



MINUTES

FOR THE ORDINARY MEETING OF COUNCIL

COMMENCING AT 10.13 AM AT THE COUNCIL CHAMBERS MENZIES

Friday 31 August 2012

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, FRIDAY 31 AUGUST 2012 COMMENCING AT 10.13 AM

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President (Cr. Gregory Dwyer) declared the meeting open at 10.13am, welcoming the attendees and proceeded with the agenda as planned.

2 ANNOUNCEMENT OF VISITORS

None

3 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

3.1 PRESENT:

Councillors:	Cr G Dwyer	President
	Cr P J Twigg	Deputy President
	Cr J A Dwyer	Councillor
	Cr I R Tucker	Councillor
	Cr C K Purchase	Councillor
	Cr C Bennell	Councillor
Staff:	Mr N P Crawford	Chief Executive Officer

3.2 APOLOGIES: Cr D Hansen Councillor

3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

None

4 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Deferred until end of Meeting

7 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

None

8	CONFIRMATION OF PREVIOUS MINUTES – 24 July 2012	No: 0193
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VOTING REQUIREMENTS:

Simple majority Decision required

MOVED Cr: J Dwyer

SECONDED Cr: I Tucker

That the Minutes of the Ordinary Meeting of Council held on 24 July 2012 be confirmed as a true and accurate record.

CARRIED 6/0

9	PETITIONS/DEPUTATIONS/PRESENTATIONS
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Nil

10	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION
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10.1 President's Report (tabled at meeting)

Tuesday 31 July 2012

- Meeting with Ken McCracken RDL

Wednesday 1 August 2012

- GVROC Board Meeting in Perth
- Meeting with Haines Norton (Paul Breman and Mandy Wynne). Discussions on Network One, Budget and their ongoing services to Menzies Shire
- Visited Gregson's Showroom, Osborne Park regards chairs for Chambers

Thursday 2 August 2012

- Overnight stay at Macarthur Minerals Mining Camp

Wednesday 8 August 2012

- Budget Workshop

Friday 17 August 2012

- CEO and I met with Simon De Been and Duncan Jack, discussions re Main Street Upgrade
- GTN Board Meeting
- Met with Jeff Hayles DMP, discussions re shafts in Town, Yundaga and Light Industrial Area

Monday 27 August 2012

- CEO, Cr J Dwyer and myself attended interview re Manager of Corporate Services position

Thursday 30 August 2012-09-04

- GVROC Teleconference regards WALGA State Council Meeting

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER RECOMMENDATION/COUNCIL'S DECISION
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No: 0194

MOVED Cr: C Bennell

SECONDED Cr: J Dwyer

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

CARRIED 6/0

11 REPORTS OF COMMITTEES AND OFFICERS
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11.1 HEALTH, BUILDING AND TOWN PLANNING BUSINESS

11.1.1 REQUEST TO AMEND BUILDING REGULATION 2012

SUBMISSION TO:	Ordinary Meeting of Council, 31 August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	B/4/7
DISCLOSURE OF INTEREST:	None
DATE:	26 June 2012
AUTHOR:	Garry Agnew, Principal Environmental Health Officer/ Building Surveyor
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment "11.1.1" Schedule 4

SUMMARY:

Council is asked to seek amendment to Schedule 4 of the Building Regulations 2012.

COMMENT:

As Council is aware new building control legislation came into force on the 2 April 2012 through promulgation of the new *Building Act 2011* and Building Regulations 2012.

For Council information Schedule 4 of the Building Regulations 2012 exempts the requirement for obtaining a Building Permit in the whole of the Shire of Menzies other than townsites (See Attachment 11.1.1

In effect, this erases legal obligation for persons to obtain prior building approval from the Shire for the construction of mine camps, mine administration and recreational buildings, commercial buildings such as a road house and industrial buildings etc. located outside the townsite of Menzies.

This obviously impacts the Shire financially by the loss of potential revenue from Building Permit fees, the absence of authoritative vigilance on building standards and exposes questions of potential public safety.

It will be noted that in **Attachment 1a** the Shire of Menzies is one of a small number of local governments in the state where this exemption exists.

It is therefore suggested that Council resolves to make application through the Building Commission WA to the Minister for Commerce seeking amendment to the Building Regulations 2012 to delete the words "*Whole district other than townsites*" in Column 3, Schedule 4 in respect to Laverton as mentioned in Column 1 of the Schedule.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Building Act 2011
Building Regulations 2012
Building Code of Australia

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

The exemption for obtaining a Building Permit from the Shire of Menzies for building construction work outside the townsite boundary of Menzies erases any opportunity for the receipt of Building Permit Fees under the Building Regulations 2012. In terms of Mine Camp development that financial loss can be significant.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICERS RECOMMENDATION/COUNCIL DECISION

No: 0195

Moved: Cr J Dwyer

Seconded: Cr K Purchase

That Council resolves that application be made to the Minister for Commerce for amendment of the Building Regulations 2012 by deleting the words "*Whole district other than townsites*" in Column 3, Schedule 4 in respect to Menzies as mentioned in Column 1 of that Schedule.

Carried 6/0

11.2 FINANCE AND ADMINISTRATION BUSINESS

11.2.1 BANK RECONCILIATION AND INVESTMENTS REPORT AS AT 31ST JULY 2012

SUBMISSION TO:	Ordinary Meeting of Council – 31 ST August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	B/1/6
DISCLOSURE OF INTEREST:	Nil
DATE:	27 th August 2012
AUTHOR:	Carol McAllan, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	

ATTACHMENTS:

Attachment “11.2.1a” Bank Reconciliation Report
Attachment “11.2.1b” Register of Investments

SUMMARY:

The reports presented reflect the reconciliation of the Council’s bank accounts, including invested funds, as at 31st July 2012

BACKGROUND:

Reconciliation is undertaken between Council’s financial accounting system and the various bank accounts operated by Council as a means of determining the completeness and integrity of transaction processing. As per Finance Policy No: 3.9, a report on investments of Council funds is also provided.

COMMENT: Nil

CONSULTATION: Ms. Mandy Wynne, UHY Haines Norton

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996 Reg. 34(2) provides a Local Government may require such other supporting information as is considered relevant by the Local Government.

POLICY IMPLICATIONS:

Shire of Menzies Policy No: 3.9

FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple Majority decision required

OFFICER RECOMMENDATION/COU NCIL DECISION**No: 0196****Moved: Cr I Tucker****Seconded: Cr J Dwyer****That Council acknowledge receipt of the Bank Reconciliation Report and the Report on Investment to 31st July 2012.****CARRIED 6/0**

11.2.2	OUTSTANDING DEBTORS REPORT AS AT 31ST JULY 2012
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SUBMISSION TO:	Ordinary Meeting of Council 31 st August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	A/2/3
DISCLOSURE OF INTEREST:	Nil
DATE:	27 th August 2012
AUTHOR:	Carol McAllan, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	

ATTACHMENTS:

Nil

SUMMARY:

The presentation of a report indicating the outstanding Debtor balances at at the end of July 2012.

BACKGROUND:

Council has requested a report of the outstanding Debtors at the Shire of Menzies as at the preceding month end.

CONSULTATION:

Ms. Mandy Wynne, UHY Haines Norton.

STATUTORY ENVIRONMENT:

Local Government (Financial)Regulations 1996, Reg 5(1)(a)

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

COMMENT:

The total Sundry Debtor Balance is;

Current	1-30	31-60	61-90	TOTAL
\$378,285.90	\$51.00	\$9,055.85	\$1,837,926.79	\$2,225,319.54

The Total Aged Outstanding Rates Balance is:

Current	30days	60days	90days	>90days	TOTAL
\$5,375.13	\$35,851.71	\$960.73	\$2.05	\$843,607.32	\$885,796.94

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICERS RECOMMENDATION/COUNCIL DECISION

No: 0197

Moved: Cr J Dwyer

Seconded: Cr P Twigg

That Council acknowledge the receipt of the Outstanding Debtors Reports as at 31st July 2012.

CARRIED 6/0

11.2.3 REIMBURSEMENT OF EXPENSES

SUBMISSION TO:	Ordinary Meeting of Council 31 ST August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	A/2/1
DISCLOSURE OF INTEREST:	The author declares an interest in this item.
DATE:	27 th August 2012
AUTHOR:	Carol McAllan, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	

ATTACHMENTS: Nil

SUMMARY:

Presentation of an information report to Council on expenses that have been reimbursed to staff who have incurred expenditure during the course of business on behalf of Council.

BACKGROUND:

Pursuant to Policy No: 3.7, expenses have been incurred on behalf of Council

Brian Howson	Refund of Fuel purchased (Caltex card not working)	\$76.34
Niel Mitchell	Refund of Travel as per agreement	\$1058.20
Carol McAllan	Refund of fuel purchased (card not working)	104.02
Peter Crawford	Refund of Taxi Fares in Perth	28.30
Carol McAllan	Refund of accommodation paid for Cr. Purchase at Local Government Week.	\$597.00
	TOTAL	\$1863.86

COMMENT: Nil

CONSULTATION: Nil

STATUTORY ENVIRONMENT:

As per adopted Council Policy No: 3.7 – Reimbursement of expenses.

POLICY IMPLICATIONS: Council Policy No: 3.7

FINANCIAL IMPLICATIONS: Nil

VOTING REQUIREMENTS: Simple Majority decision required

OFFICERS RECOMMENDATION/COUNCIL DECISION	No: 0198
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Moved: Cr I Tucker

Seconded: Cr C Bennell

That Council acknowledge the reimbursement of expenses already paid in accordance with Policy No: 3.7 amounting to \$1863.86

Carried: 6/0

11.3 WORKS AND SERVICES BUSINESS

11.3.1	2013/2014 Regional Road Group Program
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SUBMISSION TO:	Ordinary Council Meeting, 31 August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	R/5/6
DISCLOSURE OF INTEREST:	The author has no interest to disclose in this item
DATE:	20 August 2012
AUTHOR:	Bret Howson, Project Manager (Consultant)
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford - Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

None

SUMMARY:

This report seeks the Council's endorsement of the proposed program for submission to the Regional Road Group for the 2013/14 financial year. Submissions are required by the 14th September 2012.

BACKGROUND:

The Regional Road Group program is a two third state funded program administered by the Main Roads WA for roads which are to be considered regionally significant and carry traffic volumes and types which may produce wear and tear outside of that cause by normal Shire generated traffic. The Shires are required to contribute the one third balance of funding for any successful project.

A strategy has been prepared called the Roads 2025 Regional Road Development Strategies, released during 1997 and 1998, were an initiative of the 1992 Memorandum of Understanding between the State Government and the Western Australian Local Government Association, then known as the Western Australian Municipal Association. The Memorandum of Understanding requires that the road development strategies be reviewed at five yearly intervals to assess the effects of changing circumstances.

The roads listed in this strategy for the Shire of Menzies are:

- Evanston Menzies Road
- Kookynie Road
- Kookynie Malcolm Road
- Leonora Mt Ida Road

- Menzies Northwest Road
- Yarri Road

COMMENT:

Council Officers are recommending the following road projects to the Council for endorsement for the 2013/14 Regional Road Group program:

Road Project No: 1 - YARRI ROAD

This road services a number of operational mines to the east of Menzies, including the large Kanowna Belle operation. Other operational mines include Gordon Sidar, Porphyry, Lindsay Find, Black Swan, Silver Swan, Tropicana and Gindalbie. A large part of servicing these mining operations is the transport of oversize loads.

There are also a number of drilling and exploration projects occurring in the areas serviced by this road. This road forms part of a route that leads directly into Laverton and the large scale mining operation of Sunrise Dam. This road also services three major pastoral stations; Gindalbie, Menangina and Edjudina.

Regional Functional Road Hierarchy class of Yarri Road in the Shire of Menzies (SLK 56.33 to SLK 78.60) is Local Distributor, and Yarri Road is a RAV Network 10 road (conditional).

DEVELOPMENT NEED

This road has a high proportion of heavy vehicle usage from Kalgoorlie to the Gindalbie station. Beyond that there is a reduction in total traffic numbers; however it is used to access areas right through to Laverton. North-east of the Kanowna Belle Mine are a number of other operational mines and the continued exploration of surrounding areas. Gold and Nickel are the most sought after products along this route, although Cobalt and Gypsum are also mined here.

With the increased intensity in the mining operations this road should be a Type 5 standard to the Kanowna Belle mine and a Type 4 standard at least to Gindalbie, to cater for the heavy vehicle usage on this road.

It has been endorsed by the Roads 2025 Strategy to provide a minimum Type 4 standard as mining operations increase over time and more heavy vehicles will use the route. Beyond Gindalbie ensure suitable maintenance levels are employed for the remainder of the road; thereby improving the level of safety and increasing the efficiency of the transport task on this road.

Type 4 – Sealed Road (6m Seal Width)

(Sealed with no kerbing)

Sealing is carried out to improve road-user comfort and safety when the road is experiencing higher traffic volumes or when significant numbers of heavy vehicles are required to use a Type 3 road. A Type 3 road is upgraded to Type 4 by building up the residual gravel pavement to full thickness. This is then compacted and sealed.

Road Project No: 2 – Menzies Northwest Road

This road provides access to a number of mining tenements in the area between Menzies and Sandstone as well as providing access to pastoral operations. There is some tourist traffic on this road for those who chose to travel off the “beaten track”. In

dry times it is used as a short-cut between the Goldfields and Sandstone, Mt Magnet and other places to the North West.

Regional Functional Road Hierarchy class of Menzies North West Road is Local Distributor and is a RAV Network 10 road (conditional).

DEVELOPMENT NEED

In its current status this road is a mix of Type 2 and 3 standard. The last 60 km of this road has a narrow formation. With the large RAV combinations and other heavy vehicle traffic, dust is an issue and overtaking is hazardous due to the surface being narrow in places. The road is susceptible to closure during periods of moderate rainfall as the drainage is inefficient in some sections.

As exploration, and re-working of old mines, continues this road will be subject to heavier traffic use. Consideration for future improvements works is required.

It has been endorsed by the Roads 2025 Strategy to maintain the current service level provided by this road, there needs to be a program of works that will bring the formation and pavement up to a uniform Type 3 standard. Drainage improvements need to be considered as a part of this work.

Type 3 – Gravel Road

*(Road construction from imported material of adequate thickness, shaped and drained)
When maintenance costs increase to unacceptable levels or when economic or social benefits are evident, a Type 2 road can be improved by sheeting the surface with suitable gravel material to become a Type 3 road.*

Road Project No: 3 – Evanston Menzies Road

The road provides access for tourism, pastoral operations and mineral resource exploration and development. It is a convenient alternative route into the mining region for supplies and equipment sourced from Perth. It forms part of the Golden Quest Heritage Trail.

The section between Coolgardie and Carbine carries a significantly higher volume of traffic than the other sections of the route, due to the concentration of mining activity around the Carbine and Ora Banda area (predominantly Gold, but the large Cawse Nickel operation is in this area also). North from Carbine the road forms part of the link between Ora Banda and the abandoned mining town of Davyhurst and then has an east-west link that runs from Evanston back into Menzies.

Regional Functional Road Hierarchy for Evanston-Menzies Road is Local Distributor and is a RAV Network 5 road.

DEVELOPMENT NEED

The steady increase in mineral resource development and exploration in this region will see a corresponding increase in traffic on alternative routes such as this. There is a need to ensure an adequate level of safety and reliability for users of this route.

It has been endorsed by the Roads 2025 Strategy to widen the formation and development to a uniform Type 3 standard formed gravel road is recommended.

Type 3 – Gravel Road

*(Road construction from imported material of adequate thickness, shaped and drained)
When maintenance costs increase to unacceptable levels or when economic or social benefits are evident, a Type 2 road can be improved by sheeting the surface with suitable gravel material to become a Type 3 road.*

CONSULTATION:

Consultation has been held with:

- Peter Crawford CEO
- Geoff Miles Shawmac Engineers (MacArthur Minerals)
- Main Roads WA
- Jupiter Minerals

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:

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

FINANCIAL IMPLICATIONS:

The Regional Road Group program is resolved 18 months ahead of the programmed year, each September. This results in the Councils committing to projects, and their one third contributions, before they have set the next year's annual budget.

Should the Council endorse this item they also will be endorsing budget expenditure on each project for the 2013/14 financial year. The recommended projects are:

Road Project No: 1 - YARRI ROAD

Proposal: Gravel resheet in preparation to seal in following years

Section: SLK 56.33 to SLK 78.60 (10 year program, resheet 2km per year)

Estimated Cost: \$130,000 (MRWA \$86,667, Shire of Menzies \$43,333)

Road Project No: 2 – Menzies Northwest Road

Proposal: Gravel resheet and improve drainage

Section: SLK 125.00 to SLK 189.00 (10 year program, resheet 6km per year)

Estimated Cost: \$280,000 (MRWA \$186,667, Shire of Menzies \$93,333)

Road Project No: 3 – Evanston Menzies Road

Proposal: Gravel resheet and improve horizontal geometry

Section: SLK 97.00 to SLK 166.60 (10 year program, resheet 6km per year)

Estimated Cost: \$280,000 (MRWA \$186,667, Shire of Menzies \$93,333)

VOTING REQUIREMENTS

Simple Majority Decision required

COUNCIL'S DECISION/OFFICER RECOMMENDATION	No: 0199
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Moved: Cr C Bennell

Seconded: Cr J Dwyer

That Council endorses the following projects to be submitted to the Regional Road Group 2013/2014 road program:

- 1. Road Project No: 1 - YARRI ROAD. Proposal: Gravel resheet in preparation to seal in following years Section: SLK 56.33 to SLK 78.60 (10 year program, resheet 2km per year) Estimated Cost: \$130,000 (MRWA \$86,667, Shire of Menzies \$43,333)**
- 2. Road Project No: 2 – Menzies Northwest Road. Proposal: Gravel resheet and improve drainage. Section: SLK 125.00 to SLK 189.00 (10 year program, resheet 6km per year). Estimated Cost: \$280,000 (MRWA \$186,667, Shire of Menzies \$93,333)**
- 3. Road Project No: 3 – Evanston Menzies Road. Proposal: Gravel resheet and improve horizontal geometry. Section: SLK 97.00 to SLK 166.60 (10 year program, resheet 6km per year). Estimated Cost: \$280,000 (MRWA \$186,667, Shire of Menzies \$93,333)**

Carried: 6/0

11.3.2 BEACON MINESITE – ROAD USE CONDITIONS

SUBMISSION TO:	Ordinary Meeting of Council, 31 August
LOCATION:	Shire of Menzies
APPLICANT:	Beacon Minerals
FILE REF:	R/4/11
DISCLOSURE OF INTEREST:	The author has no interest to disclose in this matter
DATE:	27 August 2012
AUTHOR:	Bret Howson, Project Manager (Consultant)
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

None

SUMMARY:

This report seeks the Council's endorsement to conditionally permit carting of 100,000 tonne of ore on the Evanston Menzies Road from Deimel's Minesite (approximately 195kms from Menzies Townsite) to Goldfield Highway in Menzies.

BACKGROUND:

An application was made by Mr Graham McGarry from Beacon Minerals Ltd from Kalgoorlie as follows:

Our planning at this stage is for:

- a) A starter pit which will generate approximately 20,000 tonne of ore,*
- b) If the starter pit is successful (the ore body is complex and the starter pit will resolve the complexity) we would then proceed to mine an additional 80,000 tonne*
- c) The starter pit would commence in January 2013 and cartage of the 20,000 tonne would start in February*
- d) We would quickly establish if the starter pit is successful and the full pit development in March 2013*
- e) Cartage would be complete by December 2013*

We would appreciate your views and estimated costs on our proposal to enable us to progress the development, whilst only small we believe it would have a positive impact on all concerned.

Based on our discussion we propose:

- a) Cartage by semi trailer from the mine to the reload point*
- b) Cartage by a 36.5metre configuration from the reload point to Menzies*

COMMENT:

Following an inspection of this section of Evanston Menzies Road by Council Officers it is recommended that prior to Beacon Minerals commencing carting that staff meet with the applicant and, if required, agree for the applicant carrying out or funding maintenance grading as required to cart the initial 20,000 tonne.

The reload facility is not to be located in the road reserve and far enough from the road to allow vehicles to enter and exit at 90 degree junctions. The entry and exit access to the reload facility must be placed at point with a minimum of 200m site distance in both directions.

The applicant shall submit to the Shire approval from any land owner for the construction of a reload facility on the adjoining property. This facility shall be completely removed and the area rehabilitated after the completion of this carting campaign.

Following the completion of the 20,000 tonne initial campaign, Shire staff and the applicant will conduct a site inspection of the road, and agree to any remedial works as a result of the carting. Any remedial works shall be funded by the applicant.

At this site meeting a further maintenance agreement will be made should the applicant wish to continue at this site and cart the remaining 80,000 tonne from Deimal's to the highway in Menzies.

CONSULTATION:

Consultation has been held with:

- Peter Crawford CEO
- Brian Howson - MWS
- Graham McGarry – Beacon Minerals Ltd

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:

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

FINANCIAL IMPLICATIONS:

There are no budget implications as all remedial and road damage shall be funded by the applicant.

Estimated cost of this work is:

- Initial Maintenance grade: \$39,600

It is recommended that the Shire does not take a bond for the initial 20,000 tonne campaign if maintenance grading is done to the satisfaction of the Chief Executive Officer.

VOTING REQUIREMENTS:

Simple Majority Decision required

Moved: Cr I Tucker**Seconded: Cr P Twigg**

That Council endorses the following agreement for the application by Beacon Minerals Ltd for the use of Evanston Menzies Road.

- 1. That prior to commencing carting that staff meet with the applicant and, if required, agree for the applicant to carry out or fund maintenance grading as required to cart the initial 20,000 tonne.**
- 2. The reload facility is not to be located in the road reserve and far enough from the road to allow vehicles to enter and exit at 90degree junctions. The entry and exit access to the reload facility must be placed at point with a minimum of 200m site distance in both directions.**
- 3. The applicant shall submit to the Shire approval from any land owner for the construction of a reload facility on the adjoining property. This facility shall be completely removed and the area rehabilitated after the completion of this carting campaign.**
- 4. Following the completion of the 20,000 tonne initial campaign, Shire staff and the applicant will conduct a site inspection of the road, and agree to any remedial works as a result of the carting. Any remedial works shall be funded by the applicant.**
- 5. At this site meeting a further maintenance agreement will be made should the applicant wish to continue at his site and cart the remaining 80,000 tonne from Diemal's mine to the highway in Menzies.**

Carried: 6/0

11.4 MANAGEMENT AND POLICY BUSINESS

This Item was deferred until 11.30 am to enable Council to have a teleconference with Ms Mandy Wynne and Mr Paul Breman from UHY Haines Norton to discuss the Budget.

11.4.1	ADOPTION OF 2012/2013 FINANCIAL BUDGET
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SUBMISSION TO:	Ordinary Meeting of Council, 31 August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	B/3/1
DISCLOSURE OF INTEREST:	None
DATE:	17 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	None

ATTACHMENTS:

Appendix "11.4.1" – 2012/2013 Financial Budget

SUMMARY:

For Council to consider the Adoption of the 2012/2013 Financial Budget and associated fees and charges.

BACKGROUND:

Council has approved the retention of the 2011/2012 rating level in lieu of raising rates for this year. This decision was brought about by the lack of progress made by the Shire in the past twelve months and deemed it to be unfair on imposing another rate rise on the ratepayers without having delivered any measurable improvements during that time.

However, while retaining the same level of rating as last year, Council is still imposing of differential rates for the financial year 2012/2013. The advertising has been carried out and approval gained from the Minister to impose rates at the 2011/2012 level for the financial year 2012/2013.

A draft budget workshop was held on Wednesday, 10 August 2012 at which time a number of Council suggestions were to be implemented into the draft budget.

COMMENT:

RATES:

Council has deferred raising rates due to the past year resulting in little progress owing to the lack of staff. The rate imposed is as last year which due to the loss of some tenements will actually show a small decrease in income for this year.

FEES AND CHARGES:

The Fees and Charges remain mostly the same with some exceptions:

- A replacement fee for rubbish bins has been introduced as none previously existed
- The church building has been removed from the hire list as it currently does not conform to health standards
- All private works plant hire rates have been overhauled to reflect the true cost of plant operation and to also encourage hirers to engage contactors in the region in lieu of Shire plant
- Caravan Park fees for swags and vehicle bays have both been deleted as they are covered by other items
- Portable toilets are no longer serviceable and have been deleted
- Gas charges fluctuate on a regular basis and are to be replaced with a 10% increase on top of Kleenheat's charges to Council.

RESERVE ACCOUNTS:

A new reserves account has been established for the purpose of construction of a water park and the reserve for the improvements and cleaning out of Niagara Dam has been resurrected with a small amount of money being vested.

REPORTING VARIANCE:

It is proposed to adopt a percentage of plus or minus 10% and \$10,000 to be used for the reporting of variances of actual expenditure and revenue against the Budget in the monthly report on financial statements.

CONSULTATION:

Members of Council

Ms M Wynne and Mr P Breman – UHY Haines Norton

Shire of Menzies senior 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.

Section 6.2 – Requires a local government to prepare an annual budget by 31 August

Section 6.16 – Allows a local government to impose and recover a fee or charge for goods or services it provides

Section 6.32 – States that a local government may impose differential rates to make up a budget deficiency.

Section 6.33(1) – Allows a local government to impose differential rates

Section 6.33(3) – Requires that local government to obtain permission from the Minister prior to imposing differential rates more than twice the lowest differential rate imposed.

Section 6.36 – Requires a local government to give local public notice prior and consider submissions to imposing differential rates.

Sections 6.45 and 6.47 – Allows a local government to levy fees and interest, grant discounts or waive/grant other concessions

Section 6.51 – Allows a local government to charge interest on overdue rates or service charges after the debt become due

Local Government (Financial Management) Regulations 1996

Regulation 7 – States that a reserve account must be clearly titled with its purpose
 Regulation 27 – Sets out the details that the budget notes are to contain
 Regulation 34(5) – States that the local government must adopt a value or percentage as a material variance to report on
 Regulation 64(1) – Requires the local government to set out the dates on which instalments become due
 Regulation 67 - Allows a local government to impose a charge for payments by instalments
 Regulation 68 – State the maximum interest rates for instalments is 5.5%
 Regulation 70 – States the maximum interest rate for overdue rates under Section 6.51(2) is 11%

Waste Avoidance and Resources Recovery Act 2007

Section 66 – Enables a local government to impose an annual charge in respect of premises provided with a waste service by the local government.

POLICY IMPLICATIONS:

Policy 3.5 – Budget Preparation, outline the process and timetable for the setting The Budget and the striking of the rates prior to 31 August in that year.

FINANCIAL IMPLICATIONS:

In Adopting the Budget, Council is advising of the financial situation of the Shire including the revenue sources and expenditure items for the financial year 2012/2013

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Absolute Majority Decision required for Items 1, 2, 3, 4 and 6,
 Simple Majority decision required for Items 5 and 7

OFFICER RECOMMENDATION

MOVED

SECONDED

1. That Council, in accordance with Section 6.32 of the Local Government Act 1995, impose differential rates for the year ended 30 June 2013 as per the following:

	Rate	Minimum
<u>Unimproved Value</u>		
UV Other	2.12c in \$	\$200
Mining Leases	12.35c in \$	\$200
Exploration Leases	12.35c in \$	\$200
Prospecting Leases	12.35c in \$	\$200
<u>Gross Rental Value</u>		
GRV Improved	6.14c in \$	\$200

ABSOLUTE MAJORITY

OFFICER RECOMMENDATION

MOVED**SECONDED**

2. That Council, in accordance with Section 6.45(1)(b) of the Local Government Act 1995, offer the following options for the payment of rates:

Option 1 – Payment in full by a single instalment by the due date of 26th October, 2012.

Option 2 – Payment in four equal instalments at intervals of nine weeks.

Determine the four instalment dates for instalment payment options as follows:

- **First instalment due by 26th October, 2012.**
- **Second instalment due by 28th December, 2012.**
- **Third instalment due by 1st March, 2013.**
- **Fourth instalment due by 3rd May, 2013.**

In accordance with Section 6.45(3), (FM Reg. 68) of the Local Government Act 1995, impose a 5.5% interest rate, to apply to the second, third and fourth instalments.

In accordance with Section 6.45(3), (FM Reg. 67) of the Local Government Act 1995, impose an administration fee of \$7.00 to the second, third and fourth instalments.

In accordance with Section 6.51(2), (FM Reg. 70) of the Local Government Act 1995, impose a late payment penalty interest rate of 11% on rates that have not been paid by the due date and where instalment option 2 has not been taken up.

ABSOLUTE MAJORITY**OFFICER RECOMMENDATION****MOVED****SECONDED**

3. That Council, in accordance with the Waste Avoidance and Recovery Act 2007 impose the following charge for 2012/2013:

- **Domestic and commercial rubbish removal – per bin per service \$125**

ABSOLUTE MAJORITY 6/0**OFFICER RECOMMENDATION****MOVED****SECONDED**

4. That Council, in accordance with Section 6.16 of the Local Government Act 1995, Adopt the Schedule of Fees and Charges as presented in the Budget of the year ending 30 June 2013

ABSOLUTE MAJORITY**OFFICER RECOMMENDATION**

MOVED**SECONDED**

5. That Council, establish one additional reserve account for the following purpose:

Name

- Water Park Reserve

Purpose

To reserve and hold funds until they can be applied to the construction of a water park in Menzies

SIMPLE MAJORITY**OFFICER RECOMMENDATION****MOVED****SECONDED**

6. That Council, in accordance with section 6.2 of the Local Government Act 1995, Adopt the Annual Budget for the year ended 30 June 2013 as appended.

ABSOLUTE MAJORITY**OFFICER RECOMMENDATION****MOVED****SECONDED**

7. That Council, in accordance with the Local Government (Financial Management) Regulations 1996, regulation 34(5), adopt a percentage of plus or minus 10% and \$10,000 to be used for the reporting of variances of actual expenditure and revenue to budgeted expenditure and revenue in the monthly report of financial activity for 2012/2013.

SIMPLE MAJORITY**VOTING REQUIREMENTS:**

Absolute Majority Decision required for Items 3, 4 5, 6 and 8

Simple Majority decision required for Items 1, 2, 7 and 9

COUNCIL'S DECISION**No: 0201****MOVED CR P Twigg****SECONDED CR J Dwyer**

- 1 That due to the uncertainty in the level of outstanding debts as at 30 June 2012, the Council Resolve to increase the current balance of the provision for doubtful debts from \$827,843.21 to \$1,827,843.21 to result in an estimated surplus brought forward as at 1 July 2012 of \$3,787,155 and that this amount be used as the opening rate setting funding surplus in the 2012/2013 Budget

SIMPLE MAJORITY 6/0

COUNCIL'S DECISION**No: 0202****MOVED CR I Tucker****SECONDED CR J Dwyer**

- 2 The Council Resolve to reduce the level of capital expenditure in the draft 2012/2013 draft budget by \$1,000,000 to reflect changes due to an increase in the provision for doubtful debts from \$827,843.21 to \$1,827,843.21.

SIMPLE MAJORITY 6/0**COUNCIL'S DECISION****No: 0203****MOVED Cr J Dwyer****SECONDED Cr K Purchase**

- 3 That Council, in accordance with Section 6.32 of the Local Government Act 1995, impose differential rates for the year ended 30 June 2013 as per the following:

	Rate	Minimum
<u>Unimproved Value</u>		
UV Other	2.12c in \$	\$200
Mining Leases	12.35c in \$	\$200
Exploration Leases	12.35c in \$	\$200
Prospecting Leases	12.35c in \$	\$200
<u>Gross Rental Value</u>		
GRV Improved	6.14c in \$	\$200

ABSOLUTE MAJORITY 6/0**COUNCIL'S DECISION****No: 0204****MOVED Cr C Bennell****SECONDED Cr J Dwyer**

- 4 That Council, in accordance with Section 6.45(1)(b) of the Local Government Act 1995, offer the following options for the payment of rates:

Option 1 – Payment in full by a single instalment by the due date of 26th October, 2012.

Option 2 – Payment in four equal instalments at intervals of nine weeks.

Determine the four instalment dates for instalment payment options as follows:

- First instalment due by 26th October, 2012.
- Second instalment due by 28th December, 2012.
- Third instalment due by 1st March, 2013.
- Fourth instalment due by 3rd May, 2013.

In accordance with Section 6.45(3), (FM Reg. 68) of the Local Government Act 1995, impose a 5.5% interest rate, to apply to the second, third and fourth instalments.

In accordance with Section 6.45(3), (FM Reg. 67) of the Local Government Act 1995, impose an administration fee of \$7.00 to the second, third and fourth instalments.

In accordance with Section 6.51(2), (FM Reg. 70) of the Local Government Act 1995, impose a late payment penalty interest rate of 11% on rates that have not been paid by the due date and where instalment option 2 has not been taken up.

ABSOLUTE MAJORITY 6/0

COUNCIL'S DECISION	No: 0205
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MOVED Cr K Purchase

SECONDED Cr J Dwyer

5 That Council, in accordance with the Waste Avoidance and Recovery Act 2007 impose the following charge for 2012/2013:

- **Domestic and commercial rubbish removal – per bin per service \$125**

ABSOLUTE MAJORITY 6/0

COUNCIL'S DECISION	No: 0206
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MOVED Cr I Tucker

SECONDED Cr C Bennell

6 That Council, in accordance with Section 6.16 of the Local Government Act 1995, Adopt the Schedule of Fees and Charges as presented in the Budget of the year ending 30 June 2013

ABSOLUTE MAJORITY 6/0

COUNCIL'S DECISION	No: 0207
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MOVED Cr J Dwyer

SECONDED Cr I Tucker

7 That Council, establish one additional reserve account for the following purpose:

Name

- **Water Park Reserve**

Purpose

To reserve and hold funds until they can be applied to the construction of a water park in Menzies

SIMPLE MAJORITY 6/0

COUNCIL'S DECISION	No: 0208
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MOVED Cr J Dwyer

SECONDED Cr I Tucker

8 That Council, in accordance with section 6.2 of the Local Government Act 1995, Adopt the Annual Budget for the year ended 30 June 2013 as appended.

ABSOLUTE MAJORITY 6/0

COUNCIL'S DECISION**No: 0209****MOVED Cr C Bennell****SECONDED Cr P Twigg**

- 9 That Council, in accordance with the Local Government (Financial Management) Regulations 1996, regulation 34(5), adopt a percentage of plus or minus 10% and \$10,000 to be used for the reporting of variances of actual expenditure and revenue to budgeted expenditure and revenue in the monthly report of financial activity for 2012/2013.**

SIMPLE MAJORITY 6/0

Reason for Change: Council needed to increase the provision for doubtful debts due to the discovery of late information on the subject.

11.4.2 ESTABLISHMENT OF HOUSING COMMITTEE
--

SUBMISSION TO:	Ordinary Meeting of Council, 31 August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	C/9/10
DISCLOSURE OF INTEREST:	None
DATE:	9 August 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	None

ATTACHMENTS:

None

SUMMARY:

For Council to consider the appointment of a Housing Committee to provide assistance and advice with the supply of new Council housing.

BACKGROUND:

In previous discussions with Council, it has been evident that Council would support the formation of a Housing Committee to assist with the specifications, selection and monitoring of future housing tenders.

COMMENT:

Council has resolved to call tenders for the supply of new housing for the Shire of Menzies.

Due to some issues in the past, the appointment of a Housing Committee to assist with specifications and the selection of the most suitable product is seen as beneficial. As well, inspections of the housing during the construction phase is also considered crucial to achieving the best possible product.

The housing committee would not have any delegated authority but would make simply make recommendations to Council.

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;

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 5.8 Provides for the local government to establish a committee
 Section 5.10(1) (a) Provides the local government the means as to whom is appointed to the committee
 Section 5.16(1) Provides for the local government to delegate certain powers to a committee

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

There may be some minor financial implications involving travel to Perth to observe the units during construction but will be provided for in the 2012/2013 Budget

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

- Recommendations 1, 2 and 6 Absolute majority Decision required
 Recommendations 3, 4 and 5 Simple Majority Decision required

COUNCIL'S DECISION/OFFICERS RECOMMENDATION**No: 0210**

Moved: Cr P Twigg

Seconded: Cr I Tucker

That Council Resolve to:

1. **Establish a Housing Committee under Section 5.8 of the Local Government Act 1995,**
2. **That Councillors J Dwyer, G Dwyer and I Tucker be appointed as members of that Housing Committee with the Chief Executive Officer acting as support for that Committee and Cr K Purchase as a proxy member,**
3. **That the Housing Committee require a quorum of two Members to hold Meetings,**
4. **That the role of the Committee is to assist with housing specifications, evaluation of tenders and inspection during the construction phase,**
5. **That the Committee's first meeting be held in the Council Chambers in Menzies at 9.00 am on Thursday 6 September 2012, and thereafter as required by the Presiding Member,**
6. **That the Committee's delegated authority be only for the purpose of monitoring and inspecting the houses during construction and installation to ensure compliance with specifications as approved by Council and all details regarding those inspections be presented at the next ordinary Meeting of Council.**

Carried: 6/0

11.15 am – Cr Purchase left the Meeting
11.17 am – Cr Purchase returned to the Meeting

11.15 am – CEO left the Meeting
11.17 am – CEO returned to the Meeting

11.4.3	CHANGE OF COUNCIL MEETING DAYS
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SUBMISSION TO:	Ordinary Meeting of Council, 31 August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	C/9/6
DISCLOSURE OF INTEREST:	None
DATE:	9 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	Item 9.11 of the Ordinary Meeting of Council held Tuesday, 29 May 2012

ATTACHMENTS:
None

SUMMARY:
For Council to consider a change to Meeting days

BACKGROUND:
Council currently hold their Ordinary Meetings on the fourth Tuesday of each month.

COMMENT:
Some Councillors have voiced concern that the current Meeting day, ie, Tuesdays, is difficult to attend being so early in the working week and have requested that the Meeting days be reviewed in order to arrive at a more accessible day.

The decision of which day the Meetings are held is a Council decision and the Act/Regulations only require that the local government publish throughout the district, an annual list of Meeting days, times and places.

Some Councillors have preferred that the Meetings days revert back to the previous days which was the fourth Thursday in each month. As this can be sometimes confusing, perhaps Council could consider the last Thursday in each month as the designated Meeting day.

CONSULTATION:
Members of Council.

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 (Administration) Regulations 1996

Regulation 12(1)(a) – Requires the local government to give local public notice of the dates, times and places at which meetings are to be held

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

There are no financial implications in relation to this matter

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION/OFFICERS RECOMMENDATION

No: 0211

Moved: Cr J Dwyer

Seconded: Cr K Purchase

That Council Resolve that:

1. The last Thursday in each month be designated as the day of the Ordinary Meeting day, and,
2. The following dates, times and locations be appointed as the Ordinary Council Meeting dates for the period ending 30 June 2013:

Thursday 27 September 2012	10.00 am	Tjuntjuntjarra
Thursday 25 October 2012	10.00 am	Teleconference
Thursday 29 November 2012	10.00 am	Menzies
Friday 21 December 2012	1.00 pm	Teleconference
Thursday 31 January 2013	10.00 am	Teleconference
Thursday 28 February 2013	10.00 am	Menzies
Thursday 28 March 2013	10.00 am	Teleconference
Thursday 25 April 2013	10.00 am	Teleconference
Thursday 30 May 2013	10.00 am	Tjuntjuntjarra
Thursday 27 June 2013	10.00 am	Menzies

Carried: 6/0

11.4.4	GVROC REGIONAL ENERGY PROJECT PROPOSAL
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SUBMISSION TO:	Ordinary Meeting of Council, 31 August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	W/1/3
DISCLOSURE OF INTEREST:	None
DATE:	15 August 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	None

ATTACHMENTS:

Attachment "11.4.4" – GVROC Regional Energy Project Proposal Briefing Paper Draft

SUMMARY:

For Council to support a proposal for the GVROC group to pursue a study into an alternate energy source.

BACKGROUND:

The City of Kalgoorlie Boulder has prepared a briefing paper on the alternative energy project and is appended as Attachment "11.4.4".

COMMENT:

The proposal has met with wide interest and it appears that all local governments in the region are supporting this proposal. The benefits a successful project such as this could deliver to the region, and the Shire of Menzies, is substantial, both financially as well as environmentally.

CONSULTATION:

GVROC 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.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter.

FINANCIAL IMPLICATIONS:

No direct financial impact at present is expected as the funding is from the Country Local Government Funding pool.

STRATEGIC IMPLICATIONS:

May aid in the reduction of expenditure for energy supply and will also assist in reducing the expulsion of greenhouse gases.

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION/OFFICERS RECOMMENDATION	No: 0212
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Moved: Cr I Tucker

Seconded: Cr J Dwyer

That Council Resolve that for the 2012/2013 round of regional CLGF funding, the Goldfields Voluntary Regional Organisation of Councils:

1. Submit an alternate energy project for the region with the pool of funding for the project to be determined by Member Councils, with Member Councils notifying the Executive Officers of their intention to participate in the project no later than Friday 31 August 2012;
2. That the City of Kalgoorlie-Boulder be given delegate authority to commence preparation of a business case for the alternate energy project, with the business case to look at participating Member Councils using funds from both the 2012/2013 and 2013/2014 allocations of regional CLGF funds;
3. Request the Goldfields Esperance Development Commission provide funding for the preparation of a business cases for GVROC Member Councils for the following projects in the 2012/2013 regional CLGF round of funding:
 - a) Retro-fitting of lighting and renewable energy power generation;
 - b) Regional waste management;
 - c) Norseman gateway project; and
 - d) A project for the Shires of Laverton and Ngaanyatjarraku (still to be determined); and
1. Give delegated authority to the GVROC Technical Officers Working Group to prepare and submit business cases for projects, other than the alternate energy project, agreed to for the 2012/2013 round of regional CLGF funds.

Carried 6/0

11.4.5	MINUTES OF GVROC MEETING HELD WEDNESDAY, 1 AUGUST 2012
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SUBMISSION TO:	Ordinary Meeting of Council 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	W/1/3
DISCLOSURE OF INTEREST:	None
DATE:	14/August 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	None

ATTACHMENTS:

Appendix "11.4.5" – Minutes of GVROC Meeting held Wednesday 1 August 2012

SUMMARY:

For Council to receive the Minutes of the Meeting of the Goldfields Voluntary Regional Organisation of Councils held Wednesday, 1 August 2012

COMMENT:

Meeting of the GVROC group was held in Perth on Wednesday, 1 August 2012 at the Perth Entertainment Centre to coincide with Local Government Week.

The Minutes of that Meeting are attached as Attachment 11.4.5

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:

The are no financial implications in relation to this matter

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION/OFFICERS RECOMMENDATION

No: 0213

Moved: Cr K Purchase

Seconded: Cr J Dwyer

**That Council Receive the Minutes of the GVROC Meeting held Wednesday,
1 August 2012.**

Carried: 6/0

11.4.6	Five year Forward Capital Works plan - Variation
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SUBMISSION TO:	Ordinary Meeting of Council, 31 August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	G/6/2
DISCLOSURE OF INTEREST:	None
DATE:	6 August 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	Item 11.4.1 of Ordinary Meeting of Council held Tuesday, 24 July 2012

ATTACHMENTS:

None

SUMMARY:

For Council to consider a change to the Five Year Forward capital Works plan for staff housing.

BACKGROUND:

The below Item was presented at the ordinary Meeting of Council held Tuesday, 24 July 2012 but was deferred until the next Meeting to enable the CEO to gather further information relating to the location of the proposed housing.

<i>SUBMISSION TO:</i>	<i>Ordinary Meeting of Council, 24 July 2012</i>
<i>LOCATION:</i>	<i>Shire of Menzies</i>
<i>APPLICANT:</i>	<i>N/A</i>
<i>FILE REF:</i>	<i>G/6/2</i>
<i>DISCLOSURE OF INTEREST:</i>	<i>None</i>
<i>DATE:</i>	<i>11 July 2012</i>
<i>AUTHOR:</i>	<i>Peter Crawford, Chief Executive Officer</i>
<i>SIGNATURE OF AUTHOR:</i>	

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***OFFICERS 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**

COMMENT:

Since that previous Meeting day, the CEO and President have had discussions with Mr Ken McCrackan from the Department of Regional Development and Lands. Those discussions revealed that the Shire has a management order over Lots 165 and 166 in Onslow Street in Menzies.

As these two lots are serviced already, it will be recommended that the proposed housing be constructed on these two lots in lieu of Reid Street.

CONSULTATION:

Mr K McCrackan – Manager State Lands South East, Department of Regional Development and Lands

Mr G Dwyer – Shire President

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

COUNCIL'S DECISION/OFFICERS RECOMMENDATION	No: 0214
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Moved: Cr J Dwyer

Seconded: Cr K Purchase

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 2 x 3 bedroom two bathroom houses on vacant Shire properties, and,
2. Authorise the Chief Executive Officer to begin preparing specifications for the supply of two 2 x 3 bedroom two bathroom houses.

Carried: 6/0

11.4.7	COUNCILLORS INFORMATION BULLETIN 7/12
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SUBMISSION TO:	Ordinary Meeting of Council, 31 July 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	C/9/2
DISCLOSURE OF INTEREST:	None
DATE:	9 July 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	None

CONFIDENTIAL ATTACHMENTS:

The Information Bulletin is a document deemed to be confidential due to its contents and is to be viewed by Councillors and senior staff only

SUMMARY:

For Council to receive the Information Bulletin.

BACKGROUND:

The Information Bulletin 7/12 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'S DECISION/OFFICERS RECOMMENDATION

No: 0215

Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Council acknowledge receipt of Information Bulletin 7/12 for the period ended 31 July 2012.

Carried: 6/0

11.4.8	APPOINTMENT OF MANAGER CORPORATE SERVICES
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SUBMISSION TO:	Ordinary Meeting of Council, 31 August 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	S/4/3
DISCLOSURE OF INTEREST:	None
DATE:	27 August 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	Item 11.4.5 of the Ordinary meeting held Tuesday, 19 July 2012

ATTACHMENTS:

None

SUMMARY:

For Council to approve the employment of a Manager Corporate Services

BACKGROUND:

At the Ordinary Meeting of Council held Tuesday, 19 July 2012, Council authorised the Chief Executive Officer to begin advertising for a person to fill the role of Manager Corporate Services due to the recent resignation of Deputy Chief Executive Officer

COMMENT:

Advertising was carried out in the West Australian newspaper as well as on the websites, CAREER ONE and SEEK.

A total of eighteen applications were received for the position. The interview panel of Shire President Gregory Dwyer, Cr Jill Dwyer and the Chief Executive Officer assessed the applications against the selection criteria and made a shortlist from which a candidate was selected to visit Menzies for an interview.

Ms Rose Jones was interviewed in Menzies by the panel on Monday, 27 August 2012 and impressed the panel with her answers and knowledge of the industry. Ms Jones has had a long association with local government having served as a Deputy Chief Executive officer in a number of local governments since 2001.

Ms Jones gained an Associate Diploma in Business (Accounting) 1991, was admitted as a Member of the National Institute of Accountants in 1995, has advanced to PNA (Professional National Accountant) status in 2001 and has recently gained Fellowship status.

Ms Jones is available to commence duties almost immediately.

A tentative offer has been made to Ms Jones which she has conditionally accepted and is willing to enter into a contract of employment for a period of up to three years. She is currently undergoing a medical, drug and alcohol testing and seeking a National Police Clearance.

CONSULTATION:

Ms Rose Jones – Applicant
 President Gregory Dwyer, Cr Jill Dwyer and Mr Peter Crawford - CEO

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(1) – Provides for the local government may designate that a person may be classed as a senior employee

Section 5.39(1) – Requires the local government to enter into a contract of employment with a senior employee

POLICY IMPLICATIONS:

Council has no policies in relation to this matter

FINANCIAL IMPLICATIONS:

All implications in regards to expenditure were provided for in the new Budget and the engagement of this officer will contribute towards a reduction in annual accounting costs.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL'S DECISION/OFFICERS RECOMMENDATION	No: 0216
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Moved: Cr K Purchase

Seconded: Cr I Tucker

That Council Resolve to:

1. **Appoint Ms Rose Jones to the position of Manager Corporate Services,**
2. **Direct that Ms Rose Jones be designated as a senior employee,**
3. **Authorise the Chief Executive Officer to negotiate a Contract of Employment for a term of up to three years with Ms Jones and set the Key Performance Indicators,**
4. **Authorise the Chief Executive Officer to negotiate a salary package with Ms Jones up to a level as previously approved by Council.**

Carried: 6/0

Moved: Cr J Dwyer

Seconded: Cr P Twigg

That the meeting adjourn for lunch at 12.26 pm

Carried: 6/0

The President reconvened the Meeting at 1.32 pm

The President welcomed Mr Joe Phillips from Macarthur Mines and Mr John Vinar from Mindax to the Meeting.

Mr Phillips and Mr Vinar both gave Council an overview of where their respective company's were in relation to putting their mines into an operating status.

1.38 pm – The President left the Meeting

1.55 pm – The President returned to the Meeting

It appears that the main hindrance to being in that position is connected to the lack of facilities at the port of Esperance. While there is much to achieve to overcome that problem, the state government appears to be moving very slowly in rectifying that issue.

The President advised the mining representatives that, while the Shires were restricted in what they could achieve, they would do whatever was possible in their power to assist the mines to access the port.

Mr Phillips AND Mr Vinar left the Meeting at 3.01 pm.

3.10 pm – Ms Mandy Wynne and Mr Paul Breman attended the Meeting by teleconference and again advised Council on matters relating to the Budget

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

Nil

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.

Moved Cr J Dwyer

Seconded Cr I Tucker

That Councillors I Tucker, J Dwyer and K Purchase be permitted to attend the Ordinary Meeting of Council in Tjuntjuntjara by telephone from the Council Chambers in Menzies

Carried 6/0

16. CLOSURE OF MEETING

There being no further business, the President, Cr G Dwyer, declared the meeting closed at 3.43pm

17. CERTIFICATION BY CHAIRMAN

I, _____ hereby certify that the Minutes of the Ordinary Meeting of Council held 31 August 2012 are confirmed as a true and correct record, as per the Council Resolution of the Ordinary Meeting of Council held on 27 September 2012.

Signed _____

Dated: _____ 2012