



MINUTES

FOR THE ORDINARY MEETING OF COUNCIL

HELD AT COUNCIL CHAMBERS MENZIES

Tuesday 24 July 2012
Commencing At 10.04am

SHIRE OF MENZIES



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SHIRE OF MENZIES

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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE COUNCIL CHAMBERS MENZIES, TUESDAY 24 JULY 2012 COMMENCING AT 10.04 AM

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President (Cr. Gregory Dwyer) declared the meeting open at 10.04am, welcoming the attendees, visitors and guests and proceeded with the agenda as planned.

2 ANNOUNCEMENT OF VISITORS

Visitors:	Mr J Pianto	Resident
	Mr K Owens	Resident
	Mr R Northcoat	President, Goldfields Cyclastic
	Mr L Webb	Photographer (After 10.18 am)
	Mr K Baldry	Appeals Committee
	Mr J Malcolm	Appeals Committee

3 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY

3.1 PRESENT:

Councillors:	Cr G Dwyer	President
	Cr P J Twigg	Deputy President
	Cr J A Dwyer	Councillor (after 10.20am)
	Cr E Hansen	Councillor
	Cr C K Purchase	Councillor
	Cr C Bennell	Councillor

Staff:	Mr N P Crawford	Chief Executive Officer
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3.2 APOLOGIES:

Cr I R Tucker	Councillor
Ms C McAllan	Deputy Chief Executive Officer

4 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

Mr J Pianto: What was happening in regard to the public toilets as they had been damaged and covered in graffiti? Will they be demolished, at least have the graffiti painted over?

CEO: Advised that Shire staff had just completed replacing the broken sheets and that painting would be carried out this week.

President: Provision would be made to in this year's budget to construct new public toilets of a robust style. They will be a priority and will be centred somewhere near the proposed water park.

Mr R Northcoat: Gave a report of the 2012 Goldfields Cycle Classic including a financial summary of the race which had a \$200,000 budget. Plans for the future are very dependent on attracting available funding for this event which is Australia's richest road cycling event. They are hoping to entice an international team to next year's race if funding permits. As with most sporting events, local support is crucial to hosting the event. Mr Northcoat presented the coveted framed "Yellow" jersey to the Shire President on behalf of the Goldfields Cyclclassic and thanked the Shire for their support in the staging of this event. The Shire President Cr Gregory Dwyer responded on behalf of the Menzies Shire.

Mr J Malcolm: Mr Malcolm advised that he and Mr Baldry were from the Appeals Committee and were investigating the submissions received from parties responding to the proposal to transport ore containing uranium through the Goldfields region. The visit to Menzies was just a courtesy call as the Shire had not lodged a submission regarding the proposal. The route for the transport was outlined through to the port in South Australia and the packaging and container types were explained.

President: The President thanked them for their presentation and requested the CEO contact TORO (The company proposing to mine and transport the uranium ore) to visit Menzies to address the Council on their proposal.

The President then advised all present that Mr Lyn Webb was here today to take photographs of the Councillors and suggested that the Council break for morning tea.

COUNCIL'S DECISION

No: 0177

10.53 AM

MOVED Cr C K Purchase

SECONDED Cr J A Dwyer

That Council adjourns the meeting for a morning tea break.

CARRIED 6/0

COUNCIL'S DECISION

No: 0178

11.13 AM

MOVED Cr J A Dwyer

SECONDED Cr P J Twigg

That Council reconvenes the meeting.

CARRIED 6/0

Present were Crs G Dwyer, J Dwyer, P Twigg, E Hansen, C Bennell, K Purchase, CEO P Crawford and visitors J Pianto and K Owens.

6 APPLICATIONS FOR LEAVE OF ABSENCE

None

7 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

8 CONFIRMATION OF PREVIOUS MINUTES – 26 JUNE 2012

No: 0179

VOTING REQUIREMENTS:

Simple majority decision required

MOVED Cr: C K Purchase

SECONDED Cr: P J Twigg

That the Minutes of the Ordinary Meeting of Council held on 26 June 2012 be confirmed as a true and accurate record.

CARRIED 6/0

9 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

10 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

10.1 President's Report (tabled at meeting)

Wednesday 5 July 2012

Crs Purchase, Dwyer, CEO and President met with the Premier Colin Barnett with discussions on Nursing Post, Tjuntjuntjara Community, amalgamation and future of Menzies – services, GVROC, growth

Wednesday 18 July 2012

Travelled Leonora – Mt Ida – Perrinvale – Menzies Road. Definite improvement in sixteen months since last on Northwest Road

Thursday 20 July 2012

CEO and President met with Shane Power, Main Roads WA. Discussions on road access to Tjuntjuntjara and truck bay access

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION

No: 0180

MOVED Cr: C Bennell

SECONDED Cr: J A Dwyer

That the President's Report, as tabled, be received

CARRIED 6/0

11 REPORTS OF COMMITTEES AND OFFICERS

11.1 HEALTH, BUILDING AND TOWN PLANNING BUSINESS

Nil

11.2 FINANCE AND ADMINISTRATION BUSINESS

11.2.1 MINUTES OF AUDIT/FINANCE COMMITTEE MEETING HELD TUESDAY 17 JULY 2012

SUBMISSION TO:	Ordinary Meeting of Council, 24 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	L/9/10
DISCLOSURE OF INTEREST:	None
DATE:	18 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	Item 9.7 of the Ordinary Meeting of Council held Thursday, 24 November 2011

ATTACHMENTS:

Attachment 11.2.1– Minutes of Audit/Finance Committee Meeting held Tuesday, 17 July 2012

SUMMARY:

For Council to consider receiving the Minutes of the Audit/Finance Committee Meeting held Tuesday, 17 July 2012

BACKGROUND:

The Meeting of the Audit/Finance Committee was held Tuesday, 17 July 2012, attached as Attachment 11.2.1 are the Minutes of that Committee Meeting.

COMMENT:

At that Meeting, the Audit/Finance Committee considered the following Items:

- 5.1 Financial Statements and Reports to 30th June 2012
- 5.2 Accounts for Payment to 30th June 2012
- 5.3 Reimbursements to 30th June 2012
- 5.4 Bank Reconciliation and Investment report as at 30th June 2012
- 5.5 Outstanding Debtors Listing to 30th June 2012
- 5.6 Proposal To Impose Differential rates
- 5.7 Rates Interest Write-off

5.8 Termination of Audit Contract

With the exception of Item 5.6, it will be recommended that Council Adopt all recommendations from the Audit/Finance Committee.

Item 5.6 will be presented to Council for further deliberation.

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:

Any impact will be provided for in the 2012/2013 Financial Budget.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION/COMMITTEE RECOMMENDATION:

No: 0181

MOVED Cr: C Bennell

SECONDED Cr: J A Dwyer

That Council receives the Minutes of the Audit / Finance Committee Meeting held Tuesday 17 July 2012 and that the Committee Recommendations contained therein:

- **Confirmation of Minutes of Audit / Finance Committee Meeting held 19 June 2012,**
- **5.1 Financial Statements and Reports to 3^{0th} June 2012**
- **5.2 Accounts for Payment to 30th June 2012**
- **5.3 Reimbursements to 30th June 2012**
- **5.4 Bank Reconciliation and Investment report as at 30th June 2012**
- **5.5 Outstanding Debtors Listing to 30th June 2012**
- **5.7 Rates Interest Write-off**
- **5.8 Termination of Audit Contract**

be adopted as a Resolution of Council

CARRIED: 6/0

5.1 AUDIT/FINANCE COMMITTEE RECOMMENDATIONS TO ORDINARY COUNCIL MEETING OF 24th JULY 2012

MOVED Cr I Tucker

SECONDED Cr G Dwyer

That the Committee recommends that Council adopt the recommendations of the Audit / Finance Committee of the Financial Statements and Reports to 30th June 2012 as presented.

CARRIED: 2/0

5.2 AUDIT/FINANCE COMMITTEE RECOMMENDATIONS TO ORDINARY COUNCIL MEETING OF 24th JULY 2012

MOVED Cr G Dwyer

SECONDED Cr I Tucker

That the Committee recommends that Council adopt the recommendations of the Audit / Finance Committee of the Accounts for payment for cheque numbers 7679 to 7876, and direct transactions totalling \$395,199.50 as presented.

CARRIED: 2/0

5.3 AUDIT/FINANCE COMMITTEE RECOMMENDATIONS TO ORDINARY COUNCIL MEETING OF 24th July 2012

MOVED Cr I Tucker

SECONDED Cr G Dwyer

That the Council approves the recommendations of the Audit / Finance Committee to acknowledge the reimbursement of expenses already paid in accordance with Policy No: 3.7 amounting to \$488.12

CARRIED: 2/0

5.4 AUDIT/FINANCE COMMITTEE RECOMMENDATIONS TO ORDINARY COUNCIL MEETING OF 24th July 2012

MOVED Cr G Dwyer

SECONDED Cr I Tucker

That the Council approves the recommendations of the Audit / Finance Committee to accept the Bank reconciliation Report and the Report on Investments to 30th June 2012.

CARRIED: 2/0

5.5 AUDIT/FINANCE COMMITTEE RECOMMENDATIONS TO ORDINARY COUNCIL MEETING OF 24th July 2012

MOVED Cr I Tucker

SECONDED Cr G Dwyer

That the Council approves the recommendations of the Audit / Finance Committee to receive the Outstanding Debtors Report as at 30th June 2012.

CARRIED: 2/0

5.6 AUDIT/FINANCE COMMITTEE RECOMMENDATIONS TO ORDINARY COUNCIL MEETING OF 24th July 2012

MOVED Cr I Tucker

SECONDED Cr

That the Committee recommends to Council that Council:

1. Imposes differential rates in the 2012/2013 Financial year as follows:

AREA	VALUATION	PROPOSED 2012/13
Menzies Townsite	GRV	5.5c in \$
Mining Sector	UV	12.852c in \$
Kookynie Townsite	GRV	5.5c in \$
Pastoral	UV	2.227c in \$
Minimums (All Cat)	Minimum	\$200

2. Request the Minister for Local Government to approve an application for the imposition of differential general rates in accordance with Section 6.33 (3) of the Local Government Act 1995

Motion lapsed for want of a seconder and will be referred to Council.

5.7 AUDIT/FINANCE COMMITTEE RECOMMENDATIONS TO ORDINARY COUNCIL MEETING OF 24th July 2012

MOVED Cr I Tucker

SECONDED Cr G Dwyer

That the Council approve the recommendations of the Audit / Finance Committee to write off the accrued interest of \$33.62 and credit an early payment discount of \$20 in relation to Property No: 1415

CARRIED: 2/0

5.8 AUDIT/FINANCE COMMITTEE RECOMMENDATIONS TO ORDINARY COUNCIL MEETING OF 24th JULY 2012

MOVED Cr G Dwyer

SECONDED Cr I Tucker

That the Committee recommends to Council that:

1. The current Auditors, Anderson, Munro and Wyllie be advised that Contract 2/11 - previously awarded by the Shire of Menzies for the provision of Audit Services is to be terminated under Section 7.6(2)(f) of the Local Government Act 1995 once the Audit Report for the year 2010/2011 has been presented,
2. That expressions of interest be sought from qualified parties to conduct the Annual Audit for the Financial Year 2011/2012

CARRIED: 2/0

11.2.2 CESSATION OF AUDIT AND FINANCE COMMITTEE MEETINGS

SUBMISSION TO:	Ordinary Meeting of Council, 24 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	L/9/10
DISCLOSURE OF INTEREST:	None
DATE:	18 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	Item 9.7 of the Ordinary Meeting of Council held Thursday, 24 November 2011

ATTACHMENTS:

Attachment 11.2.2 – Resolution of Item 9.7 from of Minutes of Ordinary Meeting of Council 24 November 2011.

SUMMARY:

For council to consider the cessation of monthly Audit and Finance Committee Meetings.

BACKGROUND:

At the Ordinary Meeting of Council held Thursday, 24 November 2011, Council resolved to appoint an Audit and Finance Committee comprising of Crs G Dwyer, J Dwyer, C Purchase and I Tucker (See Attachment 9.2).

It was Resolved that these committees would meet on a monthly basis to monitor the financial affairs of the Shire until such time as the state of those finances had progressed to a suitable level.

COMMENT:

The situation with the Shire finances has improved since UHY Haines Norton began managing the affairs of the Shire and has now reached a level where the intensive scrutiny at this degree is not deemed necessary.

As such, it will be recommended that the Audit and Finance Committee meetings be suspended on a monthly basis until February 2013 when the matter will be reviewed.

CONSULTATION:

Audit and Finance Committee

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:

No financial impact is applicable at this point however the Council will revisit this matter in February 2013.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER RECOMMENDATION

That Council:

1. Agrees to temporarily suspend the holding of Audit and Finance Committee Meetings on a monthly basis unless required by the President and,
2. Agrees to review the matter at the Ordinary Meeting of Council in February 2013.

COUNCIL'S DECISION

No: 0182

MOVED Cr: J A Dwyer

SECONDED Cr: P J Twigg

That Council:

1. Agrees to temporarily suspend the holding of Audit and Finance Committee Meetings on a monthly basis unless required by the President, and,
2. Agrees to review the matter at the Ordinary Meeting of Council in February 2013.

CARRIED 6/0

Reason for change: Council wanted to have the option of calling a Committee Meeting should the need arise

SUBMISSION TO:	Ordinary Meeting of Council, 24 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	B/3/2
DISCLOSURE OF INTEREST:	None
DATE:	18 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS: Attachment 11.2.3 – Proposed Fees and Charges for 2012/2013.

SUMMARY:

For Council to consider a schedule of proposed Fees and Charges for the 2012/2013 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.

Attached as Attachment 11.2.3 is a copy of the proposed fees and charges for 2012/2013.

COMMENT:

It is proposed that the list of Fees and Charges for the Financial Year are generally reasonable with a few exceptions:

SUPPLY OF DOMESTIC RUBBISH BIN: \$110. 00 per bin (Includes GST).

There is currently no provision for the replacement of rubbish bins if one is lost or damaged

CHURCH BUILDING / ANZAC MEMORIAL: Delete from Fees and Charges.

The Church building is not suitable for the public to hire and Council has no insurance to cover this action until such time as the building was brought up to standard with toilets.

PRIVATE WORKS:

All plant hire rates have been reviewed and increased to reflect Wages, Public Works Overheads, Plant Operation Costs and also include a margin to comply with anti-competition guidelines for government agencies. This encourages residents and companies to engage local contractors in lieu of utilising Shire resources.

CARAVAN PARK:

Swag and Vehicle bays have both been deleted as these items would fall under a camping rate.

PORTABLE TOILETS:

This item has been deleted as two of the current portable toilets are beyond repair and two, while repairable, would be very expensive to bring back to a serviceable standard.

GAS:

It is not possible to set a price for this item as the price of gas fluctuates from month to month. Instead, it is recommended that a mark up of 10% be added on to the cost price from Kleenheat which allows Council to comply with the fees and Charges.

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 Adoption of the Fees and Charges for 2012/2013 Financial Year will signify the amount of income that is possible to be received during the year from those services.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION/OFFICER RECOMENDATION

No: 0183

Moved: Cr C K Purchase

Seconded: Cr P J Twigg

That Council approves the “Recommended 2012/13 Fees and Charges” as outlined in Attachment 11.2.3 for inclusion in the 2012/2012 Annual Budget.

CARRIED 6/0

11.2.4 PROPOSAL TO IMPOSE DIFFERENTIAL RATES

SUBMISSION TO:	Ordinary Meeting of Council, 24 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	R/2/10
DISCLOSURE OF INTEREST:	The author has no interest in this matter
DATE:	
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 11.2.4 – Agenda Item to the Audit /Finance Committee meeting held Tuesday, 17 July 2012.

SUMMARY:

For Council to consider the Proposal to Impose Differential Rates

BACKGROUND:

Attachment 11.2.4 was presented as an Agenda Item to the Audit/Finance Committee Meeting held Tuesday, 17 July 2012. As there was no Secunder to the motion, the motion lapsed.

COMMENT:

This Item is now presented to Council for their decision.

CONSULTATION:

Audit/Finance Committee

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.

FINANCIAL IMPLICATIONS:

Council has no specific policy in relation to this matter

FINANCIAL IMPLICATIONS:

Financial management standards in relation to the delivery of Council services

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER RECOMMENDATION:**MOVED: Cr J A Dwyer****SECONDED: Cr C Bennell****That Council Resolves to:****1. Impose differential rates in the 2012/2013 Financial year as follows:**

AREA	VALUATION	PROPOSED 2012/13
Menzies Townsite	GRV	5.5c in \$
Mining Sector	UV	12.852c in \$
Kookynie Townsite	GRV	5.5c in \$
Pastoral	UV	2.227c in \$
Minimums (All Cat)	Minimum	\$200

2. Request the Minister for Local Government to approve an application for the imposition of differential general rates in accordance with Section 6.33 (3) of the Local Government Act 1995.

MOTION LOST 0/6**COUNCIL'S DECISION****No: 0184****Moved: Cr P J Twigg****Seconded: Cr C K Purchase****Council resolves to leave rates at the same level as in 2011/12.****CARRIED 6/0**

Reason for change: Council felt that with the lack of progress on Shire projects over the past year, it would be unproductive to impose an increase in rates while the previous year's rates increase had not been expended as intended.

COUNCIL'S DECISION**No: 0185****12.35 PM****Moved Cr J A Dwyer****Seconded Cr C K Purchase****That Council adjourns the Meeting for lunch.****CARRIED 6/0****COUNCIL'S DECISION****No: 0186****1.14 PM****Moved Cr JA Dwyer****Seconded Cr K Purchase****That Council reconvenes the Meeting.**

CARRIED 6/0

Present were Crs G Dwyer, J Dwyer, P Twigg, E Hansen, C Bennell, K Purchase, CEO P Crawford, Consultant B Howson and visitors J Pianto and K Owens.

11.3 WORKS AND SERVICES BUSINESS

11.3.1 Tjuntjuntjarra Community Road Network Funding for 2012/13 Financial Year.

SUBMISSION TO:	Ordinary Meeting –24 th July 2012
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	R/5/2 & R/5/4
DISCLOSURE OF INTEREST:	The author has no interest to disclose in this item
DATE:	19 th July 2012
AUTHOR:	Brett Howson, Project Manager (Consultant)
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY

This item is to obtain the Council's endorsement for the allocation and expenditure arrangements for the 2011/12 Indigenous Road Access Road funding for the Tjuntjuntjarra Access Road the financial year 2011/12, and the 2012/13 Roads to Recovery funding allocation for the Tjuntjuntjarra local road network.

BACKGROUND

At the June 2012 Ordinary Meeting of Council it was resolved:

- 1. That the Council allocate \$343,390 (Commonwealth Indigenous Access Road funding) to gravel resheeting and improvement of formation on the Tjuntjuntjarra Access, from the Connie Sue Highway to the Tjuntjuntjarra community.**
- 2. That the Chief Executive Officer (or delegated staff member) visit the Tjuntjuntjarra area; prepare a suitable works program, (suitable for Roads to Recovery funding) to the value of \$384,540.**
- 3. Both the above items are included in the 2012/13 annual budget.**

Council officers visited the Tjuntjuntjarra area on the 30th June, and 1st July 2012 to inspect the important roads needed by the Tjuntjuntjarra community for basic living, health and service support. The roads visited were:

- Tjuntjuntjarra Access Road, from Connie Sue Highway to Tjuntjuntjarra Community. This road is subject to Indigenous Road Funding of \$343,390 of which works have commenced in shaping table and offshoot drains and searching for 4,000m³ of suitable gravel. This is road number 49 on the Shire's road inventory system (ROMAN).

- Yakadunia Road, a road to the south of the community for approximately 80km to the Menzies Kalgoorlie Shire boundary. This road leads to an alternative water supply needed for drinking water during dry seasons. This is road number 51 on the Shire's road inventory system (ROMAN).
- Oak Valley Road to the east for the Menzies Shire South Australian border boundary for approximately 185km (although it is shown on some maps as 'Aboriginal Business Road'). This road is a major and only link to food and services in South Australia should Tjuntjuntjarra Access Road become impassable due to flooding. This road is not listed on the Shire's road inventory system; however it is recommended that the full length of 185km be added to the ROMAN system.

The above roads are in poor to reasonable condition, however become impassable during any rainfall events.

COMMENT

At this stage it is the Council Officer's recommendation to restrict any fund monies managed by Menzies Shire from the Commonwealth Indigenous Access Road funding to Tjuntjuntjarra access road only (from Connie Sue Highway to the Community), which allows more accountability in regards to specific sections of works and project expenditure.

In regards to other funding opportunities, the Shire of Menzies has recently been reinstated to the Roads to Recovery program, which has made available additional funding for the entire Shire road network. At the time of this report the outstanding funding from 2011/12 financial year due to the Shire of Menzies is \$864,540; the Council has allocated \$480,000 from the program to the Menzies North West Road (Sandstone Rd). It will be the Shire Officer's recommendation that \$384,540 from the 2011/12 Roads to Recovery program be allocated to important roads in the Tjuntjuntjarra area.

The Roads to Recovery allocations open on the 1st July and closes on the 31st July 2012. All projects must be registered during that time frame. Should the Council endorse the officer's recommendation below, this program will be registered on the Roads to Recovery website prior to 31st July 2012. Funding is available immediately after program approval from the Roads to Recovery team.

CONSULTATION

Consultation was held with the following:

- Mr Peter Twigg from the Tjuntjuntjarra community,
- Shane Power, Regional Manager Main Roads WA Goldfield Esperance Region.

STATUTORY OBLIGATIONS

The Indigenous Access Road funding is governed by Commonwealth *Local Government (Financial Assistance) Act 1995*.

The Roads to Recovery funding is governed by the Nation Building Program (National Land Transport) Act 2009.

POLICY IMPLICATIONS

There are no known policy implications at the time of preparing this report.

FINANCIAL IMPLICATIONS

The following allowances will be included in the 2012/13 budget considerations:

- \$480,000 for the Menzies North West Road (Roads to Recovery),
- \$343,390 for the Tjuntjuntjarra Access Road (Commonwealth Indigenous Access Road funding grant allocation), and
- \$384,540 for the Tjuntjuntjarra roads (Roads to Recovery)

VOTING REQUIREMENTS

Absolute Majority

COUNCIL'S DECISION/OFFICER RECOMMENDATION
--

No: 0187

Moved Cr J A Dwyer

Seconded Cr C Bennell

1. That the Council approve the following program for Tjuntjuntjarra local road network for the 2012/13 budget:
 - a. Tjuntjuntjarra Access Road, from Connie Sue Highway to Tjuntjuntjarra Community. Reshape and form the road for up to 5km of the Tjuntjuntjarra Access Road from the Connie Sue Highway to the Tjuntjuntjarra Community. Gravel resheet the road for the same sections which total 5kms. Completed from the \$343,390 Indigenous Access Road grant allocation
 - b. Tjuntjuntjarra Access Road, from Connie Sue Highway to Tjuntjuntjarra Community. Improve drainage and remove sharp crests and curves for up to 5km of the Tjuntjuntjarra Access Road from the Connie Sue Highway to the Tjuntjuntjarra Community. Completed from the \$195,000 Roads to Recovery grant allocation
 - c. Yakadunia Road, from Tjuntjuntjarra Community to the Menzies Kalgoorlie Shire Boundary. Improve drainage and reshape formation for up to 5km of the Yakadunia Road. Completed from the \$109,540 Roads to Recovery grant allocation.
 - d. Oak Valley Road, from Tjuntjuntjarra Community to the Menzies Shire Boundary. Improve drainage and reshape formation for up to 5km of the Yakadunia Road. Completed from the \$80,000 Roads to Recovery grant allocation
2. That the Council approve the addition of Oak Valley Road to the Shire of Menzies road inventory system (ROMAN).

CARRIED 6/0

B Howson left the Meeting at 1.27pm

11.4 MANAGEMENT AND POLICY BUSINESS

11.4.1 FIVE YEAR FORWARD CAPITAL WORKS PLAN - VARIATION

SUBMISSION TO:	Ordinary Meeting of Council – 24 th July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	G/6/2
DISCLOSURE OF INTEREST:	Nil
DATE:	11 th July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
PREVIOUS MEETING REFERENCE:	Item 9.21 of Extra-Ordinary Meeting of Council held Tuesday 7 September 2010

ATTACHMENTS:

None.

SUMMARY:

For Council to consider a change to the Five Year Forward Capital Works Plan item for staff housing

BACKGROUND:

At the Extra-Ordinary Meeting of Council held Tuesday, 7 September 2010, Council resolved to “*Approve in principle*” to acquisition of two GROH houses in Onslow Street for the purpose of staff housing. While the validity of the Resolution itself is questionable, the intent was nevertheless to expand the inventory of staff housing. As a result of this action, the project was listed in the Five year Capital Works Plan as Adopted by Council on Thursday, 16 December 2010.

COMMENT:

The acquisition of the two GROH houses will supplement the stock of existing houses that the Shire currently owns and provide ready accommodation for prospective Shire employees. However, this action does have a negative aspect and Council may wish to consider an alternative.

The Shire of Menzies’ Country Local Government Fund for the year 2010/2011 has still not been expended and further funds are unavailable until firm progress has been made towards progress in this direction.

The Shire already has a number of vacant lots in town which could be utilised for the construction of staff housing, the cost of which would be funded from the outstanding grant. Menzies would then see a growth in the number of houses in town instead of remaining the same were Council to purchase the GROH houses. It would also see the GROH houses become available to private enterprise.

The allocation from the Country Local Government Fund for the year 2010/2011 is \$499,108. Indicative costs for a three bedroom two bathroom house is in the vicinity of \$250,000. Adding on site works such as floor coverings, window treatments, air conditioning, fencing, plumbing, verandahs, paths, garage and other ancillary items and the cost comes to about \$90,000 making the entire house somewhere between \$340,000 and \$360,000.

Were Council to look at single type accommodation then the return would be greater by allowing the erection of four units on two lots for the same outlay.

Whichever configuration Council chooses, it is almost certain the Shire will have to continue to lease houses from GROH in the short term if a work force is to be established and maintained in Menzies.

If Council does decide to purchase new housing, specifications documents will need to be prepared and tenders called as soon as possible. I would propose that our consultant Brett Howson could prepare these documents fairly quickly should this be the case.

Changes would also have to be made by updating the Five Year Forward Capital Works Plan.

There is also the issue of connecting water and power to these lots, details of which will be provided at this Meeting.

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 specific Policy in relation to this matter

FINANCIAL IMPLICATIONS:

Provision would be made in the 2012 / 2013 Budget for this inclusion.

STRATEGIC IMPLICATIONS:

Would assist in increasing the housing number in Menzies thus bringing more people in to town to live and work

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER RECOMMENDATION

That Council Resolve to:

1. Amend the Shire of Menzies Five Year Forward Capital Works Plan, Note 1.1.3 in Year 1, that in lieu of purchasing the two GROH residences situated on Lots 17

- and 19 in Onslow Street in Menzies, that Council construct new 2 x 3 bedroom houses on vacant Shire properties, and,
2. Authorise the Chief Executive Officer to prepare specifications and advertise a tender for the provision of two x three bedroom houses to be situated on Lots 98 Mercer and 86 Reid Streets in Menzies.

This Item was deferred until the Ordinary Meeting of Council on Tuesday, 28 August 2012 to allow the CEO to gather further information regarding the subject.

11.4.2	MENZIES ABORIGINAL CORPORATION
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SUBMISSION TO:	Ordinary Meeting of Council, 24 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	Menzies Aboriginal Corporation
FILE REF:	A/1/2
DISCLOSURE OF INTEREST:	None
DATE:	17 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 11.4.2 – Letter from Menzies Aboriginal Corporation

SUMMARY:

For Council to consider the application to render assistance to the Menzies Aboriginal Corporation to purchase office equipment.

BACKGROUND:

The Menzies Aboriginal Corporation (MAC) was formed some years ago and is a not for profit organisation whose principal activities are to provide education, job training, environmental health services, work opportunities and housing to the residents of Menzies.

The organisation has a GST concession from the taxation department and has exemption from FBT, income tax.

MAC is compliant with the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, has a Chairman and a Board of Directors and is audited on an annual basis by an independent CPA.

COMMENT:

The application is for two room air conditioners to replace old units in the MAC centre which is used as an office for the corporation's administration centre.

MAC has not received any assistance in this form in the past and it would seem acceptable to agree to the request. The funds could be provided for in the 2012/2013 Financial Budget and expended immediately the Budget is approved.

CONSULTATION:

Mr Ian Tucker – Chairman of the Menzies Aboriginal Corporation.

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:

Any decision by Council will be provided for in the 2012/2013 Financial Budget.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION/OFFICER RECOMMENDATION
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No: 0188

Moved: Cr J A Dwyer

Seconded Cr P J Twigg

That Council resolves to make an allowance of \$7,500 in the 2012/2013 Financial Budget for the provision of two room air conditioners for the Menzies Aboriginal Corporation building in Walsh Street, Menzies.

CARRIED 6/0

11.4.3 RESIGNATION OF DEPUTY CHIEF EXECUTIVE OFFICER

SUBMISSION TO:	Ordinary Meeting of Council 24 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	S/4/3
DISCLOSURE OF INTEREST:	None
DATE:	17 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS: Attachment 11.4.3 – Position description for Manager Corporate Services

SUMMARY:

For Council to consider the appointment of a senior officer to manage corporate affairs.

BACKGROUND:

The incumbent Deputy Chief Executive Officer has tendered her resignation as the Deputy Chief Executive Officer citing personal reasons. It is now necessary for Council to approve the recruitment of a replacement officer for that senior role.

COMMENT:

The role of Deputy Chief Executive Officer is to manage all facets of the financial and administration affairs of the local government and to deputise as Chief Executive Officer in the absence of that person.

Attachment 11.4.3 contains the requirements for such a position and details the standards that the officer will be expected to achieve.

It is expected that the potential to attract a suitable applicant will be difficult in today's environment and the salary package has been assembled with this challenge in mind. The officer will be housed in the 3 x 2 at 14 Walsh Street which is currently allocated to Carol. Carol will shortly be relocating to Lot 91 Mercer Street.

The position will be advertised in the West Australian newspaper as well as on two internet sites, Career One and Seek.

As this position is designated as a senior staff member, Council need to approve the calling of applications to fill the role.

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.

Section 5.37(2) – Requires that Council be informed of the proposal to employ a senior employee

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

Provision for this role will be made in the 2012/2013 Budget

STRATEGIC IMPLICATIONS:

Will assist in the Shire of Menzies becoming more self reliant with its finances

VOTING REQUIREMENTS:

Simple Majority decision required

COUNCIL'S DECISION/OFFICER RECOMMENDATION
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No: 0189

Moved Cr P J Twigg

Seconded Cr C Bennell

That Council approve the proposal to employ a senior staff member (Manager Corporate Services) and appoint Cr G Dwyer, Cr J A Dwyer and the Chief Executive Officer as members of the interview panel.

CARRIED 6/0

11.4.4 New Administration Office Hours

SUBMISSION TO:	Ordinary Meeting of Council 24 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	O/1/1
DISCLOSURE OF INTEREST:	None
DATE:	6 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS: None

SUMMARY:

To request Council consider changing the Administration Office opening hours.

BACKGROUND:

At present, the Shire Administration Office is opened from 8.30 am until 5.00 pm week days.

COMMENT:

The proposal is to change the office opening hours to the following:

OPEN	8.00 am
CLOSE	4.30 pm

This change will not affect access to the office as the same number of hours of opening will still apply. However, the change will allow staff to carry out end of day reconciliation of monies / receipts / banking without interruption from the public.

The extra time that staff spend at work will enable them to participate in an RDO each month

Changes to these opening hours will be advertised in the West Australian newspaper.

CONSULTATION:

Administration staff

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 Policy 2.13 currently sets the opening times between 8.30 am to 5.00 pm.

FINANCIAL IMPLICATIONS:

A minor increase in costs but will be provided for in the 2012/2013 Budget.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICERS RECOMMENDATION:

COUNCIL'S DECISION/OFFICER RECOMMENDATION
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No: 0190

Moved: Cr J A Dwyer

Seconded Cr P J Twigg

That Council approves the change to new opening hours of the Administration Office from 8.00 am until 4.30 pm daily.

CARRIED 6/0

11.4.5 EMPLOYMENT OF EXECUTIVE ASSISTANT

SUBMISSION TO:	Ordinary Meeting of Council, 19 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	S/4/3
DISCLOSURE OF INTEREST:	None
DATE:	19 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 11.4.5 – Position description for Executive Assistant

SUMMARY:

For Council to consider the employment of an Executive Assistant to the Chief Executive Officer.

BACKGROUND:

The work load required in bringing the Shire of Menzies back up to a satisfactory operating standard is immense and will require skilled staff who are well versed in local government roles and responsibilities.

COMMENT:

In order to arrive at that achievement, the CEO will require assistance in the everyday administration of the Council affairs. An assistant who can carry out the necessary research, collating of information and generally completing the increasing load of paperwork that we are flooded with today. The EA role is very broad and encompasses a myriad of tasks associated with the CEO, President and Councillors.

Attachment 11.4.5 is the position description for the role and some general conditions of employment.

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:

Policy 5.7 – Requires any request for additional staff to be presented to Council.

FINANCIAL IMPLICATIONS:

This position will be provided for in the 2012/2013 Financial Budget.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION/OFFICER RECOMMENDATION
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No: 0191

Moved Cr J A Dwyer

Seconded Cr C K Purchase

That Council approves the engagement of an Executive Assistant to support the Chief Executive Officer in accordance with the position description as presented to Council.

CARRIED 6/0

12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

PROCEDURAL MOTION - COUNCIL DECISION

Moved Cr K Purchase Seconded Cr JA Dwyer

That Council considers the following item of new business of an urgent nature introduced by decision of the meeting:

- 13.1 Attendance at Ordinary Meeting on Tuesday, 28 August 2012 by electronic means**

CARRIED 6/0

COUNCIL'S DECISION

No: 0192

Moved Cr J A Dwyer

Seconded Cr P J Twigg

That Councillors K Purchase, J Dwyer and I Tucker be permitted to attend the next Ordinary Meeting of Council to be held at Tjuntjuntjara on Tuesday 28 August 2012 by electronic means, subject to their location being approved by Council on that day.

CARRIED 6/0

Cr J A Dwyer left the Meeting at 2.28 PM

14. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS

Nil

15. NEXT MEETING

The next Ordinary Meeting of Council will be held on Tuesday 28 August 2012 at Tjuntjuntjara commencing at 10.00am.

16. CLOSURE OF MEETING

There being no further business, the President, Cr G Dwyer, declared the meeting closed at 2.30pm

17. CERTIFICATION BY CHAIRMAN

I, _____ hereby certify that the Minutes of the Ordinary Meeting of Council held 24 July 2012 are confirmed as a true and correct record, as per the Council Resolution of the Ordinary Meeting of Council held on 28 August 2012.

Signed _____

Dated: _____ 2012