

**SHIRE OF MENZIES
ORDINARY COUNCIL MEETING**

SEPTEMBER 23RD 2010

M I N U T E S

Conducted at the
KOOKYNIE – GRAND HOTEL
Commencing at 9.11am

SHIRE OF MENZIES



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SHIRE OF MENZIES

ORDINARY COUNCIL MEETING

September 23rd, 2010

Conducted at Kookynie – Grand Hotel commencing at 9.11am

MINUTES

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President (Cr. Gregory Dwyer) declared the meeting open, acknowledging with thanks the opportunity of being received at the Kookynie, Grand Hotel welcoming the attendees and guests and proceeded with the agenda as planned.

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

In attendance:

Councillors	Cr Gregory Dwyer	President
	Cr Greg Stubbs	Deputy President
	Cr Kevin Pusey	Councillor
	Cr Ian Tucker	Councillor
	Cr Aileen Kelly	Councillor
	Cr Jill Dwyer	Councillor
	Cr Lloyd Lansdown	Councillor
Staff:	Mr Brian Seale	Chief Executive Officer
Visitor:	Mr Neil Gordon -	O.I.C, Leonora Police Station

3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Not Applicable

4 PUBLIC QUESTION TIME

None

5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.

None

6 PETITIONS / DEPUTATIONS / PRESENTATIONS

None

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Confirmation of the Previous Minutes of Council held August 26th, 2010 as presented, be adopted.

Confirmation of the Previous Minutes of Extra Ordinary Council held September 7th, 2010 as presented, be adopted.

MOVED Cr Kelly

SECONDED Cr Dwyer
"Carried 7/0"

8 QUESTIONS ON NOTICE

- 8.1 Questions on Notice
None.

9 REPORTS OF COMMITTEES AND OFFICERS

TABLE OF CONTENTS

- 9.1 Accounts for Payment to August 31st, 2010
- 9.2 Financial Statements and Reports to August 31st, 2010
- 9.3 Tourism Development Officer
- 9.4 Policy Manual Amendment – Vexatious Complainant.
- 9.5 Aged Rates Debtor Report as at August 31st, 2010.
- 9.6 Donation to the LGMA – National Association
- 9.7 Purchase of the Kookynie School Premises
- 9.8 The Goldfields – Esperance Region Strategic Development Plan
- 9.9 Invitation to the International Mission to China
- 9.10 Purchase of a Diesel Tank and Trailer
- 9.11 Caravan Park – Overflow Facility
- 9.12 Business Development Application – Roadhouse
- 9.13 R.S.P.C.A. Officer Appointment
- 9.14 Lake Ballard Vehicle Count.
- 9.15 Design for the Garden at 39 Reid St, Menzies
- 9.16 Main Street Upgrade – Townscape
- 9.17 Design of the Church for the Main Street
- 9.18 Works Supervisors' Request for Unlimited Mobile Phone Use
- 9.19 Development of Forward Capital Works Plans
- 9.20 Gould Transport Request to Access "Town Common" for Haul Road
- 9.21 Proposed Works Programme 2010 – 2013
- 9.22 Resource Centre – Privatisation
- 9.23 Caravan Park – Visitor Parking. (Existing Site)
- 9.24 Budget Variation – Purchase of Plant.
- 9.25 P.D.F. for the Community Development Officer
- 9.26 Review of the Performance of the C.E.O.

9.1 ACCOUNTS FOR PAYMENT TO AUGUST 31ST, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Carol McAllan, Deputy CEO
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

Cheque numbers including direct debits and bank statement transfers totalling \$ are presented for payment as per the submitted list,

COMMENT:

At the time of preparing the agenda, the schedule was not available from the Accounting firm and it is planned to present this at the meeting or by email as soon as it is received, whichever is the sooner.

CONSULTATION:

Ms Mandy Wynne, Haines Norton.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 Regulation 13, 34

POLICY IMPLICATIONS:

All signing of cheques were carried out as per Policy 3.8.
(All amounts over \$15,000.00 were counter signed by a Council Member).

FINANCIAL IMPLICATIONS:

Reduction to the Municipal Fund Balance

VOTING REQUIREMENTS:

Simple Majority required

OFFICER RECOMMENDATION

ITEM 9.1

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

To approve Cheque to and to including direct debits and bank statement transfers totalling \$ are presented for payment in terms of the schedule provided. .

COUNCIL DECISION

ITEM 9.1

To defer this item to the October Meeting.

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)
"Carried 7/0"

Explanation: The reason for not adopting the recommendation is that the reports were not available to Council and not included in the Agenda with request that this report be presented to the October meeting.

9.2 FINANCIAL STATEMENTS AND REPORTS TO AUGUST 31st, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23 rd , 2010
AUTHOR:	Carol McAllan, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

The Financial Reports (AAS27) are presented monthly, generated by our off-site Accountants, UHY Haines Norton and printed in our office.

COMMENT:

Included in these Financial Reports, (which are an equivalent of a quarterly financial report) is a rates report and a report on reserves funds

At the time of writing this item, the reports were not available and we are hopeful of receiving these so these can be prepared for inclusion on the agenda and the Haines Norton group have assured this office that this will occur.

Otherwise, the details will be presented to the Council on September 23rd, 2010, or as soon as these are made available by email, whichever is the earliest.

CONSULTATION:

Ms Mandy Wynne, Haines Norton. Reporting on Financial Activity

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996 Regulation 34

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

OFFICER RECOMMENDATION

ITEM 9.2

MOVED Cr Kelly

SECONDED Cr Lansdown

That the Financial Statements and Reports to the Statements to August 31st, 2010 as presented be adopted.

COUNCIL DECISION

ITEM 9.2

“To Defer this item to the October Meeting.”

MOVED Cr Kelly

SECONDED Cr Lansdown

“Carried 7/0”

Explanation: The reason for not adopting the recommendation is that the reports and statements were not available to Council and not included in the Agenda and requesting this item be resubmitted to the October meeting.

9.4 POLICY MANUAL AMENDMENT – VEXATIOUS COMPLAINANT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23 rd , 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider a Policy Manual amendment to incorporate the provision of dealing with a Vexatious Complainant where the Council feels the client qualifies the definition and justifies containment.

BACKGROUND:

This is proposed as a Generic Policy item to assist the effective management of the Council and administration in dealing with difficult situations in the event where circumstance justify this action in the future.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.4

To approve a Policy Manual amendment to incorporate the provision of process of dealing with a Vexatious Complainant, where the Council feels the client qualifies the definition and justifies containment, to be addressed by the C.E.O., where the client justifying the definition is to be written to advising that he/she is directed to address only the C.E.O. with comments of concerns or complaints involving the shire and not to direct comments to Councillors or staff. The C.E.O. is to provide five minutes of time where the determined Vexatious Complainant is to provide the CEO with details of the concern and after which the complainant will be asked to leave the premises.

MOVED Cr Kelly

SECONDED Cr Dwyer (J.).
“Carried 7/0”

9.5 AGED RATES DEBTOR REPORT AS AT AUGUST 31ST, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the report of aged rates debtors as resolved by Council to provide a report monthly to evidence the progress made in the recovery of the Shires entitled revenue and to provide guidance to the administration if required.

BACKGROUND:

It is a requirement of Council that this report issue monthly as an agenda item. The aged report is attached, as required.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

OFFICER RECOMMENDATION

ITEM 9.5

MOVED Cr Dwyer (J.)

SECONDED Cr Stubbs

To Receive the report of aged rates debtors as resolved by Council to provide the report monthly to evidence the progress made in the recovery of the Shires entitled revenue and to provide guidance to the administration if required, as provided to the C.E.O. during the meeting.

COUNCIL DECISION

ITEM 9.5

“To Defer this item to the October Meeting.”

MOVED Cr Dwyer (J.)

SECONDED Cr Stubbs
“Carried 7/0”

Explanation: The reason for not adopting the recommendation is that the reports were not available to Council and not included in the Agenda.

9.6 DONATION TO THE L.G.M.A. - \$800

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider a donation to the National Office of the LGMA of \$800 for the support and promotion of "Women in Local Government", as committed in error and provided without Council awareness or support..

BACKGROUND:

Council will recall recently supporting the W.A. branch of the LGMA with a contribution of \$800 to assist in the "Women in Local Government Conference", though an administrative error, the administration was at the same time in receipt of the "National" office of the LGMA seeing supporters of the Women in Local Government and this confusion arriving at the same time precipitated an inadvertent commitment to the National body, without Council approval. Thus this matter is brought before Council to illuminate the issue and copies of the details are enclosed for Council scrutiny and comment.

This is an administrative matter and the C.E.O. takes responsibility for this error.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.6

To approve of a donation to the National Office of the LGMA of \$800 for the support and promotion of "Women in Local Government", as committed in error and provided without Council awareness or support, in terms of the details attached and provided to Council.

MOVED Cr Kelly

SECONDED Cr Lansdown
"Carried 6/1"

9.7 KOOKYNIE SCHOOL BUILDING PURCHASE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the Purchase of the Kookynie School building purchase, following a period of advertising and public consultation having been satisfied, as required by resolution dated July 22nd, 2010.

BACKGROUND:

Council resolved on July 22nd 2010 to revisit this item subject to:

1. A satisfactory response to a period of public consultation.
2. An assessment of the integrity of the Building to be provided by the Shire Building Surveyor.
3. Market Valuation to be provided.

Copy of the July resolution is appended, to assist Council in this matter.

CONSULTATION

The Shire building surveyor is currently on six weeks leave overseas and the fee for determining a sworn valuation is approximately \$2,500,

The results of the Community Survey revealed that of the fourteen submissions received by the closure of the consultative period those six submissions were in favour of the purchase (though one of those was from a non-resident of Menzies).

Seven directly opposed the purchase, and one submission was invalid for not recording either a positive or negative response to the question, but asked the question as to the extent of recurrent funding required for the project.

Potential uses as listed by the providers of submissions include:

1. Community Building/Hall
2. Public Ablutions.
3. Historic Site
4. Information Centre.
5. Sports Centre.
6. Place for Busts or statues of Pioneers of the shire
7. Museum
8. Community Events.
9. Preservation of Local History
10. Public Uses.
11. Place for Meetings.
12. Dances.

- 13. Shire Meetings.
- 14. Cultural displays.
- 15. Venue for Pastoralists

STATUTORY ENVIRONMENT: Not Applicable.

POLICY IMPLICATIONS: Not Applicable.

FINANCIAL IMPLICATIONS:

Funding in the 2010/11 year will be required, with an “**Absolute Majority**” resolution of Council.

VOTING REQUIREMENTS: Simple Majority required

OFFICER RECOMMENDATION	ITEM 9.7
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MOVED Cr Stubbs

SECONDED Cr Pusey

To decline the Purchase of the Kookynie School building in the 2010/11 year, having satisfied a period of advertising with public consultation where seven of the fourteen submissions were in opposition to the purchase, six submissions were in favour of the purchase (though one submission was a no-resident, and yet another submission was invalid for neither supporting the purchase nor opposing the acquisition, as sought by resolution dated July 22nd, 2010,

COUNCIL DECISION	ITEM 9.7
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“Defer this item to the October Meeting.”

MOVED Cr Stubbs

SECONDED Cr Pusey
“Carried 5/2”

Explanation: The reason for not adopting the Officers’ Recommendation is it appears that:

1. Two submissions from the community were not included in the consultation evaluation process.
2. The Building/Health surveyors report was not received.
3. Market Evaluation of the property was not received.
4. Assessment or quotes from the Butson Building Service was not received.

And the absence of these may have influenced the outcome.

10-21 am - Cr Pusey vacates the meeting

9.8 THE GOLDFIELDS-ESPERANCE REGION STRATEGIC DEVELOPMENT PLAN

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the amendments and inclusions to the Plan, as sought and required to ensure Menzies features significantly in the regional Planning stages.

BACKGROUND:

The attached document was designed for the region , though opportunity to ensure inclusions were provided was not made available to Council, until it was presented to the most recent meeting of the G.V.R.O.C. group.

CONSULTATION

\$100,000 is made available through state Government Grant Funding to assist Councils with the design of business plans for the development of Infrastructure projects that will; benefit the region, through the G.V.R.O.C. structure.

The submissions for this Infrastructure planning are required to be made by December 2010 and a list of suitable candidates is made available to select for this purpose.

Potential inclusions from Menzies might include the following:

1. Rail Link from Mt Giles to Menzies.
2. Custom Mill at Leonora.
3. Civic Centre for Menzies "The Mystery in the Desert."

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.8

To consider the amendments and inclusions to the "Goldfields – Esperance Region Development Plan" as sought and required to ensure Menzies features significantly in the regional Planning stages and to include the following:

1. Custom Mill at Leonora.
2. Recreation Centre for Menzies "The Mystery in the Desert."
3. Rail Link from Lake Giles to Menzies

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)
"Carried 6/0"

- 10-36 am - Council adjourned
- 11-11 am - Council resumed

11-11am - Cr Pusey returns to Chambers

9.24 BUDGET VARIATION – PURCHASE OF PLANT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the request for a Budget Variation to accommodate the purchase of a Back-Hoe, expected in the sum of \$180,000 as approved by resolution dated June 24th, 2010, where a copy of the resolution is appended as required.

BACKGROUND:

Whilst this item was approved by Council, this entry was omitted from the Budget draft when presented in June, perhaps related to the possibility that the draft budget was designed prior to the item seeking support from Council was presented. Notwithstanding, funding is required for this item and it is proposed that the Back-hoe be included in the 2010/11 budget in the sum of \$180,000, with a Trade-in value of \$30,000 be noted and the remainder, being \$150,000 be applied from the Reserve funds held for this purpose.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: \$276,000 is available in the Plant Reserve

VOTING REQUIREMENTS: Absolute Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.24
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To approve the request for a Budget Variation in the 2010/11 year to accommodate the purchase of a Back-Hoe, expected in the sum of \$180,000 as approved by resolution dated June 24th, 2010, with a Trade-in value of \$30,000 being noted and the remainder, being \$150,000 be applied from the Reserve funds held for this purpose.

MOVED Cr Pusey

SECONDED Cr Dwyer
“Carried 6/1” “By Absolute Majority”

9.9 INVITATION TO ATTEND THE INTERNATIONAL MISSION TO CHINA

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the opportunity to participate in the invitation to the International Mission to China, as provided in the attached data.

BACKGROUND:

Council is in receipt of advices, as attached to consider participation in this invitation to China for the period October 10th to 21st.2010

CONSULTATION

Cr. Stubbs presented this information and may wish to address Council in this matter as to cost and benefit to Council.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.9

To decline the opportunity to participate in the invitation to the International Mission to China, as provided in the attached data and in terms of the details provided to the C.E.O. during the meeting.

MOVED Cr Kelly

SECONDED Cr Dwyer
"Carried 7/0"

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	Thursday 23rd September, 2010
AUTHOR:	Justin Lee, Community Development Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the re-location of the valuable infrastructure that was purchased for the temporary Caravan Park facility to the area west of the 'Old' Machinery Display Shed to provide an overflow facility to accommodate up to seven (7) powered sites with metered power for permanents and a tent area.

BACKGROUND:

Council resolved at the extra-ordinary meeting held on the 11th March, 2010 to support 'in principal only' an overflow facility for the Menzies Caravan Park at Reserve no. 4531 bound by Mercer, Brown, Onslow and Wilson Streets.

Although the site is designated with a management order as a 'Caravan Park & Park Only' (see attachment) it may well be better suited to other purposes such as a mining camp, the proposed 'Well Aged Village' or for residential allotments.

COMMENT:

Infrastructure purchased and installed at a cost of approximately \$50,000 for the temporary Caravan Park facility could be re-utilized to provide an overflow facility to provide metered powered sites for permanent residents and a much needed tent area.

The economic sustainability of the Caravan Park is dependent upon increasing the number of overnight stays on powered sites and having adequate space for campers (tents). Permanents provide a regular income over the extreme temperatures of the summer period and the provision of a designated separate area with metered sites will provide this additional income.

The social and cultural nature of permanents is different to that of tourists which is why caravan parks generally provide a degree of separation &/or designated areas for permanent residents.

The financial benefits for local businesses such as the hotels (Menzies & Kookynie), roadhouse & station stay (cultural tours) are increased with increased visitor stays and the regularity of permanents.

Attachments provided:

- Caravan Park Overflow Facility – concept prepared by Justin Lee
- Caravan Parks and Camping Grounds Regulations 1997 – Schedule 7
- Caravan Park Overflow Facility – site plan

CONSULTATION: Chief Executive Officer

STATUTORY ENVIRONMENT:

A potential concern exists with this concept in that the area destined for this location is a reserve Number 46969, being lot 1114, Vested in the name of the Shire of Menzies for the purposes of "Picnic and Historical Machinery Display", where the concern exists in that the proposed intention may be assessed as "Ultra-Viries" (i.e. - contrary to the intention of the Vesting order.)

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

A tentative budget of \$110,000 would be required for construction costs.

The fee structure for powered sites adopted by Council on Thursday 26th August, 2010 for permanents is \$130.000 per week.

It is recommended a 15% discount applies for metered powered sites i.e. \$110.50 per week. Tax invoices be issued monthly or on exit for power used.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.11
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To approve in '**Principal Only**' for a Caravan Park Overflow facility and subject to the following:

- Re-location of existing infrastructure in relation to site plan provided.
- Budget provision of \$120,000 be made for in the 2011/12 year for this purpose
- Approval from the Department of Regional Development and Lands to edit the present Vesting Order to accommodate the potential use as an overflow caravan park site.
- Full costing provided to Council by December 2010 and before commitment to proceed in this or future budget periods.

MOVED Cr Dwyer

SECONDED Cr Kelly
"Carried 7/0"

9.12 BUSINESS DEVELOPMENT APPLICATION – ROADHOUSE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the business development application as received from the roadhouse seeking permission to provide a 24 hour swipe card fuel facility to support the travelling public, in term so the attached letter of request.

BACKGROUND:

The roadhouse proprietors have applied to Council for this facility to be provided by Eagle Petroleum and will operate from behind the Roadhouse retail facility.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.12

To approve the business development application as received from the roadhouse seeking permission to provide a 24 hour swipe card fuel facility to support the travelling public, in term so the attached letter of request, subject to the following:

1. Approvals being received from the various State Government regulatory bodies.
2. Approval and assent being received from the Shire Building Surveyor.
3. Confirmation of the application being consistent with the Town (Planning Scheme)
4. That no objections are received from the fourteen day public consultation process to be undertaken.
5. Evidence that the facility will be safe for the community and unlikely to be the target of vandalism

MOVED Cr Kelly

SECONDED Cr Dwyer
"Carried 7/0"

9.13 R.S.P.C.A. OFFICER APPOINTMENT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	B.W.Seale is the officer applying for the Position
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the appointment of B.W.Seale as the "General Inspector" for the RSPCA for the Menzies shire, for a term of three years in terms of the attached data, as presented.

BACKGROUND:

This is a voluntary role, but supported by the Department of Local Government and although there has not been a particularly strong demand for the service in the past, it is nevertheless a service of Local Government

B.W.Seale was the appointed officer for the Shire of Dalwallinu for many years as an employee of the shire of Dalwallinu

CONSULTATION	Dr. Kate Gannon
STATUTORY ENVIRONMENT:	Animal Welfare Act 2002
POLICY IMPLICATIONS:	None.
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.13

To approve of the appointment of B.W.Seale as the "General Inspector" for the RSPCA for the Menzies Shire, for a term of three years in terms of the attached data, as presented.

MOVED Cr Kelly

SECONDED Cr Dwyer
"Carried 7/0"

11-45 am - Cr Stubbs vacates Chambers

9.14 LAKE BALLARD VEHICLE COUNT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To receive the statistics as presented relative to the traffic to Lake Ballard and provide these to Tourism W.A. and also the Secretariat for the Golden Quest Discovery Trail and the Lake Ballard Association (Inc.).

BACKGROUND:

The traffic count commenced on March 17th, 2010 and concluded on the Nineteenth of April 2010, (thirty three days) where forty seven vehicles travelled during the survey period at an average speed of 125 kilometres per hour, in terms of the detail attached.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.14

To receive the statistics as presented relative to the traffic to Lake Ballard and provide these to Tourism W.A, the Secretariat for the Golden Quest Discovery Trail and the Lake Ballard Association (Inc.) and to ensure further statistics are receded every three months so average details can be collated, with a further submission to Council to be presented on receipt of new data.

MOVED Cr Kelly

SECONDED Cr Lansdown
"Carried 6/0"

9.15 DESIGN FOR THE GARDENS AT 39 REID STREET.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the proposed layout and design for the Gardens at 39 Reid Street, Menzies as proposed in the attached plan of the premises, currently occupied by the C.E.O.

BACKGROUND: Proposed map is appended.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

\$80,000 has been applied to this current budget to accommodate matters like this issue.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.15

To approve the proposed layout and design for the gardens at 39 Reid Street, Menzies as proposed in the attached plan of the premises, currently occupied by the C.E.O, subject to any modifications as advised to the C.E.O. during the meeting, subject to a cost schedule being presented to Council.

MOVED Cr Kelly

SECONDED Cr Dwyer
"Carried 6/0"

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	Thursday 23rd September, 2010
AUTHOR:	Justin Lee, Community Development Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the finalisation of the concept plan for the Main Street - Upgrade as required before tender documents are prepared by the consulting engineer.

BACKGROUND:

A resolution was made at the Council meeting held on the 27th May, 2010 to progress this project.

As follows:

Minutes - May 27th, 2010 - Resolution

To approve of the Map designating the issues requiring approval to promote this project as attached and as follows:

1. Approval of the Map delineating the Street lights, retention of trees, median Strips, and footpaths, and trafficable pavers, as provided in the map.
2. Below ground power to be installed.
3. Budget Expense Provision of \$1,200,000 to be applied from the 2010/11 budget, with \$700,000 to be provided from accumulated Reserves provided for this purpose, with the application of \$500,000 in Grant funding provided through the GEDC office.

MOVED Cr Kelly

SECONDED Cr Pusey
"Carried 6/0"

Duncan Jack Consulting has provided a revised drawing dated 07/09/10 for consideration of Council before proceeding with tender documents.

This is provided as an attachment.

COMMENT:

A contract for the formal design work with Horizon Power was signed on Friday 20th August, 2010. This design work incorporates underground power, transformers and new street lighting to Shenton Street and connection to the new caravan park.

With this aspect of the project progressing, the focus is now on preparing for tender documents to be issued for works including; paving, kerbing & landscaping.

CONSULTATION:

Chief Executive Officer, Works Supervisor, Main Roads WA, Horizon Power, Contractors

STATUTORY ENVIRONMENT:

Function and General Regulations, under Clause 3.57 of the Local Government Act 1995 Governs the Tender Requirements for purchasing of Goods and Services.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

A project budget of \$1,200,000 is available, consisting of \$500,000 from the GEDC & \$700,000 from Shire reserves.

An indicative quote of \$660,000 has been provided from Horizon Power to undertake works including underground power to the Main Street & caravan, and new street lighting.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION	ITEM 9.16
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To approve the implementation of the revised concept plan dated 07.09.10 and issue tender documents for construction, incorporating paving & kerbing within the budget parameter outlined, being the total construction cost of \$1,200,000

MOVED Cr Dwyer

SECONDED Cr Pusey
"Carried 6/0"

9.17 CHURCH DESIGN FOR THE MAIN STREET (Shenton Street, Menzies)

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the proposed design for the relocated Church for the Main Street as depicted in the attached map/plan of the proposal.

BACKGROUND:

Council approved of the relocation of the "Donated Church Building" to the main Street and where a number of Ministers of Religion from Kalgoorlie have agreed to conduct Services in the town once the refurbishment is established.

CONSULTATION

The Most Reverend Barry Hickey – Archbishop of Perth.

STATUTORY ENVIRONMENT: Not Applicable

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS:

Budget provision of \$100,000 is made available for this project in the 2010/11 year as "War Memorial"

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.17

To approve of the proposed design for Church for the Main Street as depicted in the attached map/plan of the proposal, as previously approved and where budget provision is made available in this year's budget for this purpose, to include a Cross, flood lighting and a Veranda, as illustrated.

MOVED Cr Kelly

SECONDED Cr Dwyer
"Lost 2/4"

12-03 pm - The O.I.C. from the Leonora Police Station arrived and made a brief presentation to Council on the direction for Policing for Menzies and the regular patrolling planned.

- **12-26 pm - Council adjourned**
- **1-35 pm - Council Resumed**

9.18 WORKS SUPERVISOR'S REQUEST FOR UNLIMITED MOBILE USE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the provision of unlimited use of the Shire Mobile phone facility for the works supervisor, as requested in the attached letter of application.

BACKGROUND:

This issue was addressed by Council in March 2010, where the present policy to limited the private cost to \$520 p.a. was adopted, where a copy of the policy is appended, as required.

By way of statistic data to assist Council in this matter, details from the accounts paid schedule for the past three months for both the CEO and the Works Supervisor are provided, with the following extract illustrating a comparison.

CEO	Works Supervisor
\$ 40-98	\$321-75
\$ 49-15	\$401-48
<u>\$172-06</u>	<u>\$107-78</u>
\$262-19 Monthly ave. \$ 87-33	\$831-01 Monthly Ave \$277-00
<u>Total a/c Monthly ave. \$154-86</u>	<u>Total a/c Monthly Ave. \$319-14</u>

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

Clause 5.20 accommodates the current adopted Policy as adopted on March 25th, 2010.

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.18
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To **decline** the provision of unlimited use of the Shire Mobile phone facility for the works supervisor, as requested in the attached letter of application, with immediate effect.

MOVED Cr Kelly
SECONDED Cr Lansdown
"Carried 6/0"

9.19 BUSINESS PLANS FOR FORWARD CAPITAL WORKS PLANNING

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the engagement of a consultant for the design of a "Forwards Capital Works Plan" for which Grant funding of \$35,000 is held by the Shire of Menzies for this purpose.

BACKGROUND:

The sum of \$35,000 has been provided for the design of a Business Plan for "Infrastructure Planning", which has to be submitted by December 31st, 2010, where it is recommended that the focus be on the establishment of the Industrial Area for Menzies.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

\$35,000 was allocated to the Shire of Menzies for the purpose of designing a "Forward Capital Plan"

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.19

To approve of the engagement of the UHY Haines Norton consultancy group for the design of a "Forwards Capital Works Plan", to be submitted by December 31st, 2010, for which Grant funding of \$35,000 is held by the Shire of Menzies for this purpose, where the focus is on the development of the Industrial area for future development of Menzies.

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)
"Carried 6/0"

9.20 GOULD TRANSPORT REQUEST TO ACCESS THE TOWN COMMON FOR A HAUL ROAD CROSSING THE MENZIES – EVANSTON ROAD

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the application received from the Gould Transport group to access the Shire of Menzies Town Common in the use of a Haul Road to cart from the mining pit at the rear of the former state Battery to Kalgoorlie and in the process crossing the Menzies – Evanston road.

BACKGROUND:

Whilst this term of contracting is intended to be short term, it nevertheless was constructed without Council knowledge, authority or request.

CONSULTATION Darren Clem – Gold Transport (Operations Manager) 0459-095779
Shane Power – Main Roads W.A. (Regional Manager.) Kalgoorlie.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.20

To approve the application received from the Gould Transport group to access the Shire of Menzies Town Common in the use of a Haul Road to cart from the mining pit at the rear of the former state Battery to cart to Kalgoorlie and in the process crossing the Menzies – Evanston road, as proposed in the attached letter of application, subject to:

1. Approval to expire on September 30th, 2011.
2. Appropriate signage to be installed during the course of the cartage contract, where the Haul road crosses the Menzies –Evanston road and also the Goldfields highway and with signage being removed at the conclusion of the contract.
3. The Access entry and egress to the Goldfields Highway from the Haul road to be clearly closed to avoid re-use and similarly the access to the Menzies – Evanston road to be clearly closed to avoid re-use.
4. Formal application to be received before use of the road, if required in the future.

MOVED Cr Kelly

SECONDED Cr Dwyer
"Carried 6/0"

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the basic planning as proposed for the works area for the Shire for the next two years being 2011/12 and 2012/13, as depicted on the attached work sheets as provided by the Shires Works Supervisor.

BACKGROUND:

It is customary to forward plan the projects for the future and ensure that the planning is consistent with what the Council want attended. Accordingly, the attached plan is indicative of what is proposed at present where the administration seeks the views of Council in terms whether or not this plan does reflect what the "Heart of Council" wants to see achieved.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.21

To approve the basic plan as proposed for the works area for the Shire for the next two years being 2011/12 and 2012/13, as depicted on the attached work sheets as provided by the Shires Works Supervisor, subject to any modifications as provided to the CEO during the meeting, noting the editing of the Sandstone road proposal of an increase to 12 kilometres p.a., subject to Grant funding being available.

MOVED Cr Lansdown

SECONDED Cr Kelly
"Carried 6/0"

9.22 RESOURCE CENTRE -PRIVATISATION

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the issues surrounding the uses and services provided by the resource Centre facility, in terms of the submission from the CO-Coordinator, as attached.

BACKGROUND:

Opportunity is presented at this time to consider "Selling" the concept to private ownership the functions and services of the Resource Centre and this may well be a sensible direction for the shire to take and perhaps fund an annual stipend to contribute towards the operations of the Centre.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.22

To decline further consideration of the issues of potential privatization surrounding the uses and services provided by the resource Centre facility, in terms of the submission from the CO-Coordinator, as attached and in terms of the advices issued to the CEO during the meeting..

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)
"Carried 6/0"

9.23 CARAVAN PARK – VISITOR’S PARKING – BROWN STREET

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the issues of the parking for the caravan park as the current design seems inconsistent with the plan Council had approved for this purpose.

BACKGROUND:

Council adopted the attached plan on March 26th, 2009 with some minor modifications, though it seems the construction of the external angle parking is not consistent with the plan approved by Council. Enquiry from the consulting Engineer resulted in the attached email being received.

CONSULTATION Duncan Jack – Consulting Engineers
– Simon De been.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.23

To address the issues of the parking for the caravan park as the current design seems inconsistent with the plan Council had approved for this purpose, and to proceed with the advices as provided to the CEO during the meeting, as follows:

1. Open the angle parking to accommodate parallel parking for caravans and cars.
2. Provide for angle parking opposite the bio-max, as originally passed.
3. Seek compensation from the engineers for failing to seek Council approval.

MOVED Cr Dwyer (J.)

SECONDED Cr Tucker
“Carried 6/0”

9.24 TOURISM DEVELOPMENT OFFICER

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23 rd , 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

To consider the opportunity to provide a fulltime position for a suitable officer to capture the requirements of a variety of administrative duties, including Tourism, anticipated commencing with immediate effect

COMMENT:

Given the duties incorporate provision of support at the Resource Centre and with the lack of office space at the Administration Centre, it is planned that the successful officer will operate from the Resource Centre.

The issues precipitating this proposal revolve around the following intentions:

1. To address the volume of work emanating from the Lake Ballard Association (inc.) group, which is presently not being adequately supported?
2. To provide seven days per week of support for the Resource/Visitors Centre as a requirement of the accreditation process.
3. To provide support in the provision of "Events Co-ordination" for various events, publicity and promotions for the shire.

CONSULTATION:

STATUTORY ENVIRONMENT

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Adequate funding has been provided for in the 2010/11 budget to accommodate this variation to the wages budget, where this is likely to cost Council approximately \$16,000.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.24

To approve the proposal to increase the current part-time officer's role to a fulltime position to capture the requirements of a variety of administrative duties, including Tourism, Lake Ballard Association (Inc.) requirements, Events Co-ordination and Resource Centre Assistance with an anticipated commencement with immediate effect, with a suitable amendment to the "Organizational Chart" being made to reflect this amendment, on the basis that accommodation will be provided during 2011, once shire premises have been made available.

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)
"Carried 6/0"

- 3-29 pm - Council adjourned
- 3-51 pm - Council resumed

9.3 COMMUNITY DEVELOPMENT OFFICER POSITION DESCRIPTION FORM
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the details of the "Position Description Form", the Title and Salary for the incumbent, as presented by the C.D.O. for adoption, as required.

BACKGROUND:

The officer commenced employment with the Shire of Menzies on November 12th, 2007 as the Resource Centre Co-ordinator, though titled "Community Development Officer". Twelve months later on November 24th, 2008, the officer was appointed to the position of Deputy C.E.O and resigned this role on March 18th, 2009. Since then, with the appointment of a fulltime officer at the resource centre, the duties changed considerably and it was determined that the duties of the role and the requirements of the Position Description would be evaluated over time in order to form up an appropriate set of duties that would suit the skill base of the officer and the needs of the administration.

It is now time to firm up that obligation, where the attached document attempts to display that endeavour.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
--

ITEM 9.3

MOVED Cr Kelly

SECONDED Cr Dwyer (J)

To consider the details of the "Position Description Form", the title and Salary for the incumbent, as presented for adoption, as required, with modifications and editing as advised to the C.E.O. during the meeting for negotiation with the officer, with a further submission to be submitted to the October meeting.

"Carried 6/0"

4.26 pm - Council adjourns
4.38 pm - Council resumes

4.38 pm - Cr Stubbs returns to Meeting

10 STATUS REPORTS

10.1 SHIRE OF MENZIES - STATUS REPORT

Presented, in case there are any Council resolutions to be addressed from this report.

10.2 TJUNTJUNTJARA COMMUNITY - STATUS REPORT

Presented to ensure appropriate action has been initiated from the comments made and that the Community views have been noted.

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 ELECTED MEMBERS MOTIONS WITH PREVIOUS NOTICE

11.2 CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS

- ❖ Item 9.26 to be addressed at the conclusion of the Councillors Reports and when Cr. Stubbs returns to chambers.

11.3 REPORTS FROM COUNCILLORS AND STAFF

Cr Stubbs

1. Some street signs have been defaced and require cleaning of the Graffiti.

Cr Tucker

1. The Trucks parking in the main street are causing damage to the buildings.

Cr Pusey

1. Road Closure signs on the Kookynie road need repair and managing to ensure correct and current details are displayed during wet weather.

Cr Kelly A

1. The oval condition remains a concern with prickles growing unchecked and the lawn is dying from lack of water.
2. Intended attendance to the Tidy Towns awards ceremony in Southern Cross shortly.

Cr Dwyer J

1. When will the ablutions for the Lady Shenton be installed?
2. Is it accurate that we have used an unlicensed (unregistered) Painter for Shire painting work, as this is illegal?

Cr Lansdown L

No Comments.

Cr Dwyer G

1. Attended the School assembly and aware the school won the N.E. Goldfields carnival and suggest a letter of recognition be issued

Mr Seale: B

1. INTERMIN Resources Limited
Representatives plan to Visit Menzies September 24th 2010 to discuss tenancy of the Police station and vacating the Railway Station Building.

2. Review of the Outside team employees Salary/Wages
As presented by the Works Supervisor and provided to Council.

To adopt the proposal for the review of the outside team members' salary/wages, as presented to be backdated to July 1st, 2010.

Moved Cr Pusey

Seconded Cr. Dwyer (J.)
"Carried 7/0"

3. Lot 1064

Business proposal requires a town planning zoning amendment to reflect commercial zoning from the present "Public Utility" zoning.

Moved Cr Dwyer (J)

Seconded Cr. Kelly
"Carried 7/0"

Note: To approved of the amendment to the Town Planning scheme to reflect an amendment to lot 1064 from Public Utility to Commercial, as proposed and as submitted.

4. Caravan Park

Camping Rules – presented as received from Les Taylor and acknowledged with thanks.

5. Hand Rail

Details relative to this requirement as enquired at the last meeting were advised to Council.

6. Lady Shenton ablution floor plans

Presented to Council, though these were not the design drawings but the slab layout. Design drawings are to be sought.

7. Aged Debtor Listing Report

Presented, but given the 50 pages involved, it was not distributed, but made available.

8. List of marketing requirements

as required by the G.Q.D.T.

To list the following iconic features as the preferred facilities to promote for 2010/11, as follows:

**Niagara Dam
Lake Ballard
The Menzies "Our place Interpretation"
Kookynie "A Living Ghost Town"
Golden Quest Discovery Trial**

Moved Cr Pusey

Seconded Cr. Tucker
"Carried 7/0"

9. The New Ward structure
Government Gazette - September 14th, 2010
This has been gazetted to 'two wards'

10. Request for Rent Reduction assistance from Les Purdue.

To resolve the provision of Rental for Les Purdue at \$85-00 per week, as a "Special facility" only, with the opportunity for Mr Purdue to provide some gardening services to accommodate the rental reduction.

Moved Cr Dwyer

Seconded Cr Kelly
"Carried 7/0"

11. Request for Rates Assistance – Ron Andrei.

This item is to be presented to the October meeting in formal fashion.

12. Policy Manual - Amendment:

Employees occupying own Caravan in the Caravan Park.

To suitably edit the Policy Manual to reflect the amendment to accommodate those opportunities when the staff member is not fulltime, a reduced rental is to apply based on the pro-rata value of the standards rate to reflect the same portion of rental tariff.

Moved Cr Dwyer (J.)

Seconded Cr Kelly
"Carried 7/0"

13. Radar Trailer

Arrangements are to be available from Wednesday September 29th 2010 in order to be utilised prior to and during the Rodeo event.

14. Tidy Towns Awards

Presentation at Southern Cross - Crs Kelly and Dwyer (J.) agreed to participate.

15. Artist In Residence

The concept of the proposed Bronze Busts to be presented to Council for consideration at the October meeting.

5-07 pm

Resolved: To 'go behind closed doors'

Moved Cr. Kelly

Seconded Cr. Tucker
"Carried 7/0"

5.07 pm	C.E.O. vacates the Chambers.
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9.26 PERFORMANCE REVIEW OF THE C.E.O.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	B.W.Seale <i>Declares an interest in this item, being the incumbent of the review.</i>
DATE:	September 23rd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the second performance review of the incumbent CEO (B.W.Seale) as presented by President Dwyer as required on the second anniversary of commencement, being July 17th, 2010.

BACKGROUND:

This is a Statutory requirement under the provisions of the Local Government Act 1995 – clause 5.38

CONSULTATION

Mr Gary Martin was engaged to conduct the review and it is anticipated his recommendations will have been forwarded to President Dwyer for presentation to Council for assessment and resolution, as required.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

OFFICER RECOMMENDATION

ITEM 9.26

To receive the second performance review of the incumbent CEO (B.W.Seale) as presented by President Dwyer as required on the second anniversary of commencement of employment with the Shire of Menzies, being July 17th, 2010, subject to the advices provided to the C.E.O during the meeting.

COUNCIL DECISION

ITEM 9.26

Resolved: To provide an increase in cash component of 5% for the Incumbent (B.W. Seale) and to be back-dated to July 17th 2010.

Moved Cr. Kelly

Seconded Cr Tucker
“Carried 7/0”

Resolved: To receive the Report - the 'Review of the C.E.O's performance' as presented by the Consultant.

Moved Cr. Kelly

Seconded Cr. Stubbs
"Carried 7/0"

6.05 pm	C.E.O. returns to chambers.
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Resolved: Come out from: '**Behind Closed Doors**'

Moved Cr. Kelly

Seconded Cr Tucker
"Carried 7/0"

12 INFORMATION BULLETIN

12.1 Information Bulletin as presented for discussion and resolutions (if required).
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Nil

13. NEXT MEETING / MEETING CLOSURE

PLEASE NOTE:

***The next Ordinary Council meeting will be held at 9.00am,
Thursday, October 28th, 2010
In Shire Council Chambers - Shenton St. Menzies***

There being no further business to discuss, the President declared the meeting closed at: 6.13 pm.

**These minutes were confirmed
As a true and accurate record of proceedings at the
Ordinary Meeting of Council, held Thursday, October 28th, 2010**

Confirmed by the Shire of Menzies President, Cr Gregory Dwyer:
