



MINUTES

**FOR THE ORDINARY MEETING
OF COUNCIL**

FRIDAY 21 DECEMBER 2012 AT

SHIRE OF MENZIES COUNCIL CHAMBERS

COMMENCING AT 1.00PM

SHIRE OF MENZIES



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SHIRE OF MENZIES

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**MINUTES FOR ORDINARY MEETING OF COUNCIL HELD AT MENZIES ON FRIDAY
21 DECEMBER 2012 COMMENCING AT 1.00PM**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President (Cr Gregory Dwyer) declared the meeting open at 1.00pm, welcomed the attendees and proceeded with the Agenda as planned.

2. ANNOUNCEMENT OF VISITORS

Mr Rob Northcoat, Event Director, Goldfields Cyclassic

3. RECORD OF ATTENDANCE

3.1 PRESENT:

Councillors

Cr G Dwyer President
Cr J A Dwyer Councillor
Cr C K Purchase Councillor
Cr I R Tucker Councillor

Staff:

Mr N P Crawford Chief Executive Officer
Ms R Jones Deputy Chief Executive Officer

3.2 APOLOGIES

Councillors:

Cr P Twigg Deputy Shire President

Staff:

Mrs D Crawford Executive Assistant to the CEO

3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

8. CONFIRMATION OF MINUTES

8.1 MINUTES OF ORDINARY COUNCIL MEETING – 29 NOVEMBER 2012

VOTING REQUIREMENTS:
Simple majority decision required

COUNCIL DECISION/OFFICER RECOMMENDATION

No: 0262

Moved Cr K Purchase

Seconded Cr J Dwyer

That the minutes of the Ordinary Meeting of council held on 29 November 2012 be confirmed as a true and accurate record

CARRIED 4/0

9. PETITIONS/DEPUTATIONS/PRESENTATIONS

Mr Rob Northcoat, the Event Director for the Goldfields Cyclclassic gave a presentation on last year's Cyclclassic and what challenges the year ahead will bring. Amongst the issues he raised, of notable mention were:

- A sample of the Ladies trophy that was presented
- The event was recognised by the Chamber of Commerce and Industry as the Event of the Year
- SBS was showing footage of the race
- A promotional video is available for the public
- The Goldfields Medical Fund is not sponsoring the event next year and the Cyclclassic would be seeking a new sponsor

Other items that were discussed at the time were the possibility of a race from Snake Hill into Menzies and the possibility of commissioning a statue to be erected to commemorating the history of the race

The President thanked Mr Northcoat and invited him to stay for the rest of the meeting.

1.10 PM *The CEO left the Meeting*

1.12 PM *The CEO returned to the Meeting*

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

10.1 PRESIDENT'S REPORT – TABLED AT THE MEETING

- 3 December 2012
- Attended Menzies Community School Presentation Day where I presented a prize on behalf of the Shire for the Youth Citizenship Award for 2012

- Attended a meeting with CEO and Paul Lynch from Macarthur Minerals
- 10 December 2012 Met with CEO, Glen Povey and Talia Smith from Vector Resources re Gwendolyn Mine, Diemals and using Shire roads to Coolgardie for Custom Milling
- 11 December 2012 In company with Brian Howson, Manager of Works and Services and CEO, conducted road trip to Pinjin to view alternative route from Tropicana Gold Mine to Kalgoorlie in the event of Lake Rebecca being impassable
- 13 December 2012 Audit meeting with Shire Auditor Greg Wyllie – overview of 11/12 Audit
- 17 December 2012 Chaired LEMAC meeting

COUNCIL DECISION	No: 0263
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Moved: Cr J Dwyer

Seconded: Cr I Tucker

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

CARRIED 4/0

11. REPORTS OF COMMITTEES AND OFFICERS

11.2 FINANCE AND ADMINISTRATION BUSINESS

11.2.1 FINANCIAL REPORT

SUBMISSION TO:	Ordinary Meeting of Council 21 December 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	A/2/6
DISCLOSURE OF INTEREST:	The author has no interest in this item
DATE:	17 December 2012
AUTHOR:	Rose Jones, 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 - Monthly Statement of Financial Activity and associated reports, including the Compilation Report from UHY Haines Norton

SUMMARY:

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

BACKGROUND:

The monthly reports have been prepared by UHY Haines Norton to reflect revenue and expenditure transactions for the Month of October 2012

COMMENT:

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

CONSULTATION:

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations – Regulation 34

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS: Nil

VOTING REQUIREMENTS:
Simple Majority decision required

COUNCIL DECISION/OFFICER RECOMMENDATION:	No: 0264
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Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Council acknowledges receipt of the Statement of Financial Activity and associated reports for the period to 31st October 2012.

CARRIED 4/0

11.2.2 PAYMENTS TO CREDITORS IN OCTOBER 2012
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SUBMISSION TO:	Ordinary Meeting of Council 21 December 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	A/2/1
DISCLOSURE OF INTEREST:	The author has no interest in this item
DATE:	17 December 2012
AUTHOR:	Rose Jones, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	

ATTACHMENTS:

Attachment 11.2.2a - List of payments made to Creditors in October 2012

SUMMARY:

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

BACKGROUND:

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

COMMENT:

Payments in October 2012 include cheques numbered 8041 to 8173 and direct payments totalling \$431,447.19

CONSULTATION:

STATUTORY ENVIRONMENT:

Local Government Act 1995

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

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

Local Government (Financial Management) Regulation 13

POLICY IMPLICATIONS:

Policy 4.7 – Creditors – Preparation for payment

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

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority decision required

COUNCIL DECISION/OFFICER RECOMMENDATION:	No: 0265
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Moved: Cr I Tucker

Seconded: Cr J Dwyer

That Council approves the payments identified in the list of Payments made from the Shire of Menzies Municipal Bank account in October 2012 including cheques numbered 8041 to 8173 and direct payments as detailed in the attachment and totalling \$431,447.19

CARRIED: 4/0

11.3 WORKS AND SERVICES BUSINESS

11.3.1 Capital Purchase - Alteration to Budget

SUBMISSION TO:	Ordinary Meeting of Council, 21 December 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	P/5/3
DISCLOSURE OF INTEREST:	None
DATE:	10 December 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 11.3.1a – Drawing of proposed trailer

SUMMARY:

For Council to consider an alteration to the 2012/13 Budget to purchase a custom made trailer in lieu of a town truck.

BACKGROUND:

When the current Budget was being prepared, provision was made to purchase a truck on which to transport the vacuum pump to various locations to empty septic systems.

As the unit is quite weighty, the current fleet of depot vehicles are not heavy enough to accommodate this pump.

COMMENT:

It was proposed to purchase a single axle town truck of approximately 10-12 tonnes capacity which would accommodate the septic pump unit as well as a small water tank. This truck would then also service the remote toilet systems at Lake Ballard, Niagara and Ularring.

With the road crew now operating at full strength, the supply of their daily fuel requirements has become an expensive factor. Currently, the fuel supply unit (200 ltrs) is mounted on the rear of a utility and that ute must come into town each day to replenish supplies. This does not even cover the daily usage and the vehicle often must make extra trips to ensure that the supply of fuel is adequate.

The Manager Works and Services has requested that the decision to purchase a truck be reviewed and consideration be given to the purchase of a trailer instead. The

benefits to the works staff will be that the trailer could accommodate a fuel tank of some 5,000 litres capacity which would reside out with the road crew. This would guarantee a steady supply of fuel to the road crew. If and when the septic pump was required, the truck would just bring the trailer into town and load up the pump unit and carry out what works were required.

The main benefit would be the saving in costs for the trailer as against the truck. A figure of \$140,000 (excluding GST) was budgeted for the purchase of a truck while the trailer has been quoted to cost \$36,700 (excluding GST). Additional costs would be for the supply of a fuel tank and dispensing equipment which is not expected to be significant.

The trailer would be towed by the new Mercedes truck and whilst that action may take the truck out of operation during such a period, the benefits would far outweigh the disadvantages of such a configuration.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

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

POLICY IMPLICATIONS:

There are no Policies in relation to this matter.

FINANCIAL IMPLICATIONS:

Council will realise a savings in the Budget

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Absolute Majority Decision required

COUNCIL DECISION/OFFICER RECOMMENDATION:

No: 0266

Moved: Cr K Purchase

Seconded: Cr J Dwyer

That Council approves of a change in the 2012/13 Budget to allow the purchase of a trailer and fuel tank in lieu of a town based truck

CARRIED 4/0

11.4 MANAGEMENT AND POLICY BUSINESS

11.4.1 ANNUAL REPORT 2010/2011

SUBMISSION TO:	Ordinary Meeting of Council, 21 December 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	A/6/1
DISCLOSURE OF INTEREST:	None
DATE:	13 December 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Appendix 11.4.5a – Annual Report for 2010/2011

SUMMARY:

For Council to receive the Annual Report for the year ended 30 June 2011

BACKGROUND:

A local government must prepare an Annual Report for each financial year. The timing of this report is always dependant on receiving the Auditors report for that period once the financial statements have been prepared.

The auditor's report for the period 1 July 2010 to 30 June 2011 was delayed quite considerably by the auditor and has only just been received after some clarification.

COMMENT:

The Auditor's Report was received by the Audit Committee on 20 November 2012 and the Committee's recommendation to accept the Report was Adopted by Council on 29 November 2012.

Appended as Appendix 11.4.5a is the Annual Report for the year ended 30 June 2011.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.
- Section 5.29 – Details the requirements governing the holding of an electors meeting.
- Section 5.53 – Details the contents that the annual report must contain.
- Section 5.54 – Outlines the conditions related to Council accepting the annual report
- Section 5.55 – Provides guidelines on making the annual report available to the public

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

STRATEGIC IMPLICATIONS: None

VOTING REQUIREMENTS:

Absolute Majority Decision required

COUNCIL DECISION/OFFICER RECOMMENDATION:	No: 0267
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Moved: Cr K Purchase

Seconded: Cr J Dwyer

That Council:

1. **Accepts the Annual Report for 2010/2011,**
2. **Advertises the availability of the Annual Report for the electors of the district, and,**
3. **Sets the date for the Electors Meeting at 11.00 am on Thursday, 31 January 2013 and advertises this meeting date.**

CARRIED: 4/0

11.4.2 Donation To Children’s Christmas Party

SUBMISSION TO:	Ordinary Meeting of Council, 21 December 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	A/1/2
DISCLOSURE OF INTEREST:	None
DATE:	13 December 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 11.4.2a – Letter from Menzies Youth and Community Group

SUMMARY:

For Council to ratify a decision by the CEO to make a donation to the Menzies Youth and Community Group (MYCG) children’s Christmas party.

BACKGROUND:

Council generally make a donation to the MYCG for the children’s Christmas party.

COMMENT:

This year, the request from the MYCG was not received until after the November Council Meeting (See Attachment 11.4.2a) Following a discussion with the President, the CEO made the decision to make the donation to the MYCG for the children’s Christmas party on behalf of the 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 the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Shire of Menzies Policy Manual

- Policy 4.4 – Permits the CEO to make donations provided they fall within the criteria as set by Council.

FINANCIAL IMPLICATIONS:

Provision is available within the current Budget

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER RECOMMENDATION:

No: 0268

Moved: Cr J Dwyer

Seconded: Cr K Purchase

That Council ratify the decision by the Chief Executive Officer to make a donation of \$500 to the Menzies Youth and Community Group towards their children's Christmas party

CARRIED: 4/0

11.4.3 Policy 5.14 Staff – Christmas Gift Bonus

SUBMISSION TO:	Ordinary Meeting of Council, 21 December 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	C/9/7
DISCLOSURE OF INTEREST:	None
DATE:	11 December 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS: None

SUMMARY:

For Council to consider Adopting Policy 5.14 Staff – Christmas Gift Bonus.

BACKGROUND:

It has been traditional in past years for staff to receive the gift of a cheque to the value of a \$100 as a token of appreciation from the CEO for services rendered during the year.

COMMENT:

In examining the policies and resolutions of Council, it appears that there has never been a formal decision by Council to provide this gift.

The Policy 5.14 Staff – Christmas Gift Bonus now formalises this process.

5.14 Staff – Christmas Gift Bonus

Introduction	
Objective	To express the Shire’s appreciation of efforts of staff during the year.
History	Adopted – _____
Policy Statement	

1. This Policy confirms and establishes the practice of the CEO making a small Christmas gift to each staff member, in recognition of their efforts and contribution to the workplace during their employment.
2. The gift is made at the sole discretion of the CEO, and is not an “as of right” entitlement of the employee.
3. The gift is not to be cash, but a gift card from a well-known chain such as Bunnings, Coles, K Mart etc.
4. The maximum value of the gift is to be \$100, but the CEO has discretion to make a lesser amount, if taking into account length of service or if a part-time employee.
5. This gift bonus is not applicable to the CEO

– End of Policy

COMMENT

The Policy also designates a form of gift voucher as the proper item for the future and deletes the practice of providing a bonus in the form of a monetary gift.

The author does not have any interest to disclose as this policy does not apply to the Chief Executive officer.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

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

POLICY IMPLICATIONS:

Will be included in the recently revised version of the Shire of Menzies Adopted Policy Manual

FINANCIAL IMPLICATIONS:

Will have some implications but would be covered under donations

STRATEGIC IMPLICATIONS:

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER RECOMMENDATION:	No: 0269
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Moved Cr J Dwyer

Seconded: Cr K Purchase

That Council:

1. Ratifies all previous actions in awarding staff bonus payments at Christmas time, and,
2. Adopts the following Policy 5.14 Staff – Christmas Gift Bonus and includes this Policy in the Shire of Menzies Policy Manual:

5.14 Staff – Christmas Gift Bonus

Introduction	
Objective	To express the Shire’s appreciation of efforts of staff during the year.
History	Adopted – _____
Policy Statement	

6. This Policy confirms and establishes the practice of the CEO making a small Christmas gift to each staff member, in recognition of their efforts and contribution to the workplace during their employment.
7. The gift is made at the sole discretion of the CEO, and is not an “as of right” entitlement of the employee.
8. The gift is not to be cash, but a gift card from a well-known chain such as Bunnings, Coles, K Mart etc.
9. The maximum value of the gift is to be \$100, but the CEO has discretion to make a lesser amount, if taking into account length of service or if a part-time employee.
10. This gift bonus is not applicable to the CEO

– End of Policy

COMMENT

CARRIED: 4/0

11.4.4	MENZIES COMMUNITY RESOURCE CENTRE – FUTURE OPERATIONS
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SUBMISSION TO:	Ordinary Meeting of Council, 21 December 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	C/12/1
DISCLOSURE OF INTEREST:	None
DATE:	16 December 2012
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	Item 9.5 of Special Meeting of Council 14 September 2011

ATTACHMENTS:

Attachment 11.4.4a - Item 9.5 of Special Meeting of Council 14 September 2011
Attachment 11.4.4b - Copy of minutes of the Menzies Development Association Incorporated meeting held 4 December 2012

SUMMARY:

For Council to consider the decision of the Menzies Development Association Incorporated regarding the future of the Menzies Community Resource centre.

BACKGROUND:

At the Special Meeting of Council held Friday, 14 September 2011, Council advised the management committee of their intention to cease having any involvement with the Menzies Community Resource Centre. Further, that the Council would enter into an arrangement whereby the Menzies Community Resource Centre would operate in their own right with some Council assistance.

COMMENT:

The management committee then commenced the process of forming their own group, the Menzies Development Association Inc. (MDA). This process took many months to arrange during which time, a number of reservations began to influence the group's belief on their ability to manage this operation; progress was extremely slow, meetings did not attract many members, and other factors.

It was during this period that Mr Garry Ventris, the Regional Coordinator of Community Development from the Department of Regional Development and Lands visited Menzies for a meeting with the Shire seeking some guidance on the direction that the CRC was heading in. He was concerned that the CRC would cease to function should the

community group assume management responsibilities for the CRC. This was due to a number of factors as past experience had dictated in other country areas, especially with small populations such as Menzies.

The Shire staff reiterated Council's position on the matter but offered to convene a meeting between Mr Ventris and the MDA to endeavour some positive outcome of the issues.

This meeting took place the following day between senior staff from the Shire, the Shire President and members of the MDA. The outcome from this meeting was that the MDA would call a meeting of their members for a "brain storming session" to ascertain whether the MDA wished to continue with the original concept of managing the CRC.

The resolution from that meeting was that:

"The Menzies Development Association resolve that the Shire of Menzies continue to operate the CRC on an on-going basis and the Management Committee in partnership with the Shire of Menzies look forward to the future achievements of the Menzies CRC".

Normal practice is for the CRC's to be assisted in an advisory capacity by a community group of volunteers but history has shown that these groups generally fold after a short period of time due to the demands on the individual member's time with other day to day issues. In regions with a large population, the group has a chance to survive but in most small to medium towns, it inevitably falls back onto the local shire to manage the centre.

It is proposed that in the future, the Shire continues to operate the CRC under the Shire banner. The CRC can be assisted in the operations by an advisory group consisting of a number of MDA members and the CEO's representative. The CEO will encourage the MDA to conduct regular monthly meetings through which the CRC coordinator can be provided with feedback on what direction/projects that the community would like to see implemented.

The CRC will be responsible to the DCEO for the day to day operations of the CRC and will provide the CEO with regular updates on the progress of the CRC.

This is a typical "management" model that exists in many CRC's throughout the rural areas and generally all run quite successfully. However, it is the solid backing of the local government resources that ensures that these centres continue to cope with the demands of the public.

The future image of the Shire of Menzies CRC can be a leading example of what a small community can achieve in service delivery to the general public and our CRC will be credit to the district.

CONSULTATION:

Mr Garry Ventris – Regional Coordinator – RDL
Menzies Development Association Inc

STATUTORY ENVIRONMENT:

Local Government Act 1995

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

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter.

FINANCIAL IMPLICATIONS:

Operational expenses are included in the current Budget

STRATEGIC IMPLICATIONS:

Will assist in developing the CRC into a community asset

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER RECOMMENDATION:	No: 0270
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Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Council:

- 1. Agrees to continue operating the Menzies Community Resource Centre as a Shire venture, and,**
- 2. Invites the Menzies Development Association Inc to participate in an advisory role towards the management of the Community Resource Centre**

CARRIED: 4/0

12. ELECTED MEMBERS MOTION 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 Thursday 31 January 2013 in the Council Chambers at Menzies commencing at 10.00am

16. CLOSURE OF MEETING

There being no further business, the President, Cr G Dwyer, declared the meeting closed at 2.23pm

17. CERTIFICATION BY CHAIRMAN

I, _____ hereby certify that the Minutes of the Ordinary Meeting of Council held 21 December 2012 are confirmed as a true and correct record, as per the Council Resolution of the Ordinary Meeting of Council held on 31 January 2013.

Signed _____

Dated: _____ 2013