



ORDINARY COUNCIL MEETING

MINUTES

**Menzies Council Chambers
Thursday May 27th 2010
Commencing at 9.25 am**

SHIRE OF MENZIES



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SHIRE OF MENZIES

**ORDINARY COUNCIL MEETING
MAY 27TH, 2010
In the Menzies Council Chambers commencing at 9.25 am**

M I N U T E S

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

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
Staff:	Mr Brian Seale	Chief Executive Officer
Apologies	Ms Carol McAllan	Deputy Chief Executive Officer

3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.

Nil

6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Confirmation of the Previous Minutes of Council held April 22nd, 2010 as presented, be adopted.

MOVED Cr J Dwyer

SECONDED Cr Pusey

“Carried 6/0”

8 ANNOUNCEMENTS BY THE SHIRE PRESIDENT WITHOUT DISCUSSION / QUESTIONS ON NOTICE.

8.1 Announcements by the President without Discussion.

8.1 Announcements by the President without Discussion ITEM 8.2

None

8.2 QUESTIONS ON NOTICE ITEM 8.2

None

9 REPORTS OF COMMITTEES AND OFFICERS

Nil

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9.51.	Assistance in the Acquisition of UCL Site Adjacent the Hotel.

10 STATUS REPORT. (As attached for resolution, if required)
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Nil

9.1 FINANCIAL STATEMENTS AND REPORTS TO THE STATEMENTS TO FEBRUARY 28TH, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	April 22nd, 2010
AUTHOR:	Carol Mc Allan, Deputy C.E.O.
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.

As Council is aware, at the time of preparation of the December agenda, the Accounting data files had not been received back from the Haines Norton group and was not be available for inclusion in that agenda, though this data was presented at the December meeting, it was quite unreasonable to expect Council to consider the report without opportunity to read it first and it was understandably deferred to the January meeting.

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:

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.1
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MOVED Cr Pusey

SECONDED Cr Kelly

That the Financial Statements and Reports to the statements to **February 28th, 2010** as presented be adopted.

CARRIED 6/0

9.2 FINANCIAL STATEMENTS AND REPORTS TO THE STATEMENTS TO MARCH 31ST, 2010
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	April 22nd, 2010
AUTHOR:	Carol Mc Allan, Deputy C.E.O.
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.

As Council is aware, at the time of preparation of the December agenda, the Accounting data files had not been received back from the Haines Norton group and was not be available for inclusion in that agenda, though this data was presented at the December meeting, it was quite unreasonable to expect Council to consider the report without opportunity to read it first and it was understandably deferred to the January meeting.

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:**VOTING REQUIREMENTS:**

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 9.2

MOVED Cr Tucker

SECONDED Cr Kelly

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

Carried 6/0

9.3 FINANCIAL STATEMENTS AND REPORTS TO THE STATEMENTS TO APRIL 30th, 2010
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Carol Mc Allan, Deputy CEO
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.

As Council is aware, at the time of preparation of the December agenda, the Accounting data files had not been received back from the Haines Norton group and was not be available for inclusion in that agenda, though this data was presented at the December meeting, it was quite unreasonable to expect Council to consider the report without opportunity to read it first and it was understandably deferred to the January meeting.

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:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 9.3

MOVED Cr J Dwyer

SECONDED Cr Kelly

That the Financial Statements and Reports to the statements to April 30th, 2010as presented be adopted.

Carried 6/0

9.4 ACCOUNTS FOR PAYMENT TO APRIL 30th, 2010
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Carol Mc Allan, Deputy C.E.O.
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

Cheque numbers **7274 - 7356** and including direct debits and bank statement transfers totalling **\$144,638.26** are presented for payment as per the submitted lists as well as Receipts totalling **\$95,442.92**

COMMENT: The schedule is appended, as required.

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.

COUNCIL DECISION	ITEM 9.4
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MOVED Cr Kelly

SECONDED Cr Tucker

To approve Cheque numbers **7274 - 7356** including direct debits and bank statement transfers totalling **\$144,638.26** as presented for payment as listed on the submitted lists as well as Receipts totalling **\$95,442.92** as presented for approval in terms of the schedule submitted.

Carried 6/0

9.5 SHIRE BANK ACCOUNT SIGNING AUTHORITIES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Carol Mc Allan, Deputy C.E.O.
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider amendments to the Bank Account signing authority.

BACKGROUND:

Only the shire can approve the signatories and the signing authority on the Shires accounts and therefore can edit these as appropriate. Accordingly, with the appointment of the Deputy C.E.O., it is necessary To provide approval for Carol Mc Allan to be a signatory to the account, together with all current Councillors, where the authority is for the CEO to sign cheques up to the value of \$15,000 and where a Councillor will counter sign the cheques when the value exceeds this sum.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple majority

COUNCIL DECISION	ITEM 9.5
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MOVED Cr Pusey

SECONDED Cr Dwyer

To approve of the Deputy CEO (Carol Mc Allan) to become a signatory to the Shire Bank Accounts in the absence of the incumbent CEO and where all current Councillors will be signatories to sign cheques conjointly with either the Deputy CEO or the CEO when the value exceeds \$15,000 and where "Any Two Councillors can Sign on the Shire Account conjointly for any Sum"

Carried 6/0

9.6 MENZIES CHILD CARE CENTRE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider a Child Care Facility for Menzies

BACKGROUND:

At the last meeting and deferred for further deliberation at the May meeting with additional data.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.6
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MOVED Cr Tucker

SECONDED Cr Kelly

To approve **"In Principle"**, Shire support for a child care Centre for Menzies, subject to Commonwealth Government funding through the Department of Education, Employment and Work Place Relations for Salaries and operational costs, with detailed costing and operational guidelines to be provided to Council for approval prior to Grant Applications being submitted.

Carried 6/0

9.7 OFFER OF FINANCIAL ASSISTANCE FOR PLANNING FOR THE DELIVERY OF SERVICES TO INDIGENOUS COMMUNITIES
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 acceptance of Grant Funding from the Department of Local Government of \$25,000 to assist in the provision of essential Planning for the Delivery of Services to Indigenous Communities, in terms of the attached data.

BACKGROUND:

There has been a comprehensive report prepared on this issue by the Commonwealth and Council has supported in Principle support of the recommendations. Furthermore, Council has supported the provision of a "Reconciliation Action Plan" to assist in this process.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION

ITEM 9.7

MOVED Cr Kelly

SECONDED Cr Dwyer

To agree to the provision of support of the Grant of \$25,000 from the Department of Local Government to assist in the Business Planning for the Delivery of Services to Indigenous Communities and to execute the agreement as a result, in terms of the details attached, and as presented to Council for consideration.

Carried 6/0

9.8	EDUCATION DEPARTMENT CONCEPT OF ATTRACTION AND RETENTION OF TEACHERS TO REMOTE REGIONS
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	<i>May 27th 2010</i>
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 associated with attracting and retaining teachers in remote regions and to identify how best the Shire can contribute to this issue.

BACKGROUND:

President Dwyer and Cr. Dwyer (J.) participated in a Tele-conference in the Administration Centre with officials from the Dept of Education on May 13th, 2010 and either or both may wish to elaborate on the issues and concepts presented.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required.

COUNCIL DECISION	ITEM 9.8
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MOVED Cr Kelly

SECONDED Cr Jill Dwyer

To Support the concept of "Up Skilling School Support Staff" with the Menzies Remote Community School and work towards a unified approach with the "G.R.O.H." office in the provision of Housing for Teachers and in the developing of Initiatives with the Department of Education to attract Teachers to these locations.

Carried 6/0

(Note:) – As this item 9.9 was resolved in March 2010, and now being revisited within three months of the original resolution, it requires the consent of three Councillors to consider revisiting the item, before commencement of discussion, lest it seem the CEO is not happy with the resolution of Council and representing it to get it overturned and achieve an ulterior motive.

9.9 RESTORATION / REMOVAL OF THE RESIDENCE AT LOT 10 STENTON ST.*AGREED TO REVISIT: Crs Pusey, Kelly & Stubbs*

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To re-consider the issue of the restoration of this residence, as resolved on March 25th, 2010.

BACKGROUND:

This residence is arguably in excess of twenty years old and may not warrant the consideration for repair. However, this matter was addressed in March and a resolution held to make budget provision to effect repairs in the 2010/11 year.

CONSULTATION

The item is represented for Council consideration, as it seems there remain concerns within Council that this direction is not necessarily the direction Council intended, where perhaps a Sale of the residence may suit Council and/or the construction of an additional dwelling on that site may also serve a good purpose.

STATUTORY ENVIRONMENT:**POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION**ITEM 9.9**

MOVED Cr Dwyer

SECONDED Cr Tucker

TO proceed with the existing resolution as adopted on March 25th, 2010; to restore the residence at Lot 10 Shenton Street, Menzies.

Carried 6/0

9.10 TOBACCO PRODUCTS CONTROL AMENDMENT ACT 2009

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 amendment to the "Tobacco Products Control Amendment Act 2009" as presented for consideration.

BACKGROUND:**COMMENT:**

This amendment Act contains concerns over the implementation of the Act with concerns raised over enforcement, appropriate signage, and the where the Cost will necessarily be borne by the Local Authority.

CONSULTATION:**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.10
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MOVED Cr Stubbs

SECONDED Cr Jill Dwyer

To provide a response to the "Tobacco Control Branch, Science and Policy Unit of the Environmental Health unit at the Health Department of WA, In terms of the advices provided to the CEO during the meeting, with a "**draft**" copy of the response to be forwarded to Councillors for consent, prior to dispatch.

Carried 6/0

9.11 CLIFFS NATURAL RESOURCES LIMITED MINING OPERATIONS
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 development of a mining venture near (5 kilometres) the Cashmere Downs Road and 26 kilometres from the Perrinvale homestead for the Cliffs Natural Resources Limited operations, in terms of the details as presented for Council consideration and as attached.

BACKGROUND:

The Exploration Coordinator (Kaye Hodgekiss) visited the Shire on April 13th, 2010 to introduce the concept to Council and advised that exploration is likely to commence in twelve months.

Accordingly the Issues for Council consideration may include:

1. Road Maintenance Agreement.
2. Road Closures in the event of damage.
3. Potential Private Works contracts.
4. Health and Building issues for the Camp Site to accommodate twenty personnel.
5. Signage.
6. Fire Hazard.
7. Use of the Sandstone road section designated as a part of the Golden Quest Discovery Trail.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.11
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MOVED Cr Dwyer

SECONDED Cr Pusey

To support he issues "*In Principle*" surrounding the development of a mining venture near (5 kilometres) the Cashmere Downs Road and 26 kilometres from the Perrinvale homestead for the Cliffs Natural Resources Limited operations, in terms of the details as listed and presented for Council consideration and as attached, where quarterly information advices are to issue to Council to keep Council informed on the progress and development of the venture.

Carried 6/0

9.12 MORAPOI MUSTER – (ANNUAL EVENT)

✦ Cr Stubbs – declares an interest

✦ Cr Pusey – declares an interest

Councillors in favour of Crs Stubbs & Pusey remaining in chambers.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 potential of an annual event at Morapoi with the "Morapoi Muster" in terms of the advices as presented and as attached.

BACKGROUND:

Whilst Council has previously budgeted for an annual event and allotted \$25,000 p.a. for this concept, this was subsequently edited by resolution of Council to reflect four smaller events p.a. for the same value of dollars.

Accordingly, this "Morapoi Muster" concept is not inconsistent with Councils original intention and where the details are presented for Council consideration.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Potentially an approximate sum of \$90,000 p.a. will be required for this facility.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 9.12

MOVED Cr Kelly

SECONDED Cr J Dwyer

TO approve **"In Principle"** the concept of providing an annual event in the "Morapoi Muster" as presented in the attached data for 2011/12 year subject to a further submission to Council determining, grant funding, sponsorship and cost and revenue schedule with research to be provided for opportunity to support the possibility for 2010/11 to be presented by June 2010.

Carried 4/0

- ❖ 10.50am Council Adjourned for recess
 - ❖ 11.18am Council Resumed Council Meeting in Chambers
-

- ⊕ 11.53am Cr Stubbs vacates Chambers
 - ⊕ 12.16am Cr Pusey vacates Chambers
-

- ⊕ 12.20am Cr Stubbs & Pusey return to Chambers.
-

9.13 VACANT LAND UCL POTENTIAL SITES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 potential acquisition of some vacant sites within the town site as determined in the attached schedule and as presented.

BACKGROUND:

The Department of Lands as made strong intimations to this office that any request for the release of UCL land will be declined if it is not supported by the provision of essential services of Roads, Water, and Power.

The attached map determines those UCL lots where those services are provided and more likely to receive support for release from the Department of Lands.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.13
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MOVED Cr Pusey

SECONDED Cr Dwyer

To approve of the potential acquisition of the fourteen vacant UCL sites within the town site as determined in the attached schedule and as presented and to proceed with the process of acquisition of these lots from the Department of Lands,

Carried 6/0

9.14 THE MENZIES CLASSIC ANNUAL CYCLE RACE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 this event as to how best the Shire might become involved or promote this event.

BACKGROUND:**COMMENT:****CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.13
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MOVED Cr Jill Dwyer

SECONDED Cr Kelly

To provide Council with a schedule of management of the "Menzies Classic Cycle Race" event in terms of advices issued to the CEO during the meeting, with no data being forthcoming until the current event is conducted and survey results available.

Carried 6/0

9.15 CREATION OF A RESERVE FOR THE NIAGARA DAM MAINTENANCE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider creating a Reserve for the Maintenance of the Niagara Dam maintenance requirements, to commence in the 2010/11 budget year, in order to ensure funds are made available for future years for this purpose.

BACKGROUND:**COMMENT:****CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:**

FINANCIAL IMPLICATIONS: No specific Reserve Exists at Present.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.13

MOVED Cr Kelly

SECONDED Cr Tucker

To approve of the creation of a reserve for the Maintenance of the Niagara Dam in the sum of \$10,000 p.a. for the Maintenance of the Niagara Dam maintenance requirements, to commence in the 2010/11 budget year, in order to ensure funds are made available for future years for this purpose.

Carried 6/0

9.16	PROVISION OF REFUSE BINS FOR THE TJUNTJUNTJARA COMMUNITY
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SUBMISSION TO:	Ordinary Meeting of Council Shire of Menzies
LOCATION:	
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 Rubbish Bins for the Tjuntjuntjara Community as requested.

BACKGROUND:

Details of the request are attached.

CONSULTATION**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

Whilst there is no specific resolution of this facility, the provision of Bins is a Local Government mandate.

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.16
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MOVED Cr Kelly

SECONDED Cr Tucker

To approve of the provision of a supply of *six (6) only 240 Litre Sulo Rubbish bins and six (6) cradles, plus required spare parts* for public areas at Tjuntjuntjara, as requested, in the sum of approximately \$3,000.

Carried 6/0

9.17 MAINTENANCE GRADING, CARAVANS AND USE OF CONTRACTORS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 concepts surrounding the shire Maintenance Grading aspect, in conjunction with the use of Caravans for the use by the Grader Drivers and use of External Contract Grader Drivers for the maintenance of the Shire Local roads, as required.

BACKGROUND:**COMMENT:****CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.17
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MOVED Cr Jill Dwyer

SECONDED Cr Stubbs

To approve the concepts surrounding the Shire Maintenance Grading aspect, in conjunction with the use of Caravans for the use by the Grader Drivers and use of External Contract Grader Drivers for the maintenance of the Shire Local roads, as proposed in the attached schedule, with the following summary encapsulating the issues in this matter:

1. Shire employees to attend to Maintenance Grading of the Shire Local Roads to a distance of 90 kilometres in radius from Menzies and return to Menzies each night and/or being accommodated at Kookynie when operating at that location.
2. Sell the existing two Caravans as being no longer required.
3. The object of this recommendation is to minimize cost, maximize productivity in the men working the required hours and to avoid the need for replacement caravans.

4. Replacement Caravans are not required.
5. This aspect avoids the need for the Drivers to work twenty one days in a row and can effectively be altered to reflect a two week roster, with one week off.
6. Budget to Purchase a Nissan Navara Utility with a trade-in of the Service Truck.
7. Manufacture of two "A" frames to tow the utilities to enable the men to return to town.
8. Maintenance Grading of the Shire Local Roads beyond the 90 kilometre radius of Menzies to be contracted to local contractors, where consideration will be given to sharing this work between the existing three contractors available within the shire and this concept will be the subject of further advices, once the tenders are advertised for Council consideration.

Carried 6/0

1.03pm Council adjourned for Lunch
1.32pm Council resumes Council meeting in Chambers

9.18 BUDGET PROVISION 2010/11 – NIAGARA DAM ROAD SEALING

SUBMISSION TO:	Ordinary Meeting of Council Shire of
LOCATION:	Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 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 sealing of the Niagara Dam Road in the 2010/11 year, estimated to cost of \$71,793, in terms of the attached schedule of cost.

BACKGROUND:

This project was planned for in the 2010/11 year, but it was felt that it did not reflect the priority of direction of Council and the resources were directed to the sealing of the Kookynie road, representing a road of much greater importance to the Shire.

CONSULTATION**STATUTORY ENVIRONMENT: POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

\$80,000 (approximately) will be required in the 2010/11 year for this purpose.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.18
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MOVED Cr Pusey

SECONDED Cr Dwyer

To make budget provision of \$80,000 for the sealing of the Niagara Dam Road in the 2010/11 year, estimated to cost of \$71,793 (approximately), in terms of the attached schedule of cost, and subject to the Budget adoption meeting scheduled for June 2010.

Carried 6/0

9.19	WARD BOUNDARY AND REPRESENTATIONAL REVIEW
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 issue of allocation of Ward for Cr. Pusey into the Rural Ward with the merger of the Ularring Ward, wherein error, advices were forwarded to the Advisory Board indicating the allocation of Cr Pusey was to the new Town Ward, though the resolution dated May 28th, 2009 clearly determines the numbers of Councillors for the Town Ward is to be the existing three Councillors of Crs. Dwyer (G.), Kelly, and Tucker. Similarly, the presentation for the new "rural Ward, will be the existing three Crs. Stubbs, Dwyer (J.), Bandry and Cr Pusey to be included into the Rural Ward with the merger of the Ularring Ward into the Rural ward area.

BACKGROUND:

This item was presented to the April meeting, but was not clear and Council resolved to represent this to the May meeting.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.19
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MOVED Cr Dwyer

SECONDED Cr Kelly

To approve the issue of allocation of Ward for Cr. Pusey into the Rural Ward with the merger of the Ularring Ward, where in error, advices were forwarded to the Advisory Board indicating the allocation of Cr Pusey was to the new Town Ward, though the resolution dated May 28th, 2009 clearly determines the numbers of Councillors for the Town Ward is to be the existing three Councillors of Crs. Dwyer (G.), Kelly, and Tucker. Similarly, the representation for the new "Rural Ward, will be the existing three Crs. Stubbs, Dwyer (J.), (former Councillor) Bandry, and with Cr Pusey to be included into the Rural Ward consistent with the merger of the Ularring Ward into the Rural ward area as resolved Supporting data is appended.

Carried 6/0

9.20 BUDGET PROVISION FOR THE MENZIES EVANSTON ROAD – 2010/11
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider revising the cost estimates for the re-alignment of the "Black –Spot" project for the Menzies – Evanston Road to \$300,000 for the 2010/11 year, in term so f the revised schedule as prepared by the Works Supervisor.

BACKGROUND:

This project was budgeted for in the 2009/10 year at approximately \$150,000, with MRWA funding in the sum of \$100,000 being approved. However it quickly became clear that this was vastly under budgeted and a revision was required.

Accordingly, the attached schedule reflects the cost components for this job and whilst we are unable to secure additional MRWA funding, nevertheless, this is a hazardous location and one strongly recommended.

We are unable to locate previous cost details to determine how this earlier cost factor was arrived at.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.20
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MOVED Cr Kelly

SECONDED Cr Pusey

To approve of the revised the cost estimates for the re-alignment of the "Black –Spot" project for the Menzies – Evanston Road to \$300,000 for inclusion in the budget deliberations for the 2010/11 year, in terms of the revised schedule as prepared by the Works Supervisor and as attached.

Carried 6/0

9. 21 BUDGET PROVISION 2010/11 — WATER TANKER ADAPTION

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider budget provision in the 2010/11 year to adapt the existing Tanker to a functional Water Tanker, estimated to cost approximately \$45,000, in terms of the attached quote.

BACKGROUND:

Council recently purchased a former Fuel Tanker from Moora for \$30,000, though this requires modifications to suitably fit it for use as a Water Tanker.

COMMENT:

I am given to understand a purchase a readymade tanker of this capacity, the cost is likely to be \$90,000 to \$100,000, so the adapting the existing item seems a good option.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:****VOTING REQUIREMENTS:**

Simple Majority required

COUNCIL DECISION	ITEM 9.21
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MOVED Cr Dwyer

SECONDED Cr Kelly

To approve budget provision in the 2010/11 year of \$45,000 to adapt the existing Tanker to a functional Water Tanker, estimated to cost approximately \$44,550, in terms of the attached quote.

Carried 6/0

9.22	KLEENHEAT GAS AGREEMENT
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider entering into an agreement with the Kleenheat Gas Pty Ltd group for the supply of bottled gas for the supply of gas to residents of Menzies, with immediate effect.

BACKGROUND:

Council is receipt of advices from the Kleenheat Gas representative that the proprietors of the Roadhouse have withdrawn from the agreement and will no longer participate in the provision of Gas bottles for the community.

Receipt of these advices was on Tuesday May 18th, 2010 and where the effect of the withdrawal from the Roadhouse was the same day.

Accordingly, to ensure the community was not denied continuity of service I accepted a temporary arrangement of agreement, until Council meet on May 27th, 2010 to ratify or decline this opportunity. Nothing has been signed, so Council can easily decline this opportunity should it wish to do so.

Any offence taken by Council at the presumption of this decision is regretted and no attempt to usurp Council's authority was intended.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

Cost of purchase of Gas is \$90 per bottle, plus GST = \$99, plus \$20 mark-up, plus \$11 delivery fee.

VOTING REQUIREMENTS: **"Absolute" Majority**

COUNCIL DECISION**ITEM 9.22**

MOVED Cr Dwyer

SECONDED Cr Kelly

To approve entering into an agreement with the Kleenheat Gas Pty Ltd group for the supply of bottled gas for the supply of gas to residents of Menzies, with immediate effect, subject to :

1. Executing an agreement with Kleenheat Gas Pty Ltd.
2. Sale price at \$120 per bottle or \$130 delivered.
3. Statutory advertising for fourteen days for the fee,
4. Hard Stand to be constructed in the Depot at a location mutually agreed upon.
5. Shire To provide Fire Extinguishers.
6. Kleenheat To provide Training.
7. Advertising in the Community to be addressed.
8. Appropriate Signage to be provided.

Carried 6/0

9.23	SCHEDULE OF FEES AND CHARGES
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 inclusion of a range of fees and charges as applied to the Resource Centre, in terms of the attached listing.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.23
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MOVED Cr Dwyer

SECONDED Cr Tucker

To approve inclusion of a range of fees and charges as applied to the Resource Centre, in terms of the attached listing for inclusion in the standard schedule of fees and charges for the annual budget, subject to the statutory advertising as required.

Carried 6/0

9.24	CONSIGNMENT GOODS - FRAMING OF ART-WORK
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 payment for the Framing of Art Works from the Tjuntjuntjara Community and re-capturing the cost in the sale price and capturing the value of funds expensed in the Balance sheet as a current asset.

BACKGROUND:

This matter was raised when the Resource Centre Co-coordinator recently requested a purchase order for \$900 to facilitate the framing of Art Work recently received from the Tjuntjuntjara Community, which apparently has been the practice in the past. I elected to decline this request as I was uncomfortable with the potential that perhaps Council had not approved of this type of transaction and/or were not aware of this arrangement.

COMMENT

The issue of selling goods on consignment is not particularly concerning, though the incurring of cost to be recouped from the sale of consignment goods may present a concern for Council. Accordingly, this issue is presented to Council with the object of assessing if this is the type of arrangement Council wants to be involved in and the views of Council are sought.

CONSULTATION**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

The Accounting for this aspect in the monitoring of the value expensed and yet un-recouped will need to be accommodated in the Stock on Hand, Current Asset section of the Balance Sheet. Thus, this arrangement in beyond the simple parameter of "Consignment Sales"

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION

ITEM 9.24

MOVED Cr Dwyer

SECONDED Cr Kelly

To decline the provision of payment for the Framing of Art Works from the Tjuntjuntjara Community and re-capturing the cost in the sale price and capturing the value of funds expensed in the Balance sheet as a current asset, in terms of the details provided.

Carried 6/0

ITEM 9.25	RECORDING OF MINUTES BEHIND CLOSED DOORS
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 response to the Department of Local Government over concerns received by the Department from a resident over the issues arising from matters raised "Behind Closed Doors", as detailed in the attached letter.

BACKGROUND:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:****VOTING REQUIREMENTS:**

Simple Majority required

COUNCIL DECISION	ITEM 9.25
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MOVED Cr Kelly

SECONDED Cr Dwyer

To respond to the Department of Local Government over concerns received by the Department from a Menzies Resident over the issues arising from matters raised "Behind Closed Doors", as detailed in the attached letter, in terms of advices issued to the CEO during the meeting, with draft to be presented to all Councillors, prior to dispatch.

Carried 6/0

9.26	WALGA ASSOCIATION AGM VOTING DELEGATES
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider voting delegates for the AGM for the Western Australian Local Government Association scheduled for Saturday August 7th, 2010 at the convention Centre, Perth, as detailed in the attached data.

BACKGROUND:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION ITEM 9.26
--

MOVED Cr Kelly

SECONDED Cr Stubbs

To nominate voting delegates for the AGM for the Western Australian Local Government Association A.G.M. scheduled for Saturday August 7th, 2010 at the convention Centre, Perth, as detailed in the attached data and in terms of the details as provided to the CEO during the meeting.

Carried 6/0

9.27 M.O.U. FOR THE NORTHERN GOLDFIELDS SPORT AND RECREATION COMMITTEE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 for the permanent use of the Main Goongarrie Cottage as received from Joy and Ian Smith, as attached.

BACKGROUND:**CONSULTATION****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

There are no costs involved and the tenants have previously paid for the power consumed.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.28
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MOVED Cr Dwyer

SECONDED Cr Kelly

To approve the Agreement in the MOU accommodating the requirements of the engagement of the Officer engaged by the three (3) Shires of Menzies, Laverton & Leonora and in terms of the attached data, as presented.

Carried 6/0

9.28 REQUEST FOR PERMANENT OCCUPANCY AT THE GOONGARIE COTTAGE
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 for the permanent use of the Main Goongarrie Cottage as received from Joy and Ian Smith, as attached.

BACKGROUND:

Historically, Council has permitted tenants to occupy the Cottages rent free as it aids the Council in the protection of the Property against vandalism.

CONSULTATION**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

There are no costs involved and the tenants have previously paid for the power consumed.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.28
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MOVED Cr Kelly

SECONDED Cr Dwyer

To approve of the application for the permanent use of the Main Goongarrie Cottage as received from Joy and Ian Smith, as attached, on a Rent Free basis, with the tenant paying for power consumed.

Carried 6/0

9.29 TENDER 9/10 – SALE OF SIDE TIPPER BODY
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 Tender number 9/10 in the Sale of the Side tipper body, as advertised May 8^m, 2010 and with details as presented.

BACKGROUND:

One submission only was received in the sum of \$5,000

COMMENT:

Given there was only one Tender Received, it is suggested this tender be let pass and arrange for the subsequent Sale by Private Treaty.

CONSULTATION:

STATUTORY ENVIRONMENT: Local Government Act Section 3.58.

POLICY IMPLICATIONS:
FINANCIAL IMPLICATIONS:

VOTING REQUIREMENT: Simple Majority required

COUNCIL DECISION	ITEM 9.29
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MOVED Cr Tucker

SECONDED Cr Dwyer

To decline Tender 9/10 in the Sale of the Side tipper body, as advertised May 8th, 2010 and with details as presented, and to arrange the sale by negotiation under the provision of the Act at section 3.58 (3.) for "Disposal of Asset" by Private Treaty, with the details to be submitted to the June meeting for consideration by Council.

Carried 6/0

9.30 RESOURCE CENTRE – REQUEST FOR FULL TIME EMPLOYEE & COMPUTER FACILITY
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 increase in hours for the part-time officer at the resource centre to a Full-Time position in order to assist the Coordinator fulfill the functions of operating the Resource Centre effectively and To provide a P.C. from which to operate from, as proposed in the attached submission.

BACKGROUND:**COMMENT:****CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.30
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MOVED Cr Stubbs

SECONDED Cr Tucker

To decline the increase in hours for the part-time officer at the resource centre to a Full-Time position in order to assist the Coordinator fulfill the functions of operating the Resource Centre effectively and To provide a P.C. from which to operate from, as proposed in the attached submission, with effect July 1st, 2010 and subject to Budget adoption scheduled for June 2010.

Carried 6/0

9.31 POLICY MANUAL AMENDMENT – ‘PRIVATE WORKS’ ISSUE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 on the involvement in "Private Works" arrangements for future opportunities, so as to avoid the possibility of securing work to the detriment of Private Enterprise.

BACKGROUND:

Council was recently asked to quote on a "Private Works" contract at Lake Giles for the McCarthur Minerals group and where the CEO accepted this opportunity, given the following factors:

1. There is no prohibition in the Policy Manual preventing involvement in Private Works.
2. Council adopted a Budget which includes Revenue to be earned from Private Works.
3. Council adopted a Schedule of charges which included a Schedule of Plant Hire Rates for the Purpose of charging for Private Works contracts.

COMMENT:

It appears the CEO was mistaken in accepting this contract as the CEO is now given to understand there is an unwritten "Understanding" in Council that we don't attend Private Works, though that understanding was not advised to the CEO and in the absence of any written advice to the contrary, I accepted the opportunity to raise revenue for the Shire.

CONSULTATION**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.31
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MOVED Cr Stubbs

SECONDED Cr Dwyer

To adopt a policy on the avoidance of involvement in "Private Works" arrangements for future opportunities, so as to avoid the possibility of securing work to the detriment of Private Enterprise and include this in the Policy Manual.

Carried

6/0

- ✦ 3.28pm Cr Stubbs vacates chambers
- ✦ 3.31pm Cr Stubbs returns to chambers.

9.32 APPLICATION FOR MINING TENEMENT – MERRY WELL
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 for a Prospecting License received from Resource Assets Pty Ltd, over the Town Common as proposed in the attached application.

BACKGROUND:

It appears this application impinges on the Menzies Town common, East South East of Menzies at a location named Merry Well, where it seems 0.1% of the application impinges on the Town Common.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.32
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MOVED Cr Dwyer

SECONDED Cr Kelly

To approve the application for a Prospecting License received from Resource Assets Pty Ltd, which exceeds the Town Common by 0.1% as proposed in the attached application

“Carried 5/1”

9.33	MENZIES WALK TRAIL BROCHURE
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To ratify the decision received individually from five Councillors during the month regarding the additional cut-out and brochure in support of the replacement cut-out and edited brochure and as advised to the consultant during the month.

BACKGROUND:

The item was presented to the April meeting of Council but deferred due to objection to the Street Fighter and the reference to indigenous heritage, with a request for an urgent design of a replacement cut-out of a miner giving a friend a drink of water, a redesign of the brochure to include the indigenous reference and the new cut-out, to be presented to Councillors prior to the May meeting.

This was attended to and forwarded to all Councillors for comment prior to engaging the contractor to proceed, and with five Councillors responding positively, I accepted the composite decision of Council and proceeded, as requested by Council at the April meeting. However, there is no formal Resolution of Council supporting my decision, thus the need to presented this and consistent with the adopted resolution to re-address this issue in May, it is represented, as resolved.

CONSULTATION**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.33
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MOVED Cr Kelly

SECONDED Cr J Dwyer

To ratify the decision of Council as received individually from five Councillors during the month regarding the alternative cut-out and brochure in support of the replacement cut-out and edited brochure and as advised to the consultant during the month, with the replacement cut-out being the miner giving his friend a sip of water.

Carried

6/0

9.34	POLICY MANUAL AMENDMENT – INCURRING COSTS
-------------	--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider capturing a Policy for inclusion in the manual to accommodate the events when staff are absent on shire business or representing the Shire, where it seems editing clause 3.7 is appropriate.

BACKGROUND:

This matter was raised at the April meeting but deferred for further consideration at the May meeting, where a copy of this former item is attached to assist.

BACKGROUND:**COMMENT:****CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.34
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MOVED Cr Dwyer

SECONDED Cr Kelly

To approve of capturing a Policy for inclusion in the manual to accommodate the events when staff are absent on shire business or representing the Shire, where it seems editing clause 3.7 is appropriate to incorporate the re-imbursment of meals with a limit of \$33.00 per meal.

“Carried 6/0”

9.35 BROWN ST. RE-ALIGNMENT (CREATION OF FLORENCE ST.)

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To effect a remedy to the issues in the intersection of the Brown Street junction with Devas St and Crusoe Road as they connect with the Menzies Evanston Road in a convoluted situation where the Shire has sold some land under the road to private ownership and furthermore constructed the road over State Government Land, listed as U.C.L.

BACKGROUND:

This complex issue was raised and resolved in February 2010 (item 9.28) to re-align this whole intersection, though the estimated costs exceed \$150,000 and it seems unnecessary expense, and involves significant administration and relocation of facilities (e.t.c) and where the creation of Florence Road is a far more practicable and achievable solution, as proposed. The Department of Lands opposes the February resolution and is much more amenable to President Dwyer's proposed concept.

COMMENT:

Furthermore, this issue, as resolved in February 2010 was contingent on one of the Private owners being agreeable to selling back the site to the Shire or taking an alternate site. Sadly, this negotiation, as presented to the April meeting has also been expensive and Council resolved to defer further consideration to this proposal until the May meeting.

CONSULTATION:

As an offer towards a solution in this complex issue, President Dwyer suggested forming and sealing Florence Street as an alternative to the re-alignment of the Brown Street Intersection and where this very "Workable" solution is promoted and where the cost is anticipated in the sum of \$300,000, in terms of the attached submission.

STATUTORY ENVIRONMENT:**POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:****VOTING REQUIREMENTS:**

Simple Majority

COUNCIL DECISION**ITEM 9.35**

MOVED Cr Kelly

SECONDED Cr Dwyer

To approve of Budget provision of \$300,000 in the 2010/11 budget year for the formation and sealing of the Florence Street, one kilometre section from the Highway to the Menzies –Evanston Road intersection of Brown Street, subject to the following:

1. Budget adoption of the 2010/11 budget.
2. Further consideration to MRWA Grant funding being sought and perhaps delaying this project for a year when funding is available. Further advices to issue to Council in this aspect.
3. M R.W.A. approval is held for this project.

“Carried 6/0”

9.36 NOMINATION FOR MEMBERSHIP TO THE GEDC BOARD

Ⓢ *Cr Gregory Dwyer declares interest in this item.*

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To endorse the previously provided support received from five Councillors who advised their agreement and support for Cr. Greg Dwyer as the Shire nominee for the role as board member on the Goldfields Esperance Development Commission. The nomination had to be submitted prior to the May Council meeting and as such, interim approval was obtained from the majority of Councillors prior to the May meeting, on the basis that this informal decision was ratified by Council as required by the nomination requirements.

BACKGROUND:

Former President Tonkin was the Shire representative and currently President Dwyer has intimated his willingness to serve this region on this board, which has been supported by Council.

CONSULTATION

This item formalises the decision the Councillors made during the Month.

STATUTORY**ENVIRONMENT:****POLICY****IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.36
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MOVED Cr Kelly

SECONDED Cr Tucker

To endorse the previously provided support received from five Councillors who advised their agreement and support for Cr. Greg Dwyer as the Shire nominee for the role as board member on the Goldfields Esperance Development Commission.

The nomination had to be submitted prior to the May Council meeting and as such, interim approval was obtained from the majority of Councillors prior to the May meeting, on the basis that this informal decision was ratified by Council as required by the nomination requirements.

Carried 5/0

9.37	MAIN STREET UPGRADE CONCEPT
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 above project in terms of the map and detail provided by Justin Lee the Community Development officer, and as submitted, in order to progress this project.

BACKGROUND:

The components of this project for which approval, from Council is sought, are 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 Provision of \$1,200,000 to be applied from the 20010/11 budget.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS****FINANCIAL IMPLICATIONS:**

Council is in receipt of Grant funds in the sum of \$500,000 via the G.E.D.C. Kalgoorlie office for this purpose and Council has put aside approximately \$700,000 in Reserve for this purpose.

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.37
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MOVED Cr Kelly

SECONDED Cr Pusey

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.

“Carried

6/0”

9.38	TOWN SQUARE CONCEPTS
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 "Concept Plan" as proposed and as presented, together with anticipated costing in the estimated total of \$433,000 to be staged over three years, as presented.

BACKGROUND:**CONSULTATION****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

It seems that staging this project will require the following:

2010/11	\$200,000
2011/12	\$150,000
2012/13	\$150,000

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.38
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MOVED Cr Dwyer

SECONDED Cr Tucker

To decline "Concept Plan" as proposed and as presented, together with anticipated costing in the estimated total of \$433,000 to be staged over three years, as presented with Budget provision in the following amounts to be allocated in principle only and subject to annual budget adoption.

2010/11	\$200,000
2011/12	\$150,000
2012/13	\$150,000

"Carried 6/0"

9.39 SCHOOL BUSINESS COMMUNITY PARTNERSHIP BROKERS STRATEGIC PLAN
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 provisions of the proposed Strategic Plan as presented on behalf of the Chamber of Commerce and Industry endeavouring to develop a Strategic Plan for the School structure and specifically seeking Councils views on

1. The review of the document, as presented.
2. Specific information and/or amendments to the issues and strategies as proposed.
3. Additional Strategies that Council may see as valid for inclusion.
4. The assessed priorities for the Region.

BACKGROUND:

The document as received is appended as required.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.39
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MOVED Cr Tucker

SECONDED Cr J Dwyer

To provide response to the Request received from the Chamber of Commerce and Industry regarding the provisions of the proposed Strategic Plan, as proposed with the endeavour to develop a Strategic Plan within the School structure and specifically seeking Councils views on

1. The review of the document, as presented.
2. Specific information and/or amendments to the issues and strategies as proposed.
3. Additional Strategies that Council may see as valid for inclusion.
4. The assessed priorities for the Region,

With the advices of Council provided, as advised to the CEO during the meeting.

“Carried

6/0”

9.40	REQUEST TO FREEHOLD LOTS 1085 MERCER ST. & LOT 1088 ONSLOW ST. MENZIES
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 to freehold lot 1085 Mercer Street and Lot 1088 Onslow Street, as proposed in the attached letters of request.

BACKGROUND:

The letter of request from the Department of Regional Development and Lands is appended for Council Deliberation.

BACKGROUND:**COMMENT:****CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.40
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MOVED Cr Kelly

SECONDED Cr Dwyer

TO APPROVE:: the request to freehold lot 1085 Mercer Street and Lot 1088 Onslow Street, as proposed in the attached letters of request, as received from the Department of Regional Development and Lands

“Carried 6/0”

9.41	GOLDEN QUEST DISCOVERY TRAIL – BUSINESS PLAN
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 review of the attached "Business Plan" for the Golden Quest Discovery Trail, as presented.

BACKGROUND:

This comprehensive document has been the topic of extensive deliberation within the structure of the Committee, where it was resolved to seek input from the key Stakeholders in this matter. Justin Lee was extensively involved in this process and may be able clarify any issues or questions Council may have in this regard, if required.

CONSULTATION**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.41
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MOVED Cr Dwyer

SECONDED Cr Kelly

To provide a response to the review of the attached "Business Plan" for the Golden Quest Discovery Trail, as presented, in terms of advices issued to the C.E.O. during the meeting

“Carried 6/0”

9.42 REQUEST FOR TWO WEEKS ANNUAL LEAVE (CEO STUDY LEAVE)
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 from the CEO (Brian W Seale) for two weeks of annual Leave to prepare for the forthcoming examination in the study programme and to provide facility for :Higher Duties Allowance for the Deputy and the Rates Officer for relieving in these higher positions.

BACKGROUND:

The incumbent CEO has an exam anticipated for a date up to June 18th, 2010 and seeks approval from Council to avail of two weeks annual leave from Monday June 7th, 2010 to June 18th, 2010, with Carol Mc Allan to Act in the relief role of CEO during this term of leave, with Tralina Tucker to also relieve in the role of Deputy CEO during Carol's absence in the CEO role.

CONSULTATION

Accordingly, it is reasonable to provide the relief staff with a "Higher Duties Allowance" during the term of this relief, where it is felt that a pro-rata allowance for the Deputy CEO relieving as the CEO be paid equivalent to \$80,000 p.a., with the Rates Officer to be paid on a pro-rata basis of an equivalent sum of \$50,000 p.a. during relief duties.

STATUTORY ENVIRONMENT:**POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.42
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MOVED Cr Dwyer

SECONDED Cr Pusey

To approve the application from the incumbent CEO for two weeks annual leave from Monday June 7th, 2010 to June 18th, 2010, with Carol Mc Allan to Act in the relief role of CEO during this term of leave, with a Higher Duties allowance of \$80,000 p.a. equivalent to apply during this relief and Tralina Tucker to relieve in the role of Deputy CEO during Carol's absence in the CEO role, also attracting a Higher Duties allowance of \$50,000 p.a. pro-rata for the duration of the relief duty.

“Carried 6/0”

9.43	DRAFT BUDGET 2010/11
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 provisions of the Draft Budget, as presented for consideration as an item for the June Council meeting for adoption.

BACKGROUND:

This is an annual requirement and it is planned to seek approval from Council to conduct the Budget adoption meeting during the June Council meeting in order to ensure the rates issue on July 1st, 2010.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:**

The Budget is required to be adopted by August 31st, annually and clause 6.2(1.), (2.), (3.), (4.), (5.) and the provision of Part Three of the Financial Management Regulations apply.

STATUTORY ENVIRONMENT:**POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:****VOTING REQUIREMENTS:**

Simple Majority required

OFFICERS RECOMMENDATION	ITEM 9.43
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MOVED Cr Kelly

SECONDED Cr Tucker

To approve the Draft Budget for the 2010/11 year as presented, subject to modifications as may be advised to the CEO during the meeting, subject to a further submission for adoption being presented to the June meeting, reflecting the modifications as advised.

COUNCIL RESOLUTION	ITEM 9.43
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To defer to June – Item was not available for presentation.

“Carried 6/0”

EXPLANATION: The basis for not accepting Officers Recommendation was as a result of the document not being available for presentation

9.44 PURCHASE OF THE 'OLD KOOKYNIIE SCHOOL SITE'

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 Old Kookynie School Site' as a Historic/Heritage site.

BACKGROUND:

It seems this site has been considered as a Shire asset previously but was not proceeded with at the time and where now it is understood to be available for sale and perhaps it may well be the heart of Council's intention to acquire the site at this time.

CONSULTATION:**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.44
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MOVED Cr Dwyer

SECONDED Cr Kelly

To provide a submission to Council for June 2010 to include the negotiated cost to effect the Purchase and the sum required to effect the necessary repairs to maintain the site known as "The Old Kookynie School Site" to be considered as a Historic / Heritage site for the Shire

“Carried 6/0”

9.45	WAR MEMORIAL AND CHURCH LOCATION
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 cost schedule as prepared by Justin Lee for the provision of the War Memorial facility and the relocation of the church building and seeking Budget consideration for the 2010/11 year to accommodate this project.

BACKGROUND:

It is intended to relocate and refurbish the existing Roman Catholic Church premises to the location adjacent to the Hotel on Lot 1080 , presently under lease to the :Nooda Aboriginal Corporation, which we understand is currently under administration for Liquidation. However, the administrators have acknowledged receipt of Councils advices of Interest in this location and will advise once the liquidators have progressed to the disposal of assets stage.

CONSULTATION**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

Council is in receipt of a Grant of \$10,000 for this purpose and has previously approved 'In Principle' the provision of a War Memorial for Menzies and the relocation of the Church building. The attached schedule anticipates a cost of \$120,000 for this project

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.45
-------------------------	------------------

MOVED Cr Pusey

SECONDED Cr Tucker

To decline of the War Memorial facility and Church to be located at Lot 1080 in Shenton Street, Menzies, subject to:

1. Satisfactory ownership (freehold) in the name of the Shire of Lot 1080 from the former Nooda Aboriginal Corporation
2. Further advices of submission to issue to Council regarding the design and layout of the proposed site, once tenure has been established.
3. Budget provision of \$120,000 to be allocated to be provided in the 2010/11 year.
4. Agreement is entered into with the Roman Catholic Church to gift the building and fittings with furnishings to the Shire.
5. Garden design, layout and design to be the subject of further advices to Council

“Carried 6/0”

9.46	BUDGET PROVISION FOR NEW TELEPHONE SYSTEM
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 replacement Telephone system for the administration Centre estimated to cost \$18,500, plus travel costs for the installation component, as proposed and as attached.

BACKGROUND:

CDO - Justin Lee prepared this submission, as attached and is available to address any concerns Council may have in this matter.

CONSULTATION**STATUTORY****ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

Budget provision of \$20,000 for the 2010/11 year will be required.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION	ITEM 9.46
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MOVED Cr Dwyer

SECONDED Cr Tucker

To decline the replacement Telephone system for the administration Centre estimated to cost \$18,500, plus travel costs for the installation component, as proposed and as attached, with budget provision in the sum of \$20,000 being accommodated in the 2010/11 year, as proposed and presented.

“Carried 6/0”

9.47 RESTORATION OF THE TEA ROOMS AND BUTCHER SHOP

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 continuation of the restoration work at the Tea-rooms and butcher shop , as already commenced in 2009/10, as proposed in the attached schedule as prepared by CDO - Justin Lee.

BACKGROUND:
CONSULTATION

STATUTORY ENVIRONMENT: POLICY IMPLICATIONS:**FINANCIAL IMPLICATIONS:**

\$130,000 was planned to be expensed during the 2009/10 year and whilst a portion of that was incurred, the accounts for this value have not yet been received.

\$97,000 is required to finalize the restoration work on the building in 2010/11.

BACKGROUND:
CONSULTATION

STATUTORY ENVIRONMENT:**POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.47
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MOVED Cr Dwyer

SECONDED Cr Tucker

To approve the continuation of the restoration work at the Tea-rooms and butcher shop, as already commenced in 2009/10, as proposed in the attached schedule as prepared by CDO - Justin Lee, with an additional \$100,000 being provided for in the 2010/11 year in terms of the schedule attached and as proposed.

“Carried 6/0”

9.48	LIGHT INDUSTRIAL PARK
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 development of a light industrial park on the East side of town, as proposed in the attached schedule as proposed and designed by Justin Lee.

BACKGROUND:**CONSULTATION****STATUTORY ENVIRONMENT: POLICY****IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

\$30,000 for planning and design work in 2010/11 and application of \$200,000 in the future as provided as a Head-Works grant from the "Regional Headwork's" programme.

This project was approved "In Principle: recently by Council for development of the Site West of town and opposite the former State Battery.

However, the lack of facilities and distance from town make it unattractive. Thus, encouraging direction to within town and with close proximity to the services is a major influence to location.

VOTING REQUIREMENTS:

Simple Majority

COUNCIL DECISION	ITEM 9.48
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MOVED Cr Kelly

SECONDED Cr Dwyer

To approve the development of a light industrial park on the East side of town, as proposed in the attached schedule as proposed and with \$30,000 being provided for in the 2010/11 year for planning and design work and with \$200,000 to be applied to the initial head works requirements for 2011/12, subject to further advices as to design being submitted to Council prior to incurring expenditure. **"Carried 6/0"**

9.49	LADY SHENTON UPGRADE PROJECT
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 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 next phase of the development of the Lady Shenton project of development in terms of the attached schedule of proposed costs in the estimated sum of \$135,000, as listed by CDO Justin Lee.

BACKGROUND:

This project has been a "Work In Progress" for three or four years and 2009/10 was an important year for progressing the essential works necessary to enable future works to be addressed.

**CONSULTATION
STATUTORY
ENVIRONMENT:
POLICY
IMPLICATIONS:**

FINANCIAL IMPLICATIONS:

\$150,000 will be required to address the next Phase of development of the premises.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.49
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MOVED Cr Kelly

SECONDED Cr Dwyer

To approve the next phase of the development of the Lady Shenton project of development in terms of the attached schedule of proposed costs in the estimated sum of \$135,000, as required, with Budget provision in the sum of \$150,000 for the 2010/11 year, subject to a well defined cost schedule being presented to Council prior to incurring cost in this project.

"Carried

6/0"

9.50	RESTORATION OF THE POST OFFICE GALLERY CONCEPT
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SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider budget provision of \$100,000 in the 2010/11 year to address essential development, maintenance and Restoration work at the Former Post Office building, as proposed in the attached schedule of proposal.

BACKGROUND:

Council has recently approved "In Principle" the restoration of the premises, subject to further advices.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.50
-------------------------	------------------

MOVED Cr Kelly

SECONDED Cr Dwyer

To approve Budget provision of \$100,000 in the 2010/11 year to address essential development, maintenance and Restoration work at the Former Post Office building.

“Carried 6/0”

9.51 ASSISTANCE IN THE PURCHASE OF UCL LOT CNR. BROWN/SHENTON
--

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	May 27th 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To assist a local businessman purchase an unused lot in the Main Street, on the corner of Brown St and Shenton St, in an area of 379m², for use as a business venture, as illustrated in the attached map of the main street.

BACKGROUND:

The applicant (David Mc Kenna) plans to construct a business premises adjacent the Hotel and this will be the subject of further advices to Council. However, the access to the small UCL lot is valuable to the strategy of the venture and does not impinge on Council direction for the development of the Town.

CONSULTATION**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

No costs are involved with the support for this proposal.

VOTING REQUIREMENTS: Simple Majority

COUNCIL DECISION	ITEM 9.51
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MOVED Cr Kelly

SECONDED Cr Dwyer

To approve and provide assistance to the local businessman (David Mc Kenna) in purchase an unused U.C.L. lot in the Main Street, on the corner of Brown St and Shenton St, in an area of 379m², for use as a business venture, as illustrated in the attached map of the main street, subject to the following:

1. No costs attach to Council in this regard.
2. Formal building application to be submitted in normal course, which is not automatically approved.
3. Business Development application to be submitted to Council for approval in normal course.
4. Building condition to apply to an acceptable building being constructed on the site within two years of this resolution.

“Carried6/0”

⊕ 5.03pm Cr Pusey leaves Chambers

10 STATUS REPORT

Nil

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 ELECTED MEMBERS MOTIONS WITH PREVIOUS NOTICE.**

Nil

11.2 CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS.

Nil

11.3 REPORTS_ - Councillors / Staff***Cr Stubbs:***

Nil

Cr Tucker:

1. Payment missed – replacement required.
2. Speed hump/sign required in Gregory Street.

Cr Pusey:

Nil

Cr Kelly:

Nil

Cr Dwyer J:

1. Fuel issue, Niagra Dam – Was this resolved?
2. Andrew Tucker invoiced for curbing
3. Movie night cancelled – was this cancelled by Shire.
4. Do employees have appropriate licenses for plant?
5. When will Les Purdue get new annexe.
6. Fortress Homes Building Systems Pty Ltd – Step sides to be filled in.
7. Contractors Register -
 - Unreasonable time provided to quote.
 - Advertise asking what areas of work to be involved in?
 - Ensure annual revenue of insurances is renewed.

Cr Dwyer G:

1. Attended GQDT Meeting
2. Attended Uranium Forum
3. Mike Fewster provided Uranium update.
4. Concern expressed over quality of work.
5. Menzies Local Justice Agreement meeting.
6. Lack of advertising for Re-connect Day
7. With the new curbing, the width of Walsh St. is too narrow.

Mr Seale:

1. Luncheon menu
 - awaiting response from Councillors
2. Support for Robyn – TAFE Course
 - Approved support of \$600.00 on the basis of after hours.
3. Road train limit for Tjuntjuntjara
 - Check if gazetted.
4. Sale of Lot 85, Reid St
 - Refer item to June for decision.

12 INFORMATION BULLETIN

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

NEXT MEETING / MEETING CLOSURE

The next Meeting will be held on Thursday, June 24th, 2010 in Council Chambers, Menzies, commencing at 9.00am.

There being no further business to discuss, the President declared the meeting closed at 6.05pm.

These minutes were confirmed as a true and accurate record of proceedings at the Ordinary Meeting of Council, Held Thursday, May 27th, 2010

***Confirmed by the Shire of Menzies,
President Gregory Dwyer...***

