNITY PLAN – MODIFIED VERSION

SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	W/1/3
DISCLOSURE OF INTEREST:	None
DATE:	28 May 2013
AUTHOR:	Niel Mitchell, Consultant
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	Item 12.4.3 of Ordinary Meeting of Council 24 April 2012

ATTACHMENTS:

Attachment 12.4.4a: Strategic Community Plan – draft modifications

SUMMARY:

The Local Government Act requires Council to plan for the future, and has mandated that a strategic community plan and a corporate business plan must be prepared and adopted by Council prior to 30 June 2013.

The draft Strategic Community Plan was adopted in November 2012, advertised and subsequently provided to the Department of Local Government as required.

Recent correspondence from DLG indicated that they considered a number of areas of the SCP required attention for it to be compliant.

COMMENT:

DLG concerns centred around –

- The need to amend the date to comment July 2013 for the 2013-2014 year, for a period of 10 years
- Lack of some statistical data, although much is given either elsewhere in this plan or in the Workforce Plan adopted.
- Performance measures

Accordingly –

- Dates in the SCP changed to comply
- Statistics inserted from Workforce Plan, and from additional sources
- Clarification of performance measures

The resulting changes were –

- Amended dates of application of the SCP
- Rearrangement of the order of the sections in the SCP
- Completely new section 4 – Community and Capability
- New sub-section 6.0 – Measurement, explaining the principles behind the performance measures chosen.

As the SCP has previously been adopted and advertised for public comment, compliance with the regulations for adoption prior to 30 June 2013 has been achieved.

However, the regulations do require that modifications be by absolute majority and that there is local public notice that modifications have been made.

CONSULTATION:

Mr N Mitchell - Consultant

STATUTORY ENVIRONMENT:

Local Government Act 1995

Local Government (Administration) Regulations 1996

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.

- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
**Absolute majority required.*
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

Guides the development of all other integrated planning requirements and preparation of the annual budget

VOTING REQUIREMENTS:

Absolute Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATIONS:
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NO: 0363

Moved: Cr K Purchase

Seconded: Cr I Tucker

That Council resolves that:

- **The Strategic Community Plan as modified be approved,**
- **Local public notice be given that modifications have been made to the Strategic Community Plan, and**
- **The modified Strategic Community Plan be submitted to Department of Local Government**

1.31pm

CARRIED BY ABSOLUTE MAJORITY

1.32pm Cr G Dwyer left the meeting

1.34pm Cr G Dwyer returned to the meeting

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.5 DRAFT ASSET MANAGEMENT PLAN

SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	ADM399
DISCLOSURE OF INTEREST:	None
DATE:	17 June 2013
AUTHOR:	Niel Mitchell, Consultant
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Appendix 12.4.5a: Draft Asset Management Plan

SUMMARY:

The Local Government Act requires Council to plan for the future, and has mandated that a strategic community plan and a corporate business plan must be prepared and adopted by Council prior to 30 June 2013.

KPMG were engaged by the Goldfields Esperance Regional Collaborative Group to prepare templates for the 10 Shires of the region for –

- Strategic Community Plan
- Workforce Plan
- Asset Management Framework (Policy and Plan)
- Long Term Financial Plan (including Forward Capital Works)
- Corporate Business Plan

KPMG's work was funded in large part by the Department of Local Government. KPMG finished their component of the work in late 2012.

The expectation by most Shires was that the 5 Plans for each Council would be fully complete, with no further data input required. However, the GERCG Executive Officer advised that this was not intended under the EOI and subsequent contract.

COMMENT:

While the Asset Management Plan is not required by legislation, the Corporate Business Plan does require Asset Management issues to be addressed. To do so means that an AMP must be prepared, in order to provide the information stipulated. One of the issues for Councils will be to make the Framework useful, and not merely compliant.

As with the other plans, the template provided to Menzies had some amount of data in it, but was far from complete.

Issues of accuracy, relevance, usefulness, and particularly duplication of nearly identical data between the three original documents, were again identified throughout the Plan, to such an extent that substantial re-write was appropriate. For instance –

- according to KPMG documents, total assets were \$502,477,149,
 - o including \$50,400,000 for airports, but
- the audited documents prepared by UHY Haines Norton, indicate total assets of \$74,541,177

Some of the information provided by KPMG has been able to be used.

Council's attention is drawn to a number of factors –

1. This Asset Management Plan is very much a high level document with little detailed support available.
 - a) Where possible, figures are based on UHYHN audited figures, the amounts adopted in the Budget, current estimates of capital expenditure, current depreciation rates and then an assessment as to whether or not the result is reasonable and achievable.
 - b) Substantial work to prepare the detail needed for each asset is required. Without this information, the AMP is necessarily lacking in accuracy. Indications are that this is likely to be regulated at some future date, but is not the case at the moment. The work will require what is essentially an individual plan for every single asset.
2. The high level approach was taken due to –
 - a) Time requirement
 - b) GERCG efforts for regional asset management initiatives
 - c) Options to be explored, particularly with Leonora and Laverton, in relation to possible joint engagement of a suitable consultant to prepare the detail required.

The AMP is closely linked with the Long Term Financial Plan with the need to have the following estimates agree between the two plans –

- capital expenditure in the various classes of asset
- disposal of assets within those classes
- depreciation of assets.

Public notice of the Plan is not required.

CONSULTATION:

Mr Peter Crawford, CEO Shire of Menzies

STATUTORY ENVIRONMENT:

Local Government Act 1995

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

(3) A corporate business plan for a district is to —

- (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
- (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
- (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

Together with the Long Term Financial Plan, guides the development and preparation of the annual budget

VOTING REQUIREMENTS:

Simple Majority

COUNCIL DECISION/OFFICER'S RECOMMENDATION:

NO: 0364

Moved: Cr J Dwyer

Seconded: Cr C Bennell

That the draft Asset Management Framework (Strategy, Policy, Plan) as presented, be adopted.

1.56pm

CARRIED: 6/0

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.6 DRAFT LONG TERM FINANCIAL PLAN

SUBMISSION TO:	Ordinary Meeting of Council,
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	ADM400
DISCLOSURE OF INTEREST:	None
DATE:	19 June 2013
AUTHOR:	Niel Mitchell, Consultant
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Appendix 12.4.6a: Draft Long Term Financial Plan

SUMMARY:

The Local Government Act requires Council to plan for the future, and has mandated that a strategic community plan and a corporate business plan must be prepared and adopted by Council prior to 30 June 2013.

KPMG were engaged by the Goldfields Esperance Regional Collaborative Group to prepare templates for the 10 Shires of the region for –

- Strategic Community Plan
- Workforce Plan
- Asset Management Framework (Policy and Plan)
- Long Term Financial Plan (including Forward Capital Works)
- Corporate Business Plan

KPMG's work was funded in large part by the Department of Local Government. KPMG finished their component of the work late 2012.

The expectation by most Shires was that the 5 Plans for each Council would be fully complete, with no further data input required. However, the GERCG Executive Officer advised that this was not intended under the EOI and subsequent contract.

COMMENT:

While the Long Term Financial Plan is not required by legislation, the Corporate Business Plan does require long term financial issues to be addressed. To do so means that an LTFP must be prepared, in order to provide the information stipulated. One of the issues for Councils will be to make the Plans useful, and not merely compliance.

As with the other plans, the template provided to Menzies had some amount of data in it, but was far from complete although a lot of the information provided by KPMG has been able to be used. Their template for the financial estimates was comprehensive, but differed in major respects from those used by other consultants, and the template prepared by Dept of Local Government. Despite the problems with it, it was considered that it was the most suitable to use.

Issues of accuracy, relevance, usefulness, were again identified throughout the Plan, to such an extent that substantial re-write was appropriate. For instance, as in the Asset Management Plan –

- according to KPMG documents, total assets were \$502,477,149,
 - o including \$50,400,000 for airports, but
- the audited documents prepared by UHY Haines Norton, indicate total assets of \$74,541,177

in addition, other issues arose, such as –

- no provision for estimating capital funding, trade-in of plant and vehicles etc
- inclusion of data where not correct, or the reverse
- incorrect formulae

Councils attention is particularly drawn to several matters –

1. KPI's, as noted in the LTFP schedules –
 - a) Operating surplus ratio – Trend is for continuing increase, and although above the DLG Target, this is considered appropriate. Given the Shire's circumstances, of a relatively small rate base and a large capital infrastructure, a greater proportion of expenditure is needed on capital (renewal/upgrade/new of roads buildings and other infrastructure), requiring a greater input from own resources than average.
 - b) Current ratio – A significant improvement is expected in Year 2, and then gradual improvements in following years.
 - c) Rates coverage ratio – Long term and greater effort will be needed on capital expenditure, which will have the effect of reducing rates coverage ratio. The Asset Management Plan suggests that this will need to commence in about Year 6, resulting in the ratio likely stabilising around the 45%. Again, considering limited rate base and large infrastructure requirement, this is considered to be an appropriate target.

- d) Debt service coverage ratio – No loan liability after 2013-2014, and no new loans proposed.
2. Statement of Financial Position – the opening and closing funds figure at the bottom of the Schedule indicates the expected general use funds to be available at the end of each financial year, excluding the Reserves. Accordingly, if the figure is a negative, the Council is effectively operating in “overdraft”. The estimates do show a continual improvement, but the low starting position is not unexpected given the experiences of the past several years.
3. Rate Setting Statement – A positive figure indicates in excess of that year’s expenditure requirement is estimated to be raised, similarly, a negative figure indicates a deficit. There is no legal requirement to adopt a balance budget, and if necessary, balancing can be easily achieved through transfers to or from reserve. The first year indicates a significant surplus is raised, but when considered with the bottom line of the Statement of Financial Position, this surplus is essential to reduce the deficit expected to be carried forward from the previous year, and due to the large expenditures in Year 2.
4. Assets – this is a critical tab linking to the Asset Management Plan for acquisition, disposal and depreciation of assets.
5. Capital Expenditure, Capital Funding, Forward Capital Estimates Year 1-10 – These tabs are also critical to the AMP. The schedules effectively replace the previous Forward Capital Works Plan, and can be utilised separately to the rest of the LTFP if desired. However, any changes in these schedules do follow through to other schedules automatically.

There is a need to review the LTFP every two years, but in reality, it is going to be simpler and less work to update them annually for the purposes of the Corporate Business Plan (which is annual review) even if the AMP is not updated. Accordingly, the Schedules have been developed and modified to make the process of review/update as easy as possible, utilising formulae where able rather than manually entered data.

The LTFP is closely linked with the AMP with the need to have the following estimates agree between the two plans –

- capital expenditure in the various classes of asset
- disposal of assets within those classes
- depreciation of assets

It is emphasised that the LTFP should not be treated as something fixed, and unable to be altered. It should be viewed as a broad statement of Council’s intentions and directions, guided by the other documents in the integrated planning framework. As such, it has no capacity to commit funds or authorise expenditures to be incurred, in other words, inclusion in the LTFP does not mean that it must happen or will necessarily will happen. The authorisation for expenditures and specific commitment to actions and projects arises out of the adoption of the annual Budget, which over-rides the LTFP, whether it takes forward the original intentions of the LTFP or not. If there are

inconsistencies, the annual Budget, as the specific authorising document, takes precedence.

Public notice of the Plan is not required.

Important note – Balancing of the necessary data with the Audited Annual Statement of 2011-2012 and with the adopted Budget for 2012-2013 as prepared by UHY Haines Norton has been achieved, as well as reconciling internally between the various calculations.

However, a discrepancy in the Statement of Changes in Equity remains and has not been able to be located at this point. The difference is between the bottom lines where the balance 30 June does not equal net assets as per Balance Sheet (Statement of Financial Position). The discrepancy is consistent across all 10 years of the plan, indicating that the problem is the data or formulae between the Budget 2012-2013 figures and the Year 1 estimates. The issue does not affect year to year activities.

It has now been referred elsewhere for review and resolution prior to Council meeting is being sought.

CONSULTATION:

Mr Peter Crawford, CEO Shire of Menzies
Ms Rose Jones, DCEO Shire of Menzies
Mr Neville Hale, former CEO Shire of Northam
Mr Mike Costarella, Director Corporate Services, Town of Bassendean
Mrs Shirley Fourie, Chartered Accountant
Mr Vern McKay, Principal Project Officer, Dept of Local Government

STATUTORY ENVIRONMENT:

Local Government Act 1995

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

(3) A corporate business plan for a district is to —

- (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
- (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
- (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

Guides the development and preparation of the annual budget

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATIONS:

That the draft Long Term Financial Plan as presented with amendments, be adopted.

COUNCIL DECISION:

NO: 0365

Moved: Cr K Purchase

Seconded: Cr J Dwyer

That progress towards a compliant Long Term Financial Plan and the draft Long Term Financial Plan as presented, be noted.

1.58pm

CARRIED: 6/0

Reason for the change was that further work was required on the financial figures in the plan to ensure accuracy.

1.58pm Meeting was adjourned to welcome visitors from the Shire of Wiluna

2.24pm Meeting resumed
Absent from the meeting was Cr Purchase

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.7	CORPORATE BUSINESS PLAN
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SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	ADM398
DISCLOSURE OF INTEREST:	None
DATE:	6 June 2013
AUTHOR:	Niel Mitchell, Consultant
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 12.4.7a: Draft Corporate Business Plan

SUMMARY:

The Local Government Act requires Council to plan for the future, and has mandated that a strategic community plan and a corporate business plan must be prepared and adopted by Council prior to 30 June 2013.

The draft Corporate Business Plan is presented for consideration as required.

COMMENT:

The Corporate Business Plan is part of the Integrated Planning Framework now required by the Department of Local Government. Its origin is with the Strategic Community Plan which outlines the aspirations of the community as identified and accepted by Council for development.

The CBP then builds on the SCP –

- with information from the Workforce Plan, about how the community's wishes can be achieved.
- the Asset Management Plan provides guidance on what plant, buildings, road, recreation facilities etc the Shire has, can afford to maintain and needs to invest in. The AMP links very closely to the LTFFP.
- The Long Term Financial Plan is the collected estimates of what operations and development is expected to cost. It is not a Budget, but rather a broad brush document providing a look into the future.

As identified by the Workforce Plan, staff will be engaged generally on "business as usual" requirements of the Shire, with contractors engaged for operations or projects as needed. This avoids the need for continual expansion and contraction of the workforce, provides stability and negates the need for housing to be provided that may then remain unoccupied for a period.

The future detailed development of the Asset Management Plan is a priority, and highlights the necessity of maintaining assets in a high quality condition, rather than directing funding to more popular or appealing projects. It is a false economy to skimp on asset maintenance – major repairs, significant painting, attending to drainage issues before building structure is affected and so on.

The Long Term Financial Plan highlights the fact that the Shire is behind in many of its areas of needed spending. With very restricted ability to raise additional funds, and responsibility for a large asset/infrastructure base, Council has the task of deciding between competing priorities –

- There's not enough money to do everything
- There's not even enough to properly attend to even the things that must be done, such as capital works on roads and renewal/upgrade of buildings
- Council will have to choose what is essential for continued operation of the Shire and of most benefit to the community

This will result in the need for Council to make some unpalatable decisions, as good practice for the long term benefit of the community may mean divesting/removal of some non-essential or unusable assets, or declining to expend funds in areas having minimal benefit to residents.

The Corporate Business Plan must be reviewed every year, and the document has been structured to make this as straight forward as possible, with the details of actions and what is expected to achieve being listed in Section 8 using the same headings as for the Strategic Community Plan.

The CBP must also be reported on in the Shire's Annual Report. The tables in Section 8 have been developed to enable simple extraction from the CBP, and insertion of comments.

The document should not be treated as being set and unchangeable. It is intended to guide the development of the Budget each year, not to dictate to it.

Adoption of the Corporate Business Plan must be by absolute majority. Local public notice of its adoption is not required.

CONSULTATION:

Mr Peter Crawford, CEO Shire of Menzies
Ms Rose Jones, DCEO Shire of Menzies

STATUTORY ENVIRONMENT:

Local Government Act 1995

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
***Absolute majority required.**
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

The end result of all other integrated planning requirements and the step immediately prior to preparation of the annual budget

VOTING REQUIREMENTS:

Absolute Majority

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0366
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Moved: Cr J Dwyer

Seconded: Cr I Tucker

That –

- **the Draft Corporate Business Plan be approved,**
- **the modified SCP be submitted to the Department of Local Government**

2.31pm

CARRIED BY ABSOLUTE MAJORITY

2.32pm: Mr Niel Mitchell left the meeting

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.8 COUNTRY LOCAL GOVERNMENT FUNDS

SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	G/6/1
DISCLOSURE OF INTEREST:	None
DATE:	17 June 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

None

SUMMARY:

For Council to consider allocating the Country Local Government Funds for 2011/2012 and 2012/13 towards projects for inclusion in the 2013/2014 Budget.

BACKGROUND:

Funding from Royalties for Regions (Country Local Government Funds) has been made available to each local government for a number of years. This funding is untied but each local government must sign a financial agreement with the government in regards to what the funds are to be used for and the acquittal process.

As yet, Council has not allocated the funds for 2011/12 (\$438,741) and 2012/13 (\$438,741).

COMMENT:

It is of utmost importance that Council allocates the remainder of this funding to projects that can and will be actioned in the next year. Not to do so could put the funds in some jeopardy.

Funds for 2010/2011 (\$499,108) have already been allocated to Shire staff housing.

Council should make a decision to commit the remaining funds to two projects that have been on the books for some time, one being a water playground and the other is more staff housing.

It is acknowledged that the water playground is being considered for funding under the \$150m Goldfields Funds through Royalties for Regions. As time passes, the certainty of getting a portion of these funds appears to be diminishing if one reads between the lines in the current political environment. With the WA State Budget being seriously short of funds, it does appear that any surplus funds not considered essential will be directed into the state revenue coffers. Any unspent funds in the Royalties for Regions portfolio could be construed as of being not important enough for the local governments to prioritise.

With the advent of this possibility becoming a reality, it would seem prudent to commit funds from the Country Local Government Funds (CLGF) towards the water playground to get the project into this year's budget with a firm commitment to bring the water playground to fruition in this financial year. Should the \$150M Goldfields Funds eventuate after these funds have been committed, it would be a matter of requesting GVROC to reallocate the funds to another project.

The funds from 2012/2013 should then be allocated towards staff housing.

CONSULTATION:

Ms R Jones - DCEO

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

Country Local Government Funds have already been allocated to the Shire of Menzies but need to be committed to a project.

STRATEGIC IMPLICATIONS:

Will provide much needed infrastructure for the Menzies residents

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0367
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Moved: Cr I Tucker

Seconded: Cr J Dwyer

That Council resolves to:

- 1. Commit \$438,741 from the 2011/2012 Country Local Government Funds towards the provision of a water park in Menzies, and,**
- 2. Commit \$438,741 from the 2012/2013 Country Local Government Funds towards the provision of new staff housing for Shire employees in Menzies.**

2.54pm

CARRIED: 5/0

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.9 OFFER OF LOTS 81, 82, 99 AND 100 IN MENZIES

SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	Ms Jacqueline Russell
FILE REF:	Property Files
DISCLOSURE OF INTEREST:	None
DATE:	18 June 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 12.4.9a: Email from Ms Russell
1 Attachment 12.4.9b: Map showing the lots for sale

SUMMARY:

For Council to consider the offer from Ms Russell to sell Lots 81, 82, 99 and 100 in Menzies to the Shire

BACKGROUND:

Ms Jacqueline Russell purchased Lots 81 and 82 Reid Street and 99 and 100 Mercer Street in Menzies some time ago and has now offered them for sale to the Shire (See Attachment 12.4.9a).

COMMENT:

Attachment 12.4.9b shows the location of the four lots in question. The asking price is between \$8,500 to \$9,000 each for the unserviced lots.

It would be in the Shire's interests to accept the offer to purchase these lots were the lots to have power and water connected for the standard fees and charges. However, preliminary enquiries have revealed that to have utilities connected to these lots would be quite exorbitant due to the distances over which the services would have to be constructed.

Just to provide services to the lot boundaries would be approximately \$55,000 for water and \$180,000 for power without the actual connection costs.

Perhaps a more realistic approach would be to make a counter offer to Ms Russell to purchase the lots, less any outstanding rates owing on the properties.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter.

FINANCIAL IMPLICATIONS:

Would have some effect although the impact would be minimal.

STRATEGIC IMPLICATIONS:

Would give Council control over more property in Menzies for future use.

VOTING REQUIREMENTS:

Simple Majority Decision required.

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0368
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Moved: Cr P Twigg

Seconded: Cr C Bennell

That Council:

1. Declines the offer from Ms Jacqueline Russell to purchase from her, Lots 81, 82, 99 and 100 in Menzies,
2. Makes a counter offer to Ms Jacqueline Russell to purchase Lots 81, 82, 99 and 100 in Menzies from her at a price of \$5,000 (plus GST) per Lot, less any outstanding rates owing to the Shire of Menzies on the land.

3.04pm

CARRIED: 3/2

Crs G Dwyer and J Dwyer wish it to be recorded that they voted against this motion.

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.10 COUNCILLORS INFORMATION BULLETIN 05/13

SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	C/9/2
DISCLOSURE OF INTEREST:	None
DATE:	18 June 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

None

SUMMARY:

For Council to receive the Information Bulletin.

BACKGROUND:

The Information Bulletin 05/13 containing general and confidential information was previously circulated to Councillors.

COMMENT:

The intent of the Information Bulletin is to keep Council updated with the latest information relevant to the role of elected members.

Due to some confidential documents contained therein, the Information Bulletin is not for the general public's viewing and should be kept secure at all times.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine local government policies; and

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

The Information Bulletin is designed to keep Councillors updated with information relevant to their roles as elected members.

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0369
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Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Council acknowledges receipt of Information Bulletin 05/13 for the period ended 31 May 2013.

3.13pm

CARRIED: 5/0

13. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Council moves into New Business

3.14pm

CARRIED: 5/0

14.1 MONTHLY FINANCIAL REPORT – MAY 2013

SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	ADM052
DISCLOSURE OF INTEREST:	The author has no interest in this item
DATE:	21 June 2013
AUTHOR:	Rose Jones, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	Nil

ATTACHMENTS:

Attachment 14.1a:

Monthly Statement of Financial Activity and associated reports, including the Compilation Report from UHY Haines Norton

SUMMARY:

Statutory Financial Reports are submitted to Council for receipt as a record of financial activity during the reporting month

BACKGROUND:

The monthly reports have been prepared by UHY Haines Norton to reflect revenue and expenditure transactions for the period to 31 May 2013

COMMENT:

A Management Report is prepared by UHY Haines Norton to support the report and alert Council to matters of significance or trends outlined by the report presented.

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations – Regulation 34

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0370
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Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Council acknowledges receipt of the Statement of Financial Activity and associated reports for the period to 31 May 2013.

3.21pm

CARRIED

3.34pm: DCEO left the room

3.35pm: DCEO returned to the room

14.2 LISTING OF PAYMENTS MADE IN MAY 2013

SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	ADM017
DISCLOSURE OF INTEREST:	The author has no interest in this item
DATE:	21 June 2013
AUTHOR:	Rose Jones, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	Nil

ATTACHMENTS:

Attachment 14.2a: List of payments made to Creditors in May 2013

SUMMARY:

The list of payments made is required to be submitted to the Ordinary Meeting of Council

BACKGROUND:

Payments have been made by both cheque payment and electronic funds transfer from Council's Municipal bank account and duly authorised as required by Council Policy. These payments have been made under authority delegated to the CEO and are now reported to Council for approval.

COMMENT:

Payments made in May 2013, include cheques numbered 9691 to 9746 and direct payments totalling \$822,596.82.

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine local government policies; and

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Local Government (Financial Management) Regulation 13

POLICY IMPLICATIONS:

Policy 4.7 – Creditors – Preparation for payment

Previously Policy 3.8 – Signing of cheques was in place in October 2012

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0371
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Moved: Cr I Tucker

Seconded: Cr J Dwyer

That Council approves the payments identified in the list of payments made from the Shire of Menzies Municipal Bank account in May 2013 include cheques numbered 9691 to 9746 and direct payments totalling \$822,596.82.

3.41pm

CARRIED: 5/0

14.3 FEES AND CHARGES FOR 2013-14

SUBMISSION TO:	Ordinary Meeting of Council, Thursday 27 June 2013
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	B/3/2
DISCLOSURE OF INTEREST:	The author has no interest in this item
DATE:	21 June 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR	
PREVIOUS MEETING REFERENCE:	Nil

ATTACHMENTS:

Attachment 14.3a Proposed Fees and Charges for 2013-14.

SUMMARY:

For Council to consider a schedule of proposed Fees and Charges for the 2013-14 Financial year

BACKGROUND:

Each year during the preparation of the Budget, the Fees and Charges must be reviewed as a preliminary to Adopting the Budget.

COMMENT:

It is proposed that the Fees and Charges for the coming Financial Year will remain unchanged or rise by a margin similar to CPI.

SUPPLY OF DOMESTIC RUBBISH BIN:

\$125.00 per bin (Includes GST).

PRIVATE WORKS:

All plant hire rates were reviewed in detail last year and remain unchanged except for the addition of light vehicles and backhoe and an increase in whipper snipper rate to \$70 per hour.

CARAVAN PARK:

The reduction in weekly rent for longer term visitors has been removed on the basis that the park is providing excellent facilities at a reasonable cost.

ADVERTISING – MENZIES MATTERS:

A charge has been introduced to allow the Shire to charge for advertising of a commercial nature. Community announcements would continue to be free.

GAS:

The gas wholesale service was transferred to the Menzies Hotel during 2012-13.

RATE REFUNDS & ENQUIRIES

It has been considered expedient to introduce a fee to deter ratepayers from claiming small refunds, at considerable cost to Council.

CONSULTATION:

Various staff members

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine local government policies; and

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Section 6.2 – Requires that each year a local government prepare and adopt an annual budget.

Section 6.2(4)(c) – The annual budget is to incorporate a schedule of fees and charges.

POLICY IMPLICATIONS:

Policy 3.5 – Provides for Budget preparation which includes a review and Adoption of the annual Fees and Charges.

FINANCIAL IMPLICATIONS:

The Adopted Fees and Charges for 2013-14 Financial Year is utilised to develop a projected amount of income to be received during the year from those services.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Absolute Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0372
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Moved: Cr I Tucker

Seconded: Cr P Twigg

That Council approves the schedule of Fees and Charges for 2013-14 as proposed in Attachment 11.2.3.

4.20pm

CARRIED BY ABSOLUTE MAJORITY 4/1

15. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS

Nil

16. NEXT MEETING

The next Ordinary Meeting of Council will be held on Thursday 25 July 2013 in the Council Chambers at Menzies commencing at 10.00am

17. CLOSURE OF MEETING

The Chairman closed the meeting at 4.21pm.

18. CERTIFICATION BY CHAIRMAN

I, _____ hereby certify that the Minutes of the Ordinary Meeting of Council held 27 June 2013 are confirmed as a true and correct record, as per the Council Resolution of the Ordinary Meeting of Council held on 1 August 2013.

Signed _____ Dated: _____ 2013