



MINUTES

ORDINARY COUNCIL MEETING

Menzies Council Chambers
Thursday October 22nd 2009
Commencing At 9.07 am

SHIRE OF MENZIES

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SHIRE OF MENZIES



**ORDINARY COUNCIL MEETING
(THURSDAY) OCTOBER 22ND, 2009
IN THE MENZIES COUNCIL CHAMBERS COMMENCING AT 9-07 AM**

M I N U T E S

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chief Executive Officer (B W Seale) assumed the role of Chairman elect and declares the meeting open at 9.07 am, welcomes the attendees and proceeded with the swearing in of the newly elected Councillors (i.e.) Crs. Maria Bandry, Jill Dwyer, Ian Tucker and Aileen Kelly and witnessed their declarations, as required.

The Chairman elect advised Council that he was in receipt of two nominations for the role of President and that both of these had been accepted by the nominees (i.e. Cr Aileen Kelly and Cr. Gregory Dwyer and called for any further nominations for the role of President for the Shire of Menzies for the next two years allowing one further minute before closing nominations

A secret ballot was conducted with Cr. Dwyer (G.) being elected to the role of President for a term of two years was sworn in and his declaration was witnessed by B W Seale as a J.P.

The newly appointed Shire President Cr Greg Dwyer assumed control of the meeting and thanked the Councillors for their support in the election and proceeded with the calling for nominations for the role of Deputy President for a term of two years.

Two nominations were received and these were accepted by the nominees (i.e.) Cr Stubbs and Cr Kelly. A secret ballot was conducted and Cr Stubbs was elected to the role of Deputy President for the Shire of Menzies for a term of Two years.

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

ATTENDANCE:

PRESENT:	Cr G Dwyer	President
	Cr G Stubbs	D/President
	Cr K Pusey	Councillor
	Cr I Tucker	Councillor
	Mrs J Dwyer	Councillor
	Cr M. Bandry	Councillor
	Cr A Kelly	Councillor
STAFF:	Mr B Seale	Chief Executive Officer
	Ms Carol Mc Allan	Rates & Accounting Officer
VISITORS	Mr Lin Webb	Shire Photographer
	Mr Jim Pianto	Resident

➤ 9.50 Adjourned

➤ 10.09 Reconvened

❖ Lin Webb - Shire's photographer vacated Chambers.

3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

1. Donga's And Abandoned Cars located at Kookynie.

Response

– The Works Manager has been apprised of the need for this requirement and will address this matter shortly.

2. Refuse site at Kookynie

Response

– The Works Manager has also been advised of this requirement and has arranged for regular maintenance of the site and in the provision of a windrow. However a comment raised suggests a system similar to that at Menzies may be more suited and this will also be addressed shortly.

3. Signage around splits Rocks and other tourist locations.

Response

– Works Manager has been asked to effect the purchase of suitable signage as required and this will be attended shortly.

4. Signage to Lake Ballard.

Response

– The Works Manager has been asked to also arrange signage at suitable locations along the road to Lake Ballard as requested.

5. Warning Signage at the Air-field at Kookynie

Response

- The Works Manager has also been asked to arrange for suitable signage to be provided at the air-field as requested.

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 at Kookynie the Grand Hotel on **September 25th**, 2009, as presented be adopted.

MOVED: Cr Dwyer (J)

SECONDED: Cr Kelly

“Carried 7/0”

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

8.1 Announcements by the President without Discussion.

President Dwyer (G) advised Council regarding his recent visit to Tjuntjuntjara with the Shire Community Development Officer and expressed much concern over the evident and significant needs existing at the community and this will be the subject of further advices in due course.

8.2 Questions on Notice

COUNCIL RESOLUTION

ITEM 8.1

MOVED: Cr Stubbs

SECONDED: Cr Dwyer (J)

That the Presidents Report as presented be received.

“Carried 7/0”

QUESTIONS ON NOTICE

ITEM 8.2

Nil

9 REPORTS OF COMMITTEES AND OFFICERS

Chief Executive Officer

9.1 Financial Statements to September 30th, 2009

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	
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

CONSULTATION:	Ms Mandy Wynne, Haines Norton.
STATUTORY ENVIRONMENT:	As per Local Government (Financial Management) Regulations 1996 - Regulation 34
POLICY IMPLICATIONS:	None
FINANCIAL IMPLICATIONS:	Reporting on Financial Activity
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.1

MOVED Cr Kelly

SECONDED Cr Stubbs

That the Financial Statements to **September 30th, 2009** as presented be adopted.

“Carried 7/0”

9.2 REPORTS TO THE FINANCIAL STATEMENTS TO September 30th, 2009

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

Associated reports requested by Council are attached

COMMENT:

Included in these reports are the Balance Sheet, Income Statement, Investment Register and Road reports.

CONSULTATION: Council and the Chief Executive Officer.

STATUTORY ENVIRONMENT: Local Government (Financial Management) Regulations 1996 Regulation 34 and Section 6.4

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Reporting on Financial Activity

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.2

MOVED: Cr Pusey

SECONDED: Cr KELLY

That the Reports to the Financial Statements to **September 30th, 2009** as presented be received.

“CARRIED 7/0”

9.3 ACCOUNTS FOR PAYMENT AND RECEIPTS –September 30th, 2009

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

Cheque numbers 6554 to 6726, including direct debits and bank statement transfers totalling \$432,266.51 are presented for payment as per the submitted lists as well as Receipts totalling \$540,519-64

COMMENT:

This report was presented to the August meeting and deferred due to an anomaly in the cheque numbering sequence which shed doubt over the accounting integrity of the report. It was subsequently determined that it was a cheque printing issue problem and not an accounting/integrity problem.

CONSULTATION:	Nil
STATUTORY ENVIRONMENT	Local Government (Financial Management) Regulations 1996 - Regulation 13
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 / OFFICER RECOMMENDATION

ITEM 9.3

That cheque numbers 6554 to 6726, including direct debits and bank statement transfers totalling \$432,266.51 are presented for payment as per the submitted lists as well as Receipts totalling \$540,519.64 be approved.

MOVED: Cr Kelly

SECONDED: Cr Dwyer (J)

Carried 7/0

9.4 MEMBERSHIP OF COMMITTEES – ELECTED MEMBERSHIP

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

To seek nominations from the elected membership as to participation in Committees of Council for the next two years based on each member's particular interests for the following Committees:

Lake Ballard Association (Inc.)	Four Delegates
Lake Ballard Advisory Committee.	Four Delegates
Mt Walton Intractable Waste Facility.	One Delegate
Interagency Committee	One Delegate
Tidy Towns Committee.	One Delegate
Northern Goldfields Sport and Recreation .	One Delegate
Golden Quest Discovery Trail	One Delegate
Great Eastern Woodlands Biodiversity Committee.	One Delegate
Yeelirrie Community Reference Group	One delegate
Regional Road Group	One Delegate
Goldfields Voluntary Regional Organisation of Councils.	One Delegate
W.A.L.G.A. (Goldfields Esperance Country Zone.)	One Delegate
Goldfields Esperance Development Commission	One Delegate
Audit Committee	Seven Delegates
Local Emergency Management Committee	One Delegate
Tropicana Gold Reference group.	One Delegate

COMMENT: Nil
CONSULTATION: Nil

STATUTORY ENVIRONMENT Not Applicable

POLICY IMPLICATIONS: Policy on Meeting attendance and Travel costs to apply.

FINANCIAL IMPLICATIONS: Meeting Attendance and Travel costs apply.
VOTING REQUIREMENTS: Simple Majority required

To accept nominations from the elected membership as to participation as delegates in committees of Council for the next two years based on each members particular interests for the following committees, in terms of advices provided to the CHIEF EXECUTIVE OFFICER during the meeting , and as listed as follows. :

Lake Ballard Association (Inc.) Cr. Dwyer (J), Cr Tucker, Cr Bandry, Cr Stubbs	Four Delegates
Lake Ballard Advisory Committee. Cr. Dwyer (J), Cr Tucker, Cr Kelly, Cr Stubbs	Four Delegates
Mt Walton Intractable Waste Facility. Cr Pusey	One Delegate
Interagency Committee Cr Kelly	One Delegate
Tidy Towns Committee. Cr Kelly, Cr Dwyer (J)	One Delegate
Northern Goldfields Sport and Recreation. Cr Stubbs	One Delegate
Golden Quest Discovery Trail Community Development Officer to be the delegate	One Delegate
Great Eastern Woodlands Biodiversity Committee. Cr Dwyer (G)	One Delegate
Yeelirrie Community Reference Group Cr Dwyer (G)	One Delegate
Regional Road Group Cr. Dwyer (G)	One Delegate
Goldfields Voluntary Regional Organisation of Councils. Cr Dwyer (G)	One Delegate
W.A.L.G.A. (Goldfields Esperance Country Zone.) Cr. Dwyer (G)	One Delegate
Goldfields Esperance Development Commission Cr Dwyer (G).	One Delegate
Audit Committee Cr G Dwyer, Cr G Stubbs, Cr K Pusey. Cr I Tucker, Mrs J Dwyer, Cr M. Bandry, Cr A Kelly	Seven Delegates
Local Emergency Management Committee Works Manager and Chief Executive Officer to be delegates	One Delegate
Tropicana Gold Reference Group Cr. Dwyer (G)	One Delegate

MOVED: Cr Kelly

SECONDED Cr Dwyer (J)

Carried 7/0

9.5 APPLICATION FOR EXPLORATION LICENSE 39/1507– ANGLO GOLD ASHANTI AUSTRALIA LIMITED

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To approve the Exploration License application received from Anglo Gold Ashanti Australia Limited for a license at the Location of the South Extension bore, in terms of the attached application and data.

BACKGROUND:

Anglo-Gold Ashanti Australia Limited is already conducting operations at the Tropicana Gold site East of Menzies

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: Not Applicable

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.5

To approve the application received from Anglo Gold Ashanti Australia Limited for an exploration license number 39/1507 at the Location at the South Extension Bore in terms of the attached application and data.

MOVED Cr Kelly

SECONDED Cr Pusey

“Carried 7/0”

**9.6 APPLICATION FOR EXPLORATION LICENSE FROM CLIFFS ASIA
PACIFIC IRON ORE PTY LTD NUMBER 30/403**

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To approve the application for an exploration license from Cliffs Asia Iron Ore Pty limited number 30/403 at the location known as "Mt Elvire", as presented

BACKGROUND: Not applicable

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.6

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the application for an exploration license from Cliff Asia Iron Ore Pty limited number 30/403 at the location known as "Mt Elvire." in terms of the details as presented.

"Carried 7/0"

9.7 INQUIRY INTO RECREATION ACTIVITIES WITHIN PUBLIC DRINKING WATER SOURCE AREAS.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To provide a response to the standing committee on Public Administration relative to the "Recreation Activities within Public Drinking Water Source areas: in W.A. in terms of the details attached and presented to Council.

BACKGROUND:

Details are attached to assist Council in this deliberation.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.7

MOVED: Cr Pusey

SECONDED: Cr Kelly

To provide a response to the Standing Committee on Public Administration relative to Recreation Activities within Public Drinking Water Source areas. In W.A. relative to the details attached and presented to Council and in terms of the advices provided to the Chief Executive Officer during the meeting.

"Carried 7/0"

9.8 PUBLIC ENVIRONMENTAL REVIEW – TROPICANA GOLD

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22 nd , 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the document dated September 2009 for assessment and comment as required for submission by 24/1/09., in terms of the detail provided.

BACKGROUND:

Details are attached to assist Council in this deliberation.
The review is approximately 200 pages deep and although it is available, it is very difficult to copy being bound at the spine.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.8**

MOVED Cr Dwyer (J) SECONDED Cr Tucker

To provide a response to the Public environmental Review document as provided by the Anglo Gold Ashanti Limited group, in terms of the advices provided to the Chief Executive Officer during the meeting, in terms of the details attached.

“Carried 7/0”

**9.9 APPLICATION FOR A MISCELLANEOUS LICENSE (MINING TENEMENT)
FOR JEFFREY JOHN RUNDELL - NO 31/61**

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To approve the miscellaneous license application received from J.J. Rundell number 31/61, in terms of the details attached for this purpose.

BACKGROUND: Not Applicable

COMMENT

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.9

MOVED Cr Pusey

SECONDED Cr Dwyer (J)

To approve the miscellaneous license application received from J.J. Rundell number 31/61 for the intention of a water pipeline, in terms of the details attached for this purpose.

“Carried 7/0”

9.10 ATTENDANCE AT THE SEGRA CONFERENCE - (OCTOBER 29TH, 2009)

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the newly appointed President as a Shire representative to attend the SEGRA Conference in Kalgoorlie scheduled for October 29th, 2009 at Shire expense for registration and travelling costs.

BACKGROUND:

This is an important economic forum for the region and not frequently held in Kalgoorlie and thus it would be valuable to have a representative in attendance and former President Cr. Tonkin was approved of the attendance to this conference, he feels that the opportunity should be provided to the newly appointed President and therefore it seems appropriate to support attendance on this occasion by opportunity with the new President.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

It was felt that fees in the sum of \$2,000 approximately would be incurred to accommodate this conference.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.10

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the newly appointed President of the Shire of Menzies as the Shire representative to attend the SEGRA Conference in Kalgoorlie scheduled for October 29th, 2009 at Shire expense for registration and travelling costs, with a brief report on the forum to be sought from the elected member at the conclusion for presentation to the next meeting.

“Carried 7/09”

9.11 PURCHASE OF VACANT LAND IN MENZIES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To purchase the two vacant lots of land (lots 666 and 667 Suiter Street. presently owned by Kathleen Finlayson which she is happy to convert back to the Shire.

BACKGROUND:

It appears the ratepayer purchased these lots some years ago but more recently in 2007 alleges having forwarded advices to the administration indicating a willingness to convert these back in the name of the shire.

No action was taken and no evidence is on hand to support that, though it is entirely possible that advices were forwarded at that time.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.11

MOVED Cr Kelly

SECONDED Cr Tucker

To approve the acquisition of the two titles to lot 666 and 667 Suiter Street, Menzies from Kathleen Finlayson for the value of the outstanding rates as issued with the conveyancing costs being borne by the Shire in terms of the advices from the ratepayer as attached.

“Carried 7/0/”

9.12 INQUIRY INTO WOODEN POWER POLES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To provide a response to the Standing Committee on Public Administration relative to the issues surrounding "Wooden Power Poles.", in terms of the advices provided to the Chief Executive Officer during the meeting, relative to the details attached.

BACKGROUND:	None
STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.12

MOVED Cr Kelly

SECONDED Cr Tucker

To provide a response to the Standing Committee on Public Administration relative to the issues surrounding "Wooden Power Poles" in terms of the advices provided to the Chief Executive Officer during the meeting, relative to the details attached.

"Carried 7/0"

❖ 12.02 pm	Adjourned for Lunch
❖ 12.55 pm	Resumed Council

9.13 SALE OF LOT 281 PEERS STREET KOOKYNIIE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the sale of lot 281 Peers Street, Kookynie to Kymberley Russell, as proposed in the attached letter of request for \$3,000

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

There is no budget planned for this facility in this financial year.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.13

MOVED Cr Kelly

SECONDED Cr

Dwyer (J)

To approve the sale of lot 281 Peers Street, Kookynie to Kymberley Russell, as proposed in the attached letter of request for \$3,000

“Carried 7/0”

9.14 BUS HIRE SUPPORT FOR THE NURSING POST

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider provision of assistance in the bus hire to take approximately twenty Menzies women to Leonora in November to conduct the Mammogram testing for breast cancer, as arranged through the Nursing Post.

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	Fee of \$250 is expected.
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.14

MOVED Cr Dwyer (J)

SECONDED Cr Kelly

To approve of financial support for the Nursing post to a maximum of \$250 for Bus Hire to transport approximately twenty women from Menzies to Leonora to undertake the Mammogram testing as planned by the Nursing post for November.

“Carried 7/0”

9.15 RE-ALIGNMENT OF THE BROWN STREET INTERSECTION

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	STATUS No 116.
DISCLOSURE OF INTEREST:	None
DATE:	September 25th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To approve of the re-designed configuration of the Brown Street intersection as presented to accommodate the re-allocation of freehold land to the ratepayers rather than dig up the road. in terms of the attached plan of the area.

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

It is expected \$20,000 will be required in conveyancing, surveyors, stamp duties and legal costs association with this design.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.15

MOVED Cr Kelly

SECONDED Cr Tucker

To approve of the re-designed configuration of the Brown Street intersection as presented to accommodate the re-allocation of freehold land to the ratepayers rather than dig up the road, in terms of the attached plan of the area.

“Carried 7/0”

- Cr. Pusey declares an Impartiality Interest in this item

9.16 LIQUOR CONTROL ACT 1988 – S 64 IMPOSITION OF RESTRICTIONS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
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 Dept. of Racing, Gaming and Liquor relative to the recent advices received as attached referring to the indefinite period of imposition of alcohol sales.

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	None.
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.16

MOVED Cr Tucker

SECONDED Cr Dwyer (J)

To consider a response to the Dept. of Racing, Gaming and Liquor relative to the recent advices received as attached referring to the indefinite period of imposition of alcohol sales, in terms of the advices provided to the Chief Executive Officer during the meeting.

“Carried 7/0”

9.17 TRAINING FOR COUNCILLORS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
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 for Councillors to attend a range of training courses as proposed by the WALGA group and in terms of the attached data.

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

\$6,000 is provided for in the current budget for this purpose.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.17
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MOVED Cr Pusey

SECONDED Cr Dwyer (J)

To approve of training for Councillors as indicated with the opportunity for Councillors to attend a range of training courses as proposed by the WALGA group and in terms of the attached data and as advised to the CHIEF EXECUTIVE OFFICER during the meeting..

“Carried 7/0”

9.18 PURCHASE OF AN ON SITE CARAVAN

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
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 purchase an on-site caravan as an over-night facility for the occasional tourist or visitor for the Menzies Caravan Park, as proposed by the letter of offer received from Mr Anthony Snelling, as attached,

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

\$10,000 is required for this transaction which has not been budgeted for in this financial year.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.18

MOVED Cr Tucker

SECONDED Cr Kelly

To approve of the opportunity to purchase an on-site caravan as an over-night facility for the occasional tourist or visitor for the Menzies Caravan Park, as proposed by the letter of offer received from Mr Anthony Snelling, as attached, for \$9,500, subject to the following:

1. Confirmation of the value of the caravan from an independent assessor.
2. Transfer of ownership licences.
3. Budget variation to accommodate this purchase within the balanced budget concept.
4. Evidence of demand for the facility to be brought to the November meeting.

“Lost 0/7”

9.19 SALE OF LOT 769 WEBB STREET, MENZIES TO ANTHONY SNELLING

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To support the sale of "U.C.L." lot 769 Webb Street to Anthony Snelling as proposed in his attached of request and the closure of the R.O.W. between lot 770 and 770, if required.

BACKGROUND: Mr Snelling is the owner of lot 770 Webb Street.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: None - Not Applicable

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.19

MOVED Cr Kelly

SECONDED Cr Pusey

To support the sale of "U.C.L." lot 769 Webb Street to Anthony Snelling as proposed in his attached of request, and if proceeded with then, progress the closure of the R.O.W. between lots 771 and 770, as requested.

"Carried 7/0"

9.20 APPLICATION TO CONTRIBUTE TO HALF THE COST OF FENCING

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
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 from Mr Anthony Snelling to contribute half the cost of the fencing required to fence his property at Lot 770 Webb Street with ring lock and star pickets, as proposed in his letter of proposal as attached.

BACKGROUND:

The adjacent lot number 769 is "Undedicated Crown Land" and the other adjacent lot 771 is a Crown Reserve. Accordingly, the request does not refer to Shire land and does not justify consideration.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.20

MOVED Cr Kelly

SECONDED Cr Dwyer (J)

To decline the request as attached to contribute to half of the cost of fencing for Mr Snelling at lot 770 as both adjacent lots to the North and South of this lot are crown land locations and not Shire controlled lots.

"Carried 7/0"

9.21 APPLICATION FOR AN EXPLORATION LICENSE FOR OUTBACK EXPLORATION LIMITED. No 30/402

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 25th, 2009
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 an exploration license number 30/402 as proposed and attached, as required.

BACKGROUND:

Relevant correspondence in this matter is enclosed for license number 30/402 at Maninga Soak, though part of this application includes imposition on the Menzies Evanston road

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.21

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the application for an exploration license number 30/402 as proposed and attached, as required, subject there be no drilling, exploration or mining within sixteen metres on either side from the centre line of the Menzies Evanston road.

“Carried 7/0”

9.22 REVOCATION OF PROSPECTING LICENSE NUMBER 29/2122

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the revoking of the prospecting license issued on July 6th, 2009 to Frederick Charles Saunders. As proposed, and subject to further advices confirming that no mining activity will be undertaken without prior advices being received by the shire.

BACKGROUND:

The application was presented to the june meeting and tentative approval was provided on the basis that further advices were received as to the intentions of the project within three months of approval or the approval will be withdrawn, due the application imposing on the town site of Menzies.

Council is not in receipt of those subsequent confirmatory advices.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.22

MOVED Cr Kelly

SECONDED Cr Tucker

To approve the revoking of the prospecting license number 29/2122 as issued on July 6th, 2009 to Frederick Charles Saunders due to the failure of the entity to furnish subsequent advices to the Shire of Menzies that no mining activity will be undertaken without prior advices being received by the shire.

“Carried 7/0”

9.23 POLICY MANUAL AMENDMENT – CARAVAN PARK PATRONS 50% DISCOUNT FOR POWER OUTAGES.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider a discount of 50% of the standard fee during the occasions when there is a power outage experienced on the site.

BACKGROUND:

This issue was raised by a Councillor at the September meeting as a result of the recent power surge that affected the patrons' private electrical assets.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.23

MOVED Cr Kelly

SECONDED Cr Bandy

To approve a policy amendment at Clause 3.20, a discount for the Caravan Park patrons of 50% of the standard fee during the occasions when there is a power loss or outage experienced on the site.

“Lost 0/7”

9.24 SEIZURE OF PROPERTY

SUBMISSION TO: Ordinary Meeting of Council
LOCATION: Shire of Menzies
APPLICANT: N/A
FILE REF:
DISCLOSURE OF INTEREST: None
DATE: October 22nd, 2009
AUTHOR: Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:

SUMMARY:

To commence the procedures for the reclaiming of the following landed assets to recover the Shires entitles value of outstanding rate value, being outstanding for over three years.

1. Lot 678 Sheridan St. Robert Strowse owing \$1,586-94.
2. Lot 703 Nimrod St. Graham Phelps owing \$2,856-31
3. Lot 577 Suiter St Anthony Wells owing \$\$1,214-62

BACKGROUND:

Despite repeated attempts to recover this value, the correspondence has been returned and having had no contact with the ratepayer for many years and with the value of the rate outstanding over three years, justifies the sale

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A
POLICY IMPLICATIONS: None - Not Applicable
FINANCIAL IMPLICATIONS:
VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.24

MOVED Cr Kelly

SECONDED Cr Tucker

To commence the procedures for the reclaiming of the following landed assets to recover the Shires entitles value of outstanding rate value, being outstanding for over three years into the name of the Shire, in terms of the data presented for the following three properties.

1. Lot 678 Sheridan St. Robert Strowse owing \$1,586-94.
2. Lot 703 Nimrod St. Graham Phelps owing \$2,856-31
3. Lot 577 Suiter St Anthony Wells owing \$\$1,214-62

“Carried 7/0”

9.25 EMERGENCY TRAILER WITH EQUIPMENT.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the acquisition and provision of an emergency trailer with the appropriate equipment to assist in the recovery of accident victims from accident scenes, where specialized equipment may be required to enable the ambulance personnel to extricate the victims from the scene.

BACKGROUND:

In view of the recent fatality in the Menzies town site, where it was debatable that the life may have been able to be saved, raises the question of the provision of essential equipment to assist in these situations where reliance on Kalgoorlie was not successful on this occasion.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

It is estimated that a trailer with appropriate equipment is likely to cost approximately \$20,000. This sum is not available in this financial year.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.25

MOVED Cr Pusey

SECONDED Cr Kelly

To approve of the acquisition and provision of an emergency services trailer with equipment to assist in the recovery of accident victims from an accident scene, where specialised equipment may be required to enable the ambulance personnel with the delivery of their duties, in extricating the victims from the scene, subject to the following:

1. Budget provision of \$20,000 for the 2010/11 year.
2. Details of the design and description of the trailer and equipment to be provided to Council.
3. Grant funds for this purpose to be sourced to assist in this matter.
4. Appropriate training to be undertaken by the personnel utilising the equipment.

“Defer this item to the November Meeting.”

- 2.59 p.m. Cr Bandry Vacates chambers
- 3.02 p.m. Cr Bandry Returns to chambers

9.26 SKATE RAMP FOR MENZIES.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	Status Number 499
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
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 for a Skate Ramp for the 2010/11 year in terms of the data attached.

BACKGROUND:

Council endorsed this concept in June subject to:

1. Budget provision of \$20,000 to be provided.
2. Comprehensive costing to be provided.
3. Evidence of public consultation having been conducted to show support for the facility.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

N/A

POLICY IMPLICATIONS:

None - Not Applicable

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.26

MOVED Cr Kelly

SECONDED Cr Dwyer (J)

To approve a budget provision for a Skate Ramp for the 2010/11 year in terms of the data attached and subject to:

1. Budget provision of \$70,000 to be provided for in the 2010/11 year.
2. Comprehensive costing to be provided.
3. Evidence of public consultation having been conducted to show support for the facility.
4. Map of the town to be provided as to proposed location.

“Carried 7/0”

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider a combined Councillor and staff Christmas party in the Town Hall to be catered by prepared facilities from Kalgoorlie to be conducted at 5 pm on Thursday December 17th, 2009, following the Council meeting for December limited to costs at \$1,000

And,

To conduct a Community Christmas party at the beer garden of the Hotel concurrent with the annual Carols by Candlelight event to be organised by Shire personnel with the provision of light finger foods and drinks to a limit of \$1,500 to be conducted on December 12th 2009.

BACKGROUND:

Whilst it has been customary to hold these events in December, it has frequently been combined, though it is felt that by separating the two, the Staff and Councillors will have the opportunity to come together and display their unity under the banner of the Shire in Menzies, where engaging with the wider community tends to dissipate that opportunity..

COMMENT:	N/A
CONSULTATION	N/A
STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	\$5,000 is budgeted for this purpose.
VOTING REQUIREMENTS:	Simple Majority required

OFFICER RECOMMENDATION	ITEM 9.27
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1. To approve of a combined Councillor and staff (with partners) Christmas party in the Town Hall to be catered by prepared facilities from Kalgoorlie to be conducted at 5 pm on Thursday December 17th, 2009, following the Council meeting for December limited to costs at \$1,000.

“And”

2. To conduct a Community Christmas party at the beer garden of the Hotel concurrent with the annual Carols by Candlelight event to be organised by Shire personnel with

the provision of light finger foods and drinks to a limit of \$1,500 to be conducted on Saturday December 12th, 2009, commencing at 5 pm.

COUNCIL DECISION

ITEM 9.27

To approve of a combined Councillor and staff (with partners), and community Christmas party in the Town Hall to be catered by prepared facilities from Kalgoorlie and or local suppliers to be conducted at 5 pm on Friday December 18th, 2009, following the proposed Annual Meeting of Electors and the Council meeting for December and limited to costs at \$2,500.

MOVED Cr Kelly

SECONDED Cr Pusey

“Carried 7/0”

Explanation:

The reason for not adopting the Officer’s recommendation was that Council did not want to support the perception of exclusivity with the exclusion of the community.

9.28 WALGA REQUEST FOR RESPONSES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To respond to the request received from the W.A.L.G.A office for the following areas of question:

1. Ranger Services – Review of the West plan Air Crash.
2. Bio-Security and Agricultural Management Act 2007 and Declared Pest Rates.
3. Libraries – Draft Framework Agreement.

BACKGROUND: Not applicable

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.28

MOVED Cr Pusey

SECONDED Cr Kelly

To respond to the request for response request from the WALGA office for the following areas of enquiry, in terms of the advices provided to the Chief Executive Officer during the meeting:

1. Ranger Services – Review of the West plan Air Crash.
2. Bio-Security and Agricultural Management Act 2007 and Declared Pest Rates.
3. Libraries – Draft Framework Agreement.

“Carried 7/0”

9.29 CHRISTMAS BREAK CLOSURE OF THE OFFICE.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the closure of the office of the administration for the Shire of Menzies for eleven work days during the Christmas/ New Year period on the basis that the employees who avail of this facility, do so as part of their accrued annual leave entitlement, as "Rostered Day Off" accrued time or Leave without Pay.

BACKGROUND:

Council approved the office closure for 2008 for three days between Christmas Day and New Year's Day and this provided a continuous break for staff that travel to visit family some distance from Menzies.

This request is consistent with the Leonora Shire closure arrangements, closing on Monday December 21st 2009 to Monday January 4th, 2010 returning to work on Tuesday January 5th.

Whilst this represents eleven work days, four of these days are public holidays and where it is suggested the other seven days be taken as annual leave days, R.D.O. or leave without pay.

This factor does not apply to the outside team as they avail of their annual leave at this time, though a skeleton crew will be available in case of need and both the Chief Executive Officer and Works Manager will have mobile phones on their person at all times.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	
VOTING REQUIREMENTS:	Simple Majority required

MOVED Cr Kelly

SECONDED Cr Tucker

To approve of the closure of the office of the administration for the Shire of Menzies for eleven work days during the Christmas/ New Year period from Monday December 21st, 2009 to Monday January 4th, 2010 (inclusive) on the basis that the employees who avail of this facility do so as part of their accrued annual leave entitlement, as "Rostered Day Off" accrued time, or Leave without Pay, providing that adequate and appropriate advertising is undertaken prior to the commencement.

"Carried 7/0"

9.30 ATTENDANCE AT THE L.G.M.A CONFERENCE – NOVEMBER 2009

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	<i>B. W. Seale declares an interest in this item, being the Candidate seeking approval to attend the conference.</i>
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider approval for the Chief Executive Officer and his spouse to attend the LGMA conference in Perth scheduled for November 18th to 20th, 2009 in terms of the details as attached.

BACKGROUND:

Council previously approved this request for the 2008 conference, though it is appropriate and correct to highlight that this conference is **“NOT”** part of the approved package in the contract of employment for the Chief Executive Officer and Council is not in any way obligated to approve this facility.

COMMENT: N/A

CONSULTATION N/A

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: Clause 3.6 (as attached.)

FINANCIAL IMPLICATIONS:

It is expected this conference is likely to cost approximately \$2,000 and any expense incurred by the Chief Executive Officer’s spouse (massage, tours, partner outings. e.t.c.) will be provided for as a private expense for the Chief Executive Officer to accommodate and not incurred as a Shire expense.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.30

MOVED Cr Kelly

SECONDED Cr Dwyer (J)

To provide approval for the Chief Executive Officer and his spouse to attend the LGMA conference in Perth scheduled for November 18th to 20th, 2009, in terms of the details as attached.

“Carried 7/0”

- 2.59 pm Cr Bandry vacates chambers
- 3.02 pm Cr Bandry returns to chambers

9.31 ELECTRICAL FAULT ISSUES IN THE MENZIES CARAVAN PARK

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
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 damage caused to some patrons personal electrical equipment in the caravan Park as a result of an electrical surge, where there is no liability attached to the shire and where the Shire insurers do not cover this risk

BACKGROUND:

This issue was addressed at the September meeting and patrons from the Caravan Park provided their views on this issue to Council being victims of the power failure matter

With the Shire caravan Park being temporarily relocated to the Town Oval, the development of the site required a temporary power supply which was hired from the W.A.S.P. group in Kalgoorlie and whilst an authorized electrical set up this configuration after four or five months (August 2009) a power surge occurred which resulted in damage to some patrons personal equipment and the following have submitted claims to the shire.

No liability has been accepted. As the equipment hired is not shire owned and the personal equipment is private the Shires insurance does not cover this event/risk.

1. Debbie and Jim Pianto.	\$1,160
2. John Fricker	\$ 180
3. Sandra and Ken hunter	\$ 60
Total	<u>\$1,400</u>

COMMENT:	N/A
CONSULTATION	N/A
STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable

FINANCIAL IMPLICATIONS:

This has the potential to create a precedent for ancillary situations for the Shire. Furthermore, there is strong suggestion that "private insurance" should cover this cost.

VOTING REQUIREMENTS:	Simple Majority required
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MOVED Cr Kelly

SECONDED Cr Tucker

To consider the issues surrounding the damage caused to some patrons personal electrical equipment in the caravan Park in the sum of \$1,400 as a result of an electrical surge, in terms of the advices provided to the Chief Executive Officer during the meeting.

“Carried 7/0”

-
- 3.06 pm Council Adjournment
 - 3.25 pm Council Resumes in Chambers
-

9.32 WAGES CONSIDERATION –GRADER DRIVER.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider a wage revision for the Grader Driver (Charlie Warren.) who was originally engaged at a rate of \$18-57 per hour plus penalties, converted recently to \$25 per hour flat and now wants to return to \$18-76 per hour with penalties.

BACKGROUND:

This issue was addressed recently with Council who agreed to amend the structure to a flat rate of \$25.00 per hour.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

The wages component is budgeted for in this current year's budget. It is anticipated that for a 10.5 hour day working 21 days on and 7 days break is likely to incur a cost of \$67,465 based on a flat rates of \$25-00 per hour, where the award rate at \$18-76 p/h would cost \$72,182. p.a.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.32

MOVED Cr Stubbs

SECONDED Cr Dwyer

To retain the wage rate for the Grader Drivers at \$25 per hour "Flat." as exists at present.

"Carried 7/0"

Cr Stubbs declares an interest in this item.

9.33 SPORTING AND RECREATIONAL FACILITY FOR MENZIES.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the amendment to the present budget allocation of \$20,000 to accommodate transport for the attendees to various venues during the year to attend sporting fixtures, as requested in terms of the attached request.

BACKGROUND:

Council approved a budget provision of \$20,000 to accommodate the provision of sporting facilities for Menzies, Kookynie and Morapoi youth to attend sporting activities in the year to 30/6/10.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	\$20,000 has been allocated in the 2009/10 budget for this purpose.
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.33

MOVED Cr Tucker SECONDED CR Dwyer (J)

To approve the amendment to the present budget allocation of \$20,000 to accommodate transport for the attendees to various venues during the year to attend sporting fixtures, as requested in terms of the attached request.

“Carried 6/0”

9.34 TOWN SQUARE CONCEPTS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
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 options for the town Square development as proposed and as presented in terms of the attached aerial plan of the site.

BACKGROUND:

I am given to understand from Council that a "Town Beautification Plan" was adopted some years ago and whilst I was guided to the minute book for 2003 and indeed there is a minute in 2003 where Laurie Vicary was engaged as the acting Chief Executive Officer for a time, the resolution was to proceed with a town plan, though there were no attachments to assist me at this point.

Accordingly, although having contacted Duncan Jack group to assist we are no further advanced and we are assured by Council that the schematic drawing as presented recently and prepared by Plan-west (W.A.) Pty Ltd was not the current plan as approved by Council. We therefore approach this piecemeal with the object of developing the main street in a control way and in a staged process, consistent with Council guidance and approval as we proceed.

COMMENT

The attached plan of the East side of Shenton Street details nine lots with use and proprietorship as follows:

LOT	OWNERSHIP	USE	POTENTIAL USE
Lot 1	Privately Owned Premises	Residence	Not Available
Lot 2	Owned by the Shire	Vacant Land.	Potential Business- Shop
Lot 3	Privately owned	Vacant Land.	Gazebo-BBQ-Gardens
Lot 4	Menzies Aboriginal Corporation	General Store.	Not Available.
Lot 5	Deceased Owner	Vacant Land.	War Memorial G/Remem.
Lot 6	"Undedicated Crown Land."	Vacant Land	Church, Ablutions, Garden
Lot 7	Former Power Station Site	Some power infrastructure onsite.	Power House Museum or 'Market Place' day.
Lot 8	Shire owned (former residence)	Vacant land	Information Bay. Displays
Lot 9	Vested I/N/O Shire of Menzies	Works Mgr's rsdnc.	Not Available.

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

This is intended to be a “Conceptual Design” only and each component will be presented to Council once costs, drawings, engineering and grant funding has been determined.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.34**

MOVED Cr Pusey SECONDED Cr Kelly

To approve the potential options for the town Square development as proposed and as presented in terms of the attached aerial plan of the site, subject to the following and in terms of amendments as issued to the CHIEF EXECUTIVE OFFICER during the meeting:

- 1. Successful acquisition of Lot 3 being secured by the Shire.
- 2. Successful acquisition of lot 5 being sold on behalf of the deceased ratepayer.
- 3. Successful negotiations with the Department of Planning and Infrastructure for Lot 6
- 4. Agreement to utilize the former power house sites for development. (Contamination)
- 5. Detailed plans for this concept being presented to Council for approval.
- 6. Budget provision being applied with details of Grant funding for this purpose.

Lot 2	Owned by the Shire	Vacant Land	Potential Business- Shop
Lot 3	Privately owned	Vacant Land.	Gazebo-BBQ-Gardens
Lot 5	Deceased Owner	Vacant Land	War Memorial G/Remem.
Lot 6	“Undedicated Crown Land.”	Vacant Land	Church, Ablutions, Garden
Lot 7	Former Power Station Site	Some power infrastructure onsite	Power House Museum or 'Market Place' day.
Lot 8	Shire owned (former residence)	Vacant land	Information Bay. Displays

“Carried 7/0”

9.35 SALE OF LOT 2 SHENTON STREET and LOT 84 REID ST. MENZIES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the sale of Lot 2 in Shenton Street Menzies to private enterprise for the purposes of construction of a retail shop and lot 84 Reid Street for a residential construction in terms of the attached letter of request received from Jim and Debbie Pianto.

The sale of one is determined by the sale of both or neither.

BACKGROUND:

This item was presented verbally to the September meeting and deferred to the October meeting given the uncertainty of the Town Beautification Plan having not been determined. Given this issue was addressed at the previous item, opportunity may now be provided to reconsider this issue.

COMMENT:

The attached letter of request refers to the intention of commencing construction of premises for a retail shop and this is indeed encouraged, and where it is not unreasonable to include a building clause to ensure a construction has commenced with building plans approved within three years from the date of purchase.

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.35

MOVED Cr Kelly

SECONDED Cr Pusey

To approve the sale of Lot 2 in Shenton Street and Lot 84 Reid Street Menzies to Jim and Debbie Pianto for \$5,000 each for the purposes of construction of a retail shop at Lot 2 Shenton Street and for the construction of a residence at lot 84 Reid Street for in terms of the attached letter of request as received from the applicants and subject to the condition of sale that both constructions are to have commenced within three years from the date of purchase and where a caveat is to be lodged over both titles to protect the Shire's interest in this matter.

“Carried 7/0”

9.36 ULARRING ROCK TOURIST FACILITY

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider an upgrade of the facilities at the Ularring Rock Tourist location as advised by the Department of Environment and Conservation in terms of the attached data and requesting funding of \$30,000.

BACKGROUND:

This item was presented to Council at the July Meeting and deferred to the August meeting pending further details from the Department of Environment and Conservation. However as that further advice was not received until September 28th, 2009, the issue is now being re-presented to the October meeting for consideration.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	There is no budget provision provided in the 2009/10 year for this purpose.
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.36**

MOVED Cr Kelly SECONDED Cr Dwyer (J)

To approve the agreement with the Department of Environment and Conservation to work co-operatively with the Shire in a joint arrangement to restore the facility at Ularring rock, subject to a budget variation of \$30,000 being available to ensure a balanced budget is maintained for the 2009/10 year, in terms of the attached data, as presented to Council.

“Carried 7/0”

9.37 RUBBISH TRUCK FOR MENZIES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	Status No 398
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the options for a replacement rubbish Truck for Menzies town.

BACKGROUND:

This issue was raised at the September meeting, where the options for consideration were related to the fact that the rubbish truck was damaged and the repairs were estimated in the sum of \$15,000, where Council suggested consideration be provided to either

- 1.) Purchase a cab chassis and transfer the existing compactor to the new vehicle,
Or
- 2.) Purchase a new vehicle to include a new compactor

COMMENT:

With the engagement of a Ranger for the Niagara Dam, Lake Ballard and potentially Ularring rock a vehicle will be provided for that purpose, which restricts the need for the existing vehicle to use in Menzies. Accordingly it will be engaged in limited work.

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: This acquisition is not budgeted for.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.37**

MOVED Cr Kelly SECONDED Cr Tucker

To approve of the acquisition of a cab chassis for the rubbish truck with the existing compactor to be transferred to the purchased vehicle, subject to the following:

1. Purchase to be effected by collation of quotes (not tendered)
2. Budget variation of \$50,000 for the purchase vehicle and \$5,000 for the sale vehicle to be provided
3. Sale of the existing truck body by private treaty.

“Carried 7/0”

9.38 CURBING PROGRAMME. – MENZIES TOWN

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
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 programme for the curbing of the streets in Menzies town, in terms of the attached plan of the town, as required by Council for attention prior to June 30th, 2010.

BACKGROUND:

This item was supported by Council in principle and \$100,000 was allocated for this purpose in the 2009/10 budget year, subject to the submission of a plan of the proposed programme.

COMMENT:

Based on approximately 2,250 linear metres at a cost of hiring the curbing machine and back filling of the verge, the cost of \$70,000 has been determined.

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	\$100,000 is budgeted for in this financial year for this purpose
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION**ITEM 9.38**

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the proposed programme as listed for streets bounded by Wilson St, Walsh St, Onslow St and Brown Street for the curbing of the streets in Menzies town, in terms of the attached plan of the town and coloured orange, as required by Council for completion prior to June 30th, 2010.

“Carried 7/0”

9.39 REVIEW OF THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 25th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

Council agreed to conduct the statutory obligation of a review of the Chief Executive Officer's performance with the engagement of the consultant "Gary Martin" who addressed Councillors in September as is statutorily required.

The consultant will compile the report and intends to present same to the Shire President for presentation to Council prior to the meeting conclusion.

Failing which, the report will issue to the President for presentation to the November meeting.

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	This is a statutory requirement.
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	Contract for the consultant has issued, as required.
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.39

MOVED Cr

SECONDED Cr

To defer to November's Council meeting the report from the Consultant, Mr Gary Martin relative to the review of the performance of the Chief Executive Officer, Mr Brian W Seale, as planned and as presented to Council during the meeting under confidential series.

9.40 SHIRE FLEET OF VEHICLES RATIONALIZATION.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the rationalization of the Shire fleet of Vehicles, as discussed at the September meeting.

BACKGROUND:

This item was addressed at the September meeting a copy of that item is appended to assist Council in this deliberation and where the following reflects some amendments to that initial submission.

Description	Year	Odometer	Driver
1. Holden statesman	2008	13,675	Chief Executive Officer.
2. Nissan Navara	2007	38,000 (approx)	C.D.O.
3. Ford Falcon	2008	30,000 (approx)	Formerly D/CEO
4. Nissan Patrol	2008	30,000 (approx)	W/Manager
5. Nissan Single Cab	2007	30,000 (approx)	Depot Personnel

Proposal

1. Retain statesman until the optimum time arrives to trade this item. Not planned for in this financial year.
2. Provide the newly appointed Depot Person with the existing Nissan Navara. No Changeover planned for this financial year
3. Trade in the existing Ford Falcon on the New Nissan Patrol for the Works Manager.
4. Gift the existing Nissan Patrol to Tjuntjuntjara. Purchase new patrol for the Works Manager. Quote received in the sum of \$52,100, with trade-in of \$15,000 for the Ford.
5. Retain the existing Nissan Dual cab for the works personnel as is presently utilized.
6. Purchase new Hino 4.5 tonne truck for the Ranger. Quoted received at \$45,500

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

This is not a statutory requirement, but a local authority matter.

POLICY IMPLICATIONS:

None - Not Applicable

FINANCIAL IMPLICATIONS:

\$100,000 will be required to support this consideration.

VOTING REQUIREMENTS:

Absolute Majority required

OFFICER'S RECOMMENDATION**ITEM 9.40**

To make a "Budget Variation" in the 2009/10 year of \$100,000 to accommodate the purchase of a Nissan Patrol for the Works Manager estimated at \$52,100, with a Trade-in of \$15,000 in the Ford Falcon.

Furthermore to effect the purchase of a 4.5 tonne truck for the Ranger estimated at \$45,500, with funds to be applied from the Reserve account for these purposes, in terms of the data attached and to apply the use of the Shire vehicles as follows:

1. Retain statesman until the optimum time arrives to trade this item.
2. Provide the newly appointed Depot Person with the existing Nissan Navara.
3. Gift the existing Nissan Patrol to Tjuntjuntjara.
4. Retain the existing Nissan Dual cab for the works personnel as is presently utilized.
5. Purchase new Hino 4.5 tonne truck for the Ranger. Quoted received at \$45,500

COUNCIL DECISION**ITEM 9.40**

MOVED Cr Kelly

SECONDED Cr Stubbs (G)

To make a "Budget Variation" in the 2009/10 year of \$100,000 to accommodate the purchase of a Nissan Patrol or equivalent vehicle for the Works Manager estimated at \$52,100, with a Trade-in of \$15,000 in the Ford Falcon.

Furthermore to effect the purchase of a 4.5 tonne truck for the Ranger estimated at \$45,500, with funds to be applied from the Reserve account for these purposes, in terms of the data attached and to apply the use of the Shire vehicles as follows:

1. Retain statesman until the optimum time arrives to trade this item.
2. Gift the existing Nissan Patrol to Tjuntjuntjara.
3. Retain the existing Nissan Dual cab for the works personnel as is presently utilised.
4. Purchase new Hino 4.5 tonne truck for the Ranger.
Quoted received at \$45,500 with a trade in of the Nissan Navara.

"Carried 7/0"

Explanation:

The reason for not adopting the officer's recommendation is that Council wanted to reduce the number of vehicles available and rationalise the fleet.

10	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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- 10.1 Elected Members motions with previous notice.
None
- 10.2 Confidential Business to be held behind closed doors.
None
- 10.3 Reports of Councillors and Staff

COUNCILLORS

1. Cr Stubbs

- 1. Christmas Party for Tjuntjuntjara to be considered with the Chief Executive Officer to advise in the next Councillor Update Bulletin
- 2. Truck Bay assembly area still represents a concern as to the speed the vehicles are travelling.
- 3. The water level in the Niagara Dam is down and represents a concern.
- 4. Feral dog control seminar is being held at Morapoi for appropriate persons.
- 5. There are significant changes occurring in the Pastoral Lands board to watch for in the near future.
- 6. It seems a policy for Local contractors is required.

2. Cr Tucker

- 1. Could consideration be provided to edit the plan for the caravan park to accommodate 45 degree parking at the new location, with an item to be presented to the November meeting for this purpose?

3. Cr Pusey

- 1. The cattle on the Road remain a road user hazard.
- 2. The vehicle speeds remain a significant concern and hopefully the radar trailer will assist in alleviating this issue.

4. Cr Kelly

- 1. It is requested an item be raised at the November meeting for "Cash for Trash" as part of the Tidy Towns concept.

5. Cr Bandry

- 1. It is requested an item be raised at the November meeting as to the views relative to the By-Pass concept around town.

2. Could fencing around the airstrip and solar lighting be considered for the air-strip?
3. Could rain water tanks be provided at the Tourist bays on the highways for tourists and local people?

6. Cr Dwyer (J)

1. Ensure an Incident report book is implemented at the Caravan Park.
2. Ensure Pre-Placement Medical arrangements are in place for new staff.
3. Please investigate the missing BBQ plates at the Niagara Dam location.
4. The "Road Open and Closed" sign is missing at the Kookynie road intersection with the highway
5. When will the loose stone be swept from the Kookynie road and back-charged to Tasman Civil?

7. Cr Dwyer (G)

1. The Bendigo Bank Limited issue referred to support for the Kalgoorlie Branch not Menzies, as intimated.
2. Was the \$25,000 Tourism Marketing Plan supported?
3. The Tender for the Tjuntjuntjara road maintenance grading to be addressed.
4. Address the Grading work for the Maintenance Grading work as issued to Breakaway Earthmoving.
5. It is requested a card and Fruit basket/hamper be sent to Allan Henderson in Hospital.
6. Concern is issued as to the matter of the School Bus contract being issued without seat belts.

STAFF

1. CHIEF EXECUTIVE OFFICER - B W Seale

- a.) The power issue at the temporary caravan Park remains a concern and a quote has been received at less than \$10,000 to supply and install a permanent power supply to the depot from the basketball court.

Recommendation:

To accept the quote of \$10,000 to provide a power source from the town basketball court for the depot and temporary caravan Park in order to dispense with the temporary arrangements of the Hired equipment and diesel usage.

MOVED Cr Pusey

SECONDED Cr Dwyer (J)

"Carried 7/0"

- b.) Council is in receipt of advices from the Minister regarding the reform issue indicating the results of the reform strategy will issue in January 2010.
- c.) Council is in receipt of advices seeking a Road Train approval, where it was determined to write to the applicant seeking further details of which particular roads are requiring approval.
- d.) Council is in receipt of advices seeking approval of an Exploration License 40/266 received after the agenda concluded and where Council asked the Chief Executive Officer to respond and present the Item with the Chief Executive Officer's decision to the November meeting.
- e.) The issue of the Alcohol and Drug policy was addressed with a recommendation to bring this item to the November meeting for assessment.
- f.) The matter of the "Check Appraisal" for the personnel was raised and having spoken to Stephen Tonkin in this matter agreed he would be happy to conduct this aspect providing that the newly elected President was supportive of his participation in this issue.

As President Dwyer indicated comfort with that aspect, the appraisal will be forwarded to Stephen Tonkin for comments, issued in the interest of balance.

- g.) The issue of a Gift and Dinner for Cr Tonkin was raised as a mark of respect and where it was left with the Council to address the gift and advise the Chief Executive Officer.

Furthermore, it was felt the November meeting date would be suitable for a formal dinner for the former President of the Shire.

- h.) It was also highlighted that the wireless internet connection was still held by Stephen Tonkin and he will return that next month or post it in if requested.
- i.) The sullage pump quote in the sum of \$52,000 was presented for the Ranger's use and it was requested this item be presented to the November meeting.

2. Rates Officer – Carol Mc Allan.

- a.) The cattle on the road issue has been issued as best as we can by contacting the Riverina Station managers and the Melita Station manager and having put up a caution sign, feel we have done as much as we can do.

11	INFORMATION BULLETIN
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11.1 Information Bulletin as presented for discussion and resolutions (if required).

**12 CLOSURE
NEXT MEETING / MEETING CLOSURE**

The next Meeting will be held on Thursday, November 26th, 2009 in Council Chambers, Menzies, commencing at 9.00am.

There being no further business to discuss, the President declared the meeting closed at 5.53pm.

**These minutes were confirmed
As a true and accurate record of proceedings at the
Ordinary Meeting of Council, held Thursday, November 26th, 2009**

**Confirmed by the Shire of Menzies,
President Cr Gregory Dwyer** _____

