



MINUTES

ORDINARY COUNCIL MEETING

GRAND HOTEL - KOOKYNIIE
Friday September 25th 2009
Commencing At 9.20 Am

SHIRE OF MENZIES

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SHIRE OF MENZIES



FRIDAY SEPTEMBER 25TH 2009
HELD IN THE DINING ROOM
AT THE GRAND HOTEL, KOOKYNIÉ
COMMENCING AT 9-20 AM

ORDINARY COUNCIL MEETING

MINUTES

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomed all elected Members, Staff and Visitors and declared the meeting open at 9.20 am.

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

PRESENT:	<i>Cr S. Tonkin</i>	<i>Shire President</i>
	<i>Cr G Stubbs</i>	<i>Deputy President (from 9.26am)</i>
	<i>Cr K Pusey</i>	<i>Councillor</i>
	<i>Cr I Tucker</i>	<i>Councillor</i>
	<i>Cr J Dwyer</i>	<i>Councillor</i>
	<i>Cr G Dwyer</i>	<i>Councillor</i>
	<i>Cr A Kelly</i>	<i>Councillor</i>

STAFF:	<i>Mr B Seale</i>	<i>Chief Executive Officer</i>
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VISITORS:	Judy Babb
	Justin Lee
	Peter Twigg
	Gordon Jacob
	Margaret Pusey
	Gary Martin.
	Jim Pianto
	Debbie Pianto

APOLOGIES:	None
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3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Allan Mc Cooke:

1. What is the result of the enquiry with the Chief Executive Officer relative to the possibility of preparing a State-wide Petition to oppose the amalgamation issue?

Response: This concept was raised with the WALGA group to facilitate and the response was that the Councils in WA had moved on from this point and were preparing their respective reports for the Minister and fundamentally opposed to being involved in this aspect.

2. What were the results of the Public consultation meeting held in the Town Hall recently

Response: A very good attendance record of 27 attendees reflected the importance of this issue to the Community with the result that was clear was that the Community opposed the amalgamation issue.

4 PUBLIC QUESTION TIME

Judy Babb.

- 1.) Was there any follow-up to the issue of the donga's, abandoned cars and general untidiness in Kookynie, as raised previously?
- 2.) Will the Shire address the issue of the refuse site in Kookynie requiring regular push-ups to keep the refuse in the trench and provide a wind-row at the tip-face to prevent people backing into the trench?
- 3.) Will the Shire consider signage at the various locations around Kookynie (Split Rocks) e.t.c, considering the public liability issue may present a concern?
- 4.) Will the Shire consider appropriate signage at the half way mark to Lake Ballard to indicate to tourist the distance remaining to the lake?

Margaret Pusey.

- 1.) Will the Shire provide signage to warn people away from riding motor cycles on the Air-strip?

5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.

None presented.

6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Gordon Jacob and Peter Twigg - Presentation

The representatives from the Tjuntjuntjara expressed much appreciation for the invitation to the Council meeting and presented an acknowledgement of the thanks from the Community Board for the co-operative manner in which they have been received.

They expressed that whilst significant changes were occurring, the partnership with the Shire was important to them and they are keen to foster that relationship.

They acknowledged the main involvement with the Shire has been over the roads and grateful for the financial support received in being able to tender for the road maintenance.

An issue does remain however, in that the Kalgoorlie portion of the road access for them is not maintained and they seek Shire support in encouraging some financial assistance for this section.

It seems there are 47 kilometres of road from the Community to the North, and an ancillary road north for approximately 68 kilometres, plus the road to Oak valley to the East and the 200 kilometres south to the Kalgoorlie border all in the Menzies shire requiring maintenance.

There is a need to upgrade the infrastructure and the replacement of the General Store expected to be approximately M1.5 will be required and regarded as essential. However, the following infrastructure projects draw focus and require prioritising:

1. Road system
2. Dust Problem
3. Electrical issues.
4. Housing for staff and Indigenous support is required.
5. Air-strip issues. (Consider D.P.I. funding to keep the camels out.)

It is requested that a letter of support from the Shire for the plan to alter the flight plan for the regular plane trips to the Community to return to Kalgoorlie rather than via Warburton is requested through the DOTARS office, which will improve the situation considerably.

The Community is keen to work co-operatively with the Shire of Menzies towards improvement in the above issues.

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Confirmation of the Previous Minutes of Council held **August 27th**, 2009, as presented be adopted.

MOVED Cr Pusey

SECONDED Cr Dwyer (G.).

“CARRIED 7/0”

❖ 10-36 am - Council adjourned

The following people vacated chambers:

1. Justin Lee
2. Peter Twigg
3. Gordon Jacobs
4. Margaret Pusey
5. Gary Martin
6. Cr. G Stubbs.

❖ 10.58 am - Council Resumed

8	ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION / QUESTIONS ON NOTICE
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8.1 Announcements by the President without Discussion.

- 1.) President addressed Council on his visit to the Easter States with the "Outback Way" and found this a most beneficial event for Council and visited Ayers Rock, Alice Springs, Bulya, Winton and made presentations to the various councils visited.
- 2.) President Tonkin advised Council regarding the Governors visit and his participation in this event and expressed his pride in the Shire and the presentation of the Resource Centre and the how splendid the luncheon was at Lake Ballard, provided by "Nugget Tours."
- 3.) The President spoke of the sad and tragic event in town recently where a fatality occurred and where notice of recognition is to be forwarded to the ambulance personnel for their involvement in this event.

8.2 Questions on Notice

Nil

❖ 10-59 a.m.- Cr Stubbs rejoins Chambers

COUNCIL RESOLUTION

ITEM 8.1

MOVED Cr Dwyer (J.)

SECONDED Cr Pusey

That the Presidents Report as presented be received.

"CARRIED 7/0"

QUESTIONS ON NOTICE

ITEM 8.2

Nil

9	REPORTS OF COMMITTEES AND OFFICERS
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Chief Executive Officer

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	September 25th 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

34. Financial activity statement report - s. 6.4

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –*
- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *Budget estimates to the end of the month to which the statement relates;*
 - (c) *Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *Material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *The net current assets at the end of the month to which the statement relates.*

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:	

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:

As per Local Government (Financial Management) Regulations 1996 Regulation 34

Reg/34. Financial activity statement report - s. 6.4

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –*
- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *Budget estimates to the end of the month to which the statement relates;*
 - (c) *Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *Material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *The net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *An explanation of each of the material variances referred to in sub regulation (1)(d); and*
 - (c) *Such other supporting information as is considered relevant by the local government.*

- (3) *The information in a statement of financial activity may be shown -*
- (a) *According to nature and type classification;*
 - (b) *By program; or*
 - (c) *By business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –*
- (a) *presented to the Council –*
 - (i) *At the next ordinary meeting of the Council following the end of the month to which the statement relates; or*
 - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the Council after that meeting;*
 - And:*
 - (b) *Recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*
- (6) *In this regulation -*
- } **committed assets**~ means revenue unspent but set aside under the annual budget for a specific purpose;*
 - } **restricted assets**~ have the same meaning as in AAS 27.*

[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50.]

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Reporting on Financial Activity

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 9.2

MOVED Cr Kelly.....

SECONDED Cr Dwyer (G.)

That the Reports to the Financial Statements to **August 31st, 2009** as presented be received.

“CARRIED 7/0”

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:	

BACKGROUND:

Cheque numbers 6362 to 6497, including direct debits and bank statement transfers totalling \$1,079,251-29 are presented for payment as per the submitted lists as well as Receipts totalling \$513,227-88

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

Reg/13. LIST OF ACCOUNTS

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared -*
 - (a) *The payee's name;*
 - (b) *The amount of the payment;*
 - (c) *The date of the payment; and*
 - (d) *Sufficient information to identify the transaction.*

- (2) *A list of accounts for approval to be paid is to be prepared each month showing –*
 - (a) *For each account which requires Council authorisation in that month –*
 - (i) *The payee's name;*
 - (ii) *The amount of the payment; and*
 - (iii) *Sufficient information to identify the transaction;*
 - And:
 - (b) *The date of the meeting of the Council to which the list is to be presented.*

- (3) *A list prepared under sub regulation (1) or (2) is to be -*
- (a) *Presented to the Council at the next ordinary meeting of the Council after the list is prepared; and*
 - (b) *Recorded in the minutes of that meeting.*

[Regulation 13 inserted in Gazette 20 Jun 1997 p. 2838-9; amended in Gazette 31 Mar 2005 p. 1048.]

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
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ITEM 9.3

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

Cheque numbers 6362 to 6497, including direct debits and bank statement transfers totalling \$1,079,251.29 are presented for payment as per the submitted lists as well as Receipts totalling \$513,227.88

“CARRIED 7/0”

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:	

BACKGROUND:

Cheque numbers 6500 to 6553, 2453, 2454, 7121 including direct debits and bank statement transfers totalling \$1,186,718.89 are presented for payment as per the submitted lists as well as Receipts totalling \$542,604.71

COMMENT: Nil

CONSULTATION: Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 Regulation 13

Reg/13. LIST OF ACCOUNTS

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared -*
 - (a) *The payee's name;*
 - (b) *The amount of the payment;*
 - (c) *The date of the payment; and*
 - (d) *Sufficient information to identify the transaction.*

- (2) *A list of accounts for approval to be paid is to be prepared each month showing -*
 - (a) *For each account which requires Council authorisation in that month -*
 - (i) *The payee's name;*
 - (ii) *The amount of the payment; and*
 - (iii) *Sufficient information to identify the transaction;*
 - And:
 - (b) *The date of the meeting of the Council to which the list is to be presented.*

- (3) *A list prepared under sub regulation (1) or (2) is to be -*
- (a) *Presented to the Council at the next ordinary meeting of the Council after the list is prepared; and*
 - (b) *Recorded in the minutes of that meeting.*

[Regulation 13 inserted in Gazette 20 Jun 1997 p. 2838-9; amended in Gazette 31 Mar 2005 p. 1048.]

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
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ITEM 9.4

MOVED Cr Kelly

SECONDED Cr Stubbs

That cheque numbers 6500 to 6553, 2453, 2454, 7121 including direct debits and bank statement transfers totalling \$1,186,718.89 are presented for payment as per the submitted lists as well as Receipts totalling \$542,604.71 be received by Council, as presented in the attachments.

“CARRIED 7/0”

9.5 APPLICATION FOR PROSPECTING LICENSE 39/5088– 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:	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 the application received from Anglo Gold Ashanti Australia Limited for a prospecting license at the Location of the sunrise Dam South near Mt Margaret, 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:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.5

MOVED Cr Kelly

SECONDED Cr Tucker

To approve the application received from Anglo Gold Ashanti Australia Limited for a prospecting license number 39/5088 at the Location at Sunrise Dam South near Mt Margaret in terms of the attached application and data.

“CARRIED 7/0”

**9.6 APPLICATION FOR EXPLORATION LICENSE FROM CLIFFS ASIA
PACIFIC IRON ORE PTY LTD NUMBER 57/803**

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 approve the application for an exploration license from Cliffs Asia Iron Ore Pty limited number 57/803 at the location known as "White Cloud Bore.", 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 Kelly

SECONDED Cr Dwyer (G.)

To approve the application for an exploration license from Cliff Asia Iron Ore Pty limited number 57/803 at the location known as "White Cloud Bore", in terms of the details as presented, on the condition that no drilling or exploration will be undertaken within 16 metres of the centre line of the road encompassed by this tenement.

"CARRIED 7/0"

9.7 PUBLIC CONSULTATION ON DEVELOPMENT ASSESSMENT PANELS

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 provide a response to the Department for Planning relative to the "Planning system: in W.A. in terms of the details attached and presented to council.

BACKGROUND:

A document of explanation was presented to this request though it is quite voluminous to copy, though available to any or all councillors interested in contributing comment to this process

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 Kelly

SECONDED Cr Pusey

To provide a response to the Department for Planning relative to the "Planning system: 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 REPORT ON THE INQUIRY INTO LOCAL GOVERNMENT SERVICE DELIVERY TO INDIGENOUS COMMUNITIES

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 a strategy and a plan to serve the Community at Tjuntjuntjara with business plans for the provision of the four basic four areas of Waste Removal, Environmental Health programs, maintenance and upgrade of the access roads, and maintenance of the airstrip

BACKGROUND:

The State Government commissioned this enquiry into service delivery into Indigenous communities, though the report is 112 pages long and too extensive to copy for each councillor, though that indeed can be provided if required. In the interim, some brief extracts have been included in this item.

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 Tucker

SECONDED Cr Kelly

To develop a strategy and a plan to serve the Community at Tjuntjuntjara with business plans for the provision of the four basic four areas of Waste Removal, Environmental Health programs, maintenance and upgrade of the access roads, and maintenance of the airstrip, with further advices to issue to the Council to the December meeting with the results of the Strategic plan for this purpose.

“CARRIED 7/0”

9.9 APPLICATION FOR A PROSPECTING LICENSE FOR EUGENE THOMAS PERRELLA - N0 29/2136, 2137, 2138, 2139

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 approve the prospecting applications received from Eugene Thomas Perrella number 29/136, 137, 138, 139 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 Tucker

To approve the prospecting license applications received from Eugene Thomas Perrella number 29/136, 137, 138, 139 near the "Stella Ranges" 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:	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 Cr. Tonkin 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 since Cr. Tonkin has expressed interest in this over the last twelve months or so it seem appropriate to support his attendance on this occasion.

Ordinarily, he would still have been a councillor at the date of the Forum, but through an unusual technicality was unable to nominate for the 2009 elections and as a result he will not be a councillor at the time of the forum

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Moderate fess expected in the sum of \$300 / \$400 would be expected and for which budget provision is available.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.10

MOVED Cr Pusey

SECONDED Cr Dwyer (J.)

To approve Cr. Tonkin 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 Cr. Tonkin at the conclusion.

“CARRIED 7/0”

9.11 CHIEF EXECUTIVE OFFICER'S - DELEGATIONS REVIEW

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 review the delegations to the Chief Executive Officer so as to ensure the present listing is current and remains the intention of the heart of Council to continue for a further twelve months, in terms of the attached details as presented.

BACKGROUND:

The last review was conducted by Council on April 23rd, 2009 for the year ended June 30th, 2009.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	Local Government Act 1995 – Section, 5.46 (3), 5.46 (2.)
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.11

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the review of the delegations to the Chief Executive Officer so as to ensure the present listing is current and remains the intention of the heart of Council to continue for a further twelve months, in terms of the attached details as presented.

“CARRIED 7/0”

9.12 WARD BOUNDARY REVIEW

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 approval of the map as prepared by Council's surveyor reflecting the recently approved revision of the Ward Boundary structure of converting from three wards to two new wards being the new "Town Ward" constituting the combined area of the Menzies Ward and the town of Kookynie, with the remainder of the Shire constituting the new ward of "Rural Ward", in terms of the attached map, noting to forward the map in the required format and size to the Department for Planning and Infrastructure and the Advisory Board of the Department of Local Government *urgently*, though it is noted that this will not be in time for the imminent Local Government Election scheduled for October 17th, 2009.

BACKGROUND:

This item was presented to the August meeting and deferred until September for further consideration.

Furthermore, there is a strong promotion for the reduction of membership of elected members and the reduction from seven to five is mooted in the "Reform Strategy Paper" presented for council consideration for presentation to the Minister by September 30th, 2009.

STATUTORY ENVIRONMENT:

This review is a statutory process and the review was due for completion twelve months ago, though there were compelling reasons for the delay.

However, having conducted the review and called for public comment, the options available to Council are as follows.

1. Maintain the current three ward structure.
2. Create a new Ward for Tjuntjuntjara
3. Convert to Two Wards, one of Menzies Ward incorporating Kookynie Town and the other "Rural Ward" for the remainder of the Shire.
4. Have no Wards.

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority required

MOVED Cr

SECONDED Cr

To approve of the map as prepared by Council's surveyor reflecting the recently approved revision of the Ward Boundary structure of converting from three wards to two new wards being the new "Town Ward" constituting the combined area of the former "Menziess Ward" and the town of Kookynie, with the remainder of the Shire constituting the new ward of "Rural Ward", in terms of the attached map, noting to forward the map in the required format and size to the Department for Planning and Infrastructure and the Advisory Board of the Department of Local Government Urgently, in view of the imminent Local Government Election.

Furthermore, to consider the reduction in elected membership from seven (7) to five members (5) by March 2010, subject to council re-addressing this matter in the March 2010 meeting.

Explanation: The reason for not accepting the officer's recommendation was that Council, having debated the issue of Councillor Representation agreed the number of elected members at seven remained an effective number.

COUNCIL RESOLUTION**ITEM 9.12**

MOVED Cr Kelly

SECONDED Cr Dwyer (G.)

To approve of the map as prepared by Council's surveyor reflecting the recently approved revision of the Ward Boundary structure of converting from three wards to two new wards being the new "Town Ward" constituting the combined area of the former "Menziess Ward" and the town of Kookynie, with the remainder of the Shire constituting the new ward of "Rural Ward", in terms of the attached map, noting to forward the map in the required format and size to the Department for Planning and Infrastructure and the Advisory Board of the Department of Local Government Urgently, in view of the imminent Local Government Election.

"Carried 5/2"

9.13 COMMUNITY BANK FACILITIES – BENDIGO BANK LIMITED

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 submissions for the provision of a Community Bank, in terms of the attached data.

BACKGROUND: N/A

COMMENT:

Whilst a Community Bank would a wonderful facility, there isn't the population to warrant the service in Menzies and the question is would it be provided in Leonora, where there is already a Bank service?

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: There is no budget funding available 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 ***decline*** the opportunity to engage or support the provision of a Community Bank for Menzies at this time

“CARRIED 7/0”

9.15 "THE MOVIE – THE DROWNER"

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 assist the Filming of the Movie "The Drowner" with the potential access to historic Buildings and Road closures, and display of posters (e.t.c.).

The opportunity to invest in the film is also available to Council; and small investors.

BACKGROUND:

The producer, manager and P.R. officers from the film crew visited Menzies recently and provided some basic detail for this film being filmed in the Goldfields as it revolves around the construction of the pipeline.

Accordingly, they seek support from Council in the potential for access to historic buildings and with road closures (e.t.c.)

COMMENT:

CONSULTATION

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

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.15

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the assistance in the Filming of the Movie "The Drowner" with the potential access to historic Buildings and Road closures, and display of posters (e.t.c.), in terms of the data provided to Council.

"CARRIED 7/0"

9.16 RECONCILIATION ACTION PLAN

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 design and implantation of a “Reconciliation Action Plan” as recommended by the Department of Local Government, in terms of the attached advices in circular number 6/09.

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 Kelly

SECONDED Cr Stubbs

To approve of the design and adoption of a “Reconciliation Action Plan” as recommended by the Department of Local Government in the attached circular , In “**Principle Only**” subject to the draft submission being presented to Council for consideration to the December meeting 2009.

“CARRIED 7/0”

9.18 SUPPLY OF DIESEL FUEL TO THE SHIRE

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 revoke the earlier resolution of Council dated 23/3/09 and numbered 9.17 wherein Council resolved to purchase fuel from Link Energy from July 1st, 2009 and where it was subsequently found that the supply from Eagle petroleum was \$0.08c per litre less costly than through Link Energy group.

BACKGROUND:

Council has for some time purchased fuel from Link energy and in March 2009 considered a proposal from the Roadhouse proprietors to sell diesel to the Shire at a reduced rate.

This proposal was not adopted as the rate was still more expensive than the present supplier and where the resolution dated 23/3/09 was to continue to purchase diesel through Link Energy from 1/7/09. (Copy of this resolution is appended to assist Councillors.)

COMMENT:

CONSULTATION

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

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.18

MOVED Cr Dwyer (J.)

SECONDED Cr Kelly

To revoke the earlier resolution of Council dated 23/3/09 and numbered 9.17, a copy of which is appended wherein Council resolved to purchase fuel from Link Energy from July 1st, 2009 and where it was subsequently found that the supply from Eagle petroleum was \$0.08c per litre less costly than through Link Energy group.

“CARRIED 7/0”

9.19 RESTORATION AND MAINTENANCE OF THE MT IDA CEMETERY

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	August 27th, 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 restoration programme for the Mt Ida cemetery or at least implement preventative measures to prevent further damage and deterioration. As assessed in the attached email from a concerned citizen.

BACKGROUND:

The Mt Ida Cemetery being in the boundary of the Shire remains a Shire responsibility, though the maintenance of the Graves is regarded as the family and relatives duty.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Some moderate cost will apply to repair to fencing and re-erecting of headstones, removal of weeds and retarding of the creek flow. The cost is estimated at \$5,000 (approx), though an inspection of the site has not been undertaken to establish the requirements of the site.

Council has made budget provision of \$13,000 under cemetery maintenance in the 2009/10 year

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.19

MOVED Cr Pusey

SECONDED Cr Kelly

To approve a basic restoration programme for the Mt Ida cemetery and to implement preventative measures to prevent further damage and deterioration to the cemetery as assessed in the attached email from a concerned citizen with costs not to exceed \$5,000 in this financial year

“CARRIED 7/0”

9.20 APPLICATION FOR:
PROSPECTING LICENSE 77/3980 – 77/3981
PROSPECTING LICENSE 31/1889
EXPLORATION LICENSE 77/1697 – 77/1698
EXPLORATION LICENSE 31/888
MISCELLANEOUS LICENSE 29/78

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 approve the applications received from:

1. Cliffs Asia Pacific Iron Ore Pty Ltd no 77/3980 – 77/3981 for project location at Diemals, in terms of the attached application of request, as presented.
2. Avoca Resources Limited no 31/1889 for a project location near Lake Raeside in terms of the attached application of request, as presented.
3. Cliffs Asia Pacific Iron Ore Pty Ltd no 77/1697 – 77/1698 for project location at Diemals, in terms of the attached application of request, as presented.
4. Hawthorn Resources Ltd no 31/888 for project location near the Pinjin road in terms of the attached application of request, as presented.
5. Jupiter Mines Ltd no 29/78 for project location near Riverina in terms of the attached application of request, as presented.

BACKGROUND: Not applicable

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

MOVED Cr Tucker

SECONDED Cr Kelly

To approve the prospecting, exploration and miscellaneous applications received from:

1. Cliffs Asia Pacific Iron Ore Pty Ltd 77/3980 – 77/3981 for project location at Diemals, in terms of the attached application of request, as presented.
2. Avoca Resources Limited 31/1889 for a project location near Lake Raeside in terms of the attached application of request, as presented.
3. Cliffs Asia Pacific Iron Ore Pty Ltd 77/1697 – 77/1698 for project location at Diemals, in terms of the attached application of request, as presented.
4. Hawthorn Resources Ltd 31/888 for project location near the Pinjin road in terms of the attached application of request, as presented.
5. Jupiter Mines Ltd 29/78 for project location near Riverina in terms of the attached application of request, as presented.

“CARRIED 7/0”

9.21 WRITE-OFF SUNDRY DEBTOR – RAISED IN ERROR.

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 write-off the balance of a debtor in the name Breakaway Earthmoving in the sum of \$696-965 raised in December 2007 in error, as this was an over-charge incorrectly calculated at the time.

BACKGROUND:

Relevant correspondence in this matter is enclosed.

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 Dwyer (G.)

SECONDED Cr Stubbs

To write-off the balance of a debtor in the name Breakaway Earthmoving in the sum of \$696-965 raised in December 2007 in error, as this was an over-charge incorrectly calculated at the time, with an entry to be recorded in the "Write-offs" register.

"CARRIED 7/0"

Cr Tonkin Declares an interest in this item and vacates Chambers.

✓ Cr Stubbs assumes the role of Chairman.

9.22 GIFT ARRANGEMENTS FOR THE SHIRE PRESIDENT

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 select and provide a suitable gift for President Tonkin as a parting gift to recognise the exemplary service provided to the Shire for an extensive period, a civic dinner and the Presidential Gavel and Striker plate consistent with Council adopted Policy clause number 4.5, 4.6 and 4.7, a copy of which is enclosed to assist in this matter.

BACKGROUND: This is customary practice for this Council.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Moderate costs apply for which Council has made suitable provision in the adopted budget for the year 2009/10, as required.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.22**

MOVED Cr Tucker SECONDED Cr Dwyer (J.)

To select and provide a suitable gift for President Tonkin as a parting gift to recognise the exemplary service provided to the Shire for an extensive period, a civic dinner and the Presidential Gavel and Striker plate consistent with Council adopted Policy clause number 4.5, 4.6 and 4.7, a copy of which is enclosed to assist in this matter, and in terms of the advices provided to the Chief Executive Officer during the meeting.

“CARRIED 6/0”

➤ Cr Tonkin returns to Chambers and resumes Chairmanship.

9.23 CULTURAL MAPPING AND PLANNING PROCESS PROGRAMME.

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 budget provision of \$20,000 for a consultant to provide a “Cultural mapping and Planning Process for the Town of Menzies to eclipse the Main Street Upgrade and to be followed by the Menzies Walk Trail projects, in the 1009/10 budget year..

BACKGROUND:

Whilst Council has already adopted the budget for 2009/10, to include the Menzies Walk Trail and Main Street upgrade, it was very evident from the consultant’s comments that there was a prior need to plan the holistic approach to the town and strongly recommended the provision of a consultant for that purpose.

A quote is attached for council’s consideration, if required.

COMMENT:

CONSULTATION

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

OFFICER’S RECOMMENDATION

ITEM 9.23

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

To approve budget provision of \$20,000 for a consultant to provide a “Cultural Mapping” and Planning Process for the Town of Menzies to eclipse the Main Street Upgrade and to be followed by the Menzies Walk Trail projects, in the 2009/10 budget year, as proposed in the attached quote.

“Defer to the December Meeting”

Explanation: The reason for not accepting the officer’s recommendation is that more details were required as to previously approved plans as designed and therefore no further consultancy is required.

12.15 pm - Council adjourns

➤ Judy Babb vacates chambers

1.08 pm - Council Resumes

• Gary Martin enters chambers

The following are asked to vacate Chambers:

- Jim Pianto
- Debbie Pianto
- Brian Seale

1.08 pm	<u>Recommendation:</u> "THAT COUNCIL GO BEHIND CLOSED DOORS"
MOVED Cr. Dwyer (J.)	SECONDED Cr Pusey "CARRIED 7/0"

Discussion with the Shire's consultant Mr Gary Martin ensures relative to the Chief Executive Officer's performance review.

1.31 pm	<u>Recommendation:</u> "THAT COUNCIL COME OUT OF CAMERA"
MOVED Cr Kelly	SECONDED Dwyer (G.) "CARRIED 7/0"

- The following return to Chambers:

Brian Seale
Jim Pianto
Debbie Pianto.

➤ Mr Gary Martin vacates chambers.

9.24 LOCAL GOVERNMENT REFORM STRATEGY SUBMISSION

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 adopt the enclosed Reform strategy for presentation to the Minister by September 30th, 2009, as required.

BACKGROUND:

Council was required to progress through a range of processes in this reform matter and this Strategy following the Public consultation process, questionnaire and meeting with the neighbours is part of that process. The submission was planned to be in the hands of the Minister by August 31st, 2009, though very recent releases from the Department of Local Government advise that the deadline has changed for submission by September 30th.

Although this item was presented to the Council last month, it was deferred as the document was not available for Councillors to read prior to the meeting and requested re-submission to the September meeting.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Financial assistance in the sum of \$10,000 is available to Council to engage consultants to prepare these reports, and this will be claimed shortly, as Council has engaged the "Red Ochre consultants to prepare this submission.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.24

MOVED Cr Dwyer (G.)

SECONDED Cr Tucker

To adopt the Report submission as presented to Council and as attached as the strategy for Local Government Reform as it applies to the Shire of Menzies and that the submission is to be presented to the Minister by September 30th, 2009, subject to any amendments as provided to the Chief Executive Officer during the meeting.

"CARRIED 7/0"

9.25 RADAR TRAILER – (JOINTLY WITH LEONORA AND LAVERTON)

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 enter into the a joint arrangement with the Shires of Leonora and Laverton for the purchase and use of a Speed Trailer to assist in the curbing of the unlawful speed through our towns, by entering into a “Memorandum of Understanding” to accommodate the issues relative to use, cost, repairs , access and ancillary obligations therein.

BACKGROUND:

A sample “M.O.U”. Agreement is enclosed to illustrate the type of agreement to be entered into once Council has agreed to pursue this concept.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

A grant application through the Road wise office of WALGAQ has been approved and the costs of the operations of the trailer will be shared between the three Shires.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.25

MOVED Cr Pusey

SECONDED Cr Kelly

To enter into the a joint arrangement with the Shires of Leonora and Laverton for the purchase and use of a Speed Trailer to assist in the curbing of the unlawful speed through our towns, by entering into a “Memorandum of Understanding” to be received, but consistent with the attached draft document to accommodate the issues relative to use, cost, repairs, access and ancillary obligations therein.

“CARRIED 7/0”

9.26 BUILDING APPROVAL REQUEST – SCHOOL CLASSROOM

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 approve the construction of a School building to be constructed at the Menzies Remote Community School, as determined in the attached data, as required.

BACKGROUND:

State Government building approvals are governed by strict controls from the Education Department and usually don't need to go through the Local Shire, though I feel it is prudent practice for all approvals to be approved by Council.

The Shire's appointed Building Surveyor has been apprised of this application and supports the application to Council

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 Dwyer (J.)

SECONDED Cr Tucker

To approve the construction of a School building to be constructed at the Menzies Remote Community School, as determined in the attached data, as required and as presented.

“CARRIED 7/0”

**9.27 APPLICATION FOR HOUSING RESERVE OVER LOTS 165 AND 166
ONSLow ST. MENZIES.**

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 proceed with the acquisition of Lot 156 and 166 Onslow Street Menzies as “Reserves”, Vested in the name of the Shire of Menzies for the Purposes of future staff housing, as determined in the attached data and presented to Council.

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 9.27
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MOVED Cr Dwyer (G.) SECONDED Cr Dwyer (J.)

To proceed with the acquisition of Lot 165 and 166 Onslow Street Menzies as “Reserves”, Vested in the name of the Shire of Menzies for the Purposes of future staff housing, as determined in the attached data and presented to Council.

“CARRIED 7/0”

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

1. Policy over the WALGA Transport and Roads Framework 2009-2014, as attached.
2. Review of the S.E.M. Policy number 3.1, as attached.
3. Views on the national Broadband Network, as attached.

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 Kelly

SECONDED Cr Pusey

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. Policy over the WALGA Transport and Roads Framework 2009-2014, as attached.
2. Review of the S.E.M. Policy number 3.1, as attached.
3. Views on the national Broadband Network, as attached.

“CARRIED 7/0”

➤ 2.01pm Cr Tucker - Declares an interest in this item and vacates the chambers.

9.29 RANGER POSITION – NEW EMPLOYEE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	August 27th, 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 appointment for the role of Ranger for the Shire of Menzies, in terms of the attached document and details of applications received.

BACKGROUND:

Council recently approved of the position of a ranger to accommodate the need at Niagara Dam and now Lake Ballard to accommodate the requirements of water re-supply, ablution maintenance, basic repairs and issuance of infringement notices as required, subject to further details being presented as to the “**Type**” of arrangement to be engaged in case a contractor was interested or a part-timer officer applied for specific hours or days.

However, the applicants all sought full time employment and the following applied.

1. Andrew Tucker. Local candidate with own accommodation – No Drivers License
2. Cyril Tucker Local Candidate currently engaged with a present contract.
3. Paul Mortimer Sought information. Did not apply.
4. John Peach Perth based. Sought information. Did not apply.
5. Donald Winter Upper Swan. Recommended by James Mazza. Accommodation potentially an issue, though a very suitable candidate.
6. Troy Telfer Mandurah based and accommodation remains an issue.

COMMENT:

CONSULTATION

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

OFFICER RECOMMENDATION**ITEM 9.29**

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

To approve of Andrew Tucker for the Position in the role of Ranger for the Shire of Menzies, in terms of the details of the position as previously approved by Council as a Full time employee, once his license has been renewed which is expected to be 26/11/09, without Shire accommodation being provided and subject to three months probation, in normal course.

“LOST 0/6”

- Cr Tucker returns to Chambers

COUNCIL RESOLUTION**ITEM 9.29**

MOVED Cr Pusey

SECONDED Cr Dwyer (J.)

To approve of the position of the Role of Ranger to be a Full Time position within the Structure of the Organisation.

“CARRIED 7/0”

Explanation: The reason for not adopting the officer’s recommendation is that the appointment of staff is not a Council duty.

9.30 REQUEST FOR DONATION TO THE SANDSTONE AMBULANCE

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 a donation to the Sandstone St Johns ambulance Association and Royal Flying Doctor Service, as requested in the attached data.

BACKGROUND: The letter of request is attached.

Council applies significant support to the "Menzies St John's Ambulance and has also donated funds to the Royal Flying Doctor Service.

COMMENT: N/A

CONSULTATION N/A

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.30

MOVED Cr Kelly

SECONDED Cr Pusey

To decline support for the Sandstone St John's ambulance service as requested and as attached in the letter seeking support in view of the significant support the Menzies Shire has contributed to the services in Menzies.

"CARRIED 7/0"

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:	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 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:

With the Shire Caravan Park being temporarily relocated to the Town Oval whilst the development of the site occurs a temporary power supply was hired from the W.A.S.P. group in Kalgoorlie and whilst an authorised 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:

CONSULTATION

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

MOVED Cr Dwyer (J.)

SECONDED Cr Kelly

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 and consistent with the attachments as provided.

“CARRIED 7/0”

9.32 CONSERVATION MANAGEMENT PLAN.

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 adopt the "Conservation Management Plan" as presented and designed by Councils Heritage Consultant (Laura Gray)

BACKGROUND:

The document is approximately 250 pages deep, though a copy can be provided to any or all councillors if you wish. Otherwise a copy is available at any time to inspect, should any councillor so desire.

COMMENT:

CONSULTATION

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

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.32

MOVED Cr Kelly

SECONDED Cr Stubbs

To adopt the "Conservation Management Plan" as presented, representing the restoration plan for the four Shire premises requiring attention (i.e.) The Shire Admin centre/hall, the Old Post Office, the Lady Shenton Centre and, the Tea rooms / butcher shop.

"CARRIED 4/3"

9.33 OPERATIONAL PLAN FOR THE FUTURE OF THE SHIRE

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 adopt the "Operational Plan for the Shire of Menzies" for the immediate term, as presented to Council for consideration.

BACKGROUND:

Planning is the key to achieving the corporate goals for the organization and the attached is a vital part of that concept.

COMMENT:

CONSULTATION

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

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.33

MOVED Cr Stubbs

SECONDED Cr Dwyer (G.)

To adopt the "Operational Plan for the Shire of Menzies" for the immediate term, as presented to Council for consideration.

"CARRIED 7/0"

9.34 COMMUNITY INFRASTRUCTURE PROGRAM FUNDING.

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 of \$30,000 from the recent announcement by the Commonwealth Government of the "Community Infrastructure Programme Funding" allocation for Menzies for the 2009/10 year, for a developmental program to expensed prior to June 30th, 2009, in terms of the attached advices...

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None - Not Applicable
FINANCIAL IMPLICATIONS:	This was not budgeted for in the adopted budget.
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.34

MOVED Cr Pusey

SECONDED Cr Tucker

To approve the application of \$30,000 from the recent announcement from the Commonwealth Government of the "Community Infrastructure Programme Funding" allocation for Menzies for the 2009/10 year, for the Menzies Caravan Park project to be expensed prior to June 30th, 2010, in terms of the attached advices..

"CARRIED 7/0"

9.35 FEE STRUCTURE FOR TOWING STRANDED TOURISTS FROM SALT LAKES
--

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 approve of a "Fee Structure" to recoup the Shire for costs expensed when involved in the retrieval of stranded tourists from salt lakes or other emergency situations involving Shire personnel and Equipment.

BACKGROUND:

Despite our best endeavours to discourage people from dangerous pursuits, it appears the tourist persist in driving on the Lakes and becoming stranded and unable to continue on their way, necessitating the Shire to assist them return to safety.

Whilst we have a moral/humanitarian obligation to assist people and ensure their safety, there is also an equal obligation to support the ratepayer and be prudent with the revenues made available to us by the ratepayer and where the recovery of the costs involved is not seen as unreasonable.

COMMENT:

CONSULTATION

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

FINANCIAL IMPLICATIONS:

This item was not specifically budgeted for, though indeed if required or intended to be so, will be included in the budget review due to be presented to Council in October.

VOTING REQUIREMENTS:	Simple Majority required
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COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.35
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MOVED Cr Pusey	SECONDED Cr Kelly
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To apply a fee representing the recovery of cost expensed for the retrieval of members of the Public where stranded on a Salt Lake or in some other Emergency situation requiring Shire Personnel or equipment, plus 10% to recover the Administrative costs involved and provide appropriate signage at attractive locations to discourage people for engaging in potentially life threatening activities.

"CARRIED 7/0"

➤ 2.46 pm - Cr Kelly vacates chambers

- 2.49 pm - Cr Kelly returns to chambers

9.36 CAPACITY BUILDING OFFICER – TJUNTJUNTJARRA COMMUNITY

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 an alternative to the plan to the delivery of the services and programmes to the Community in Tjuntjuntjarra, as proposed in the attached schedule, as prepared by the Community Development Officer (Mr Justin Lee.) with formalizing this arrangement with the execution of the M.O.U. to capture the essence of the intentions between the parties, as attached.

BACKGROUND:

An employee was formerly engaged to provide the services to the Community (Shaun Gould.) and where that employment was not renewed at the conclusion of the probationary term. Thus, Council revisited this concept recently and agreed "In Principle" to engage the Community Development Officer" for the delivery of this new philosophic direction for the improvement of the quality of life for the constituents at the Community.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Budget provision is already provided in the 2009/10 year for this purpose.

VOTING REQUIREMENTS: Simple Majority required

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

To approve the proposal as presented by the “Community Development Officer” to embrace the delivery of the services to the Community at Tjuntjuntjarra as part of his mandate of duties as previously tabled and presented to Council, and to execute the “Memorandum of Understanding” .capturing the intentions between the parties, subject to any amendments as advised to the Chief Executive Officer during the meeting.

“CARRIED 7/0”

9.38 SHIRE FLEET OF VEHICLES – RATIONALISATION

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 rationalisation of the Shire Fleet of Vehicles

BACKGROUND:

The following vehicles are the subject of this paper, presented for Council guidance:

Description	Year	Odometer	Driver
1. Holden Statesman	2008	10,000 km	C.E.O.
2. Nissan Navara	2007	36,860 km	C.B.O.
3. Ford Falcon	2008	29,349 km	Formerly D/Ceo
4. Nissan Patrol	2008	28,987 km	W/Manager
5. Nissan Single - Cab	2007	30,000 km	Depot personnel

Proposal

1. Retain Statesman until the optimum time to trade it arrives.
2. Provide the newly appointed Depot Person with the existing Nissan Navara.
3. Sell or Trade the Ford Falcon as being surplus to requirements.
4. Gift the Nissan Patrol to Tjuntjuntjara and purchase a replacement for the W/Manager.
5. Retain the Works Nissan Utility for Works Purposes, as at present.
6. Purchase a heavy duty vehicle for the "Ranger" to carry potable water and sullage.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Whilst Council has not made budget provision for this purpose, there is approximately \$600,000 in the Plant reserve, if required, and where the replacement vehicle for the Works Manager will amount to approx \$53,000 and a small truck type vehicle for the Ranger is likely to cost \$45,000 (approximately)

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 9.38

MOVED Cr

SECONDED Cr

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 and a small light three tonne truck for the Ranger, with a trade in of the Ford Falcon sedan being provided, with the cost to be accommodated from the Reserve, if required, with details of the tender submissions relative to these purchases to be submitted to Council for Decision in due course.

“Defer to the October Meeting”

Explanation: The reason for not adopting the officer’s recommendation was that future research was required for the type of vehicle required for the ranger.

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 plans to attend Menzies on Thursday September 24th and hopefully meet with councillors at 3pm approximately and whilst Council conducts the September meeting on Friday 25/9/09.

The consultant will compile the report and present same to Council prior to the meeting conclusion.

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

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

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 receive and adopt 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.

"Defer to the October Meeting"

9.40 REPAIRS TO THE RUBBISH TRUCK

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 repair to the existing shire rubbish truck where an engine re-builds is estimated at \$15,000. The engine replacement is estimated at \$18,000

BACKGROUND:

This item was presented to the August meeting for consideration, but deferred pending recommendation and report from the Works Manager.

Whilst the vehicle appears to have been involved in a motor vehicle collision of some type earlier and having travelled 300,000 kilometres, it remains a functional and useful vehicle.

Given that the earlier item (9.38.) recommends the purchase of a vehicle for the Ranger to accommodate refuse collection at Niagara and Lake Ballard, this existing vehicle will not be required to travel such extensive distances and therefore with an engine rebuild should provide good service to the Shire for the next 5/10 years.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Council has \$65,000 in budget provision in the Plant Repair cost centre for this purpose.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.40

MOVED Cr Kelly

SECONDED Cr Tucker

To approve of an engine re-build for the Rubbish Truck estimated to be in the sum of \$15,000, in terms of the attached quote received from Bantick Brothers.

“LOST 0/7”

3.06 pm - Council adjourns

3.26 pm - Council resumes (without Cr Stubbs)

9.41 GOLDEN QUEST DISCOVERY TRAIL – MARKETING PROSPECTUS

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

SUMMARY:

Eight Shires are invited to partner the Golden Quest Trails Association in 2009 – 2010 to expand to form a new association to be known as Goldfields Tourism Marketing.

BACKGROUND:

Following five years of successful management and marketing of the Golden Quest Trail, the Golden Quest Trails Association Incorporated proposes an expanded marketing role and geographic coverage to become a regionally focused tourism marketing association – Goldfields Tourism Marketing.

Also see attached prospectus.

COMMENT:

Goldfields Tourism Marketing will;

- Continue providing stewardship and marketing of the Golden Quest Discovery Trail
- Deliver economies of scale & efficiencies for all Local Government Partners
- Reduce the duplication of marketing efforts
- Provide continuity & consistency in marketing approaches
- Increase the marketability and viability of the Goldfields as a tourism destination
- Work closely with Australia's Golden Outback & local tourism bodies e.g. Northern Goldfields Tourism

CONSULTATION:

Golden Quest Discovery Trails Association Board, Chief Executive Officer, Resource Centre Co-ordinator, Community Development Officer & Council.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

Currently the Shire of Menzies is committed to:

\$10,500 Golden Quest Trails Association (MOU)

\$10,000 Northern Goldfields Tourism

\$ 6,000 Area Promotion – General

\$26,500 TOTAL

E.g. To expand from the current Golden Quest Trails Association to Goldfields Tourism Marketing by the 1st January, 2010 would require an additional budget allocation of \$2000 for the 2009/2010 financial year.

2010/2011 financial year...

\$25,000 Goldfields Tourism Marketing
- Incorporating Golden Quest Discovery Trail, Northern Goldfields
Tourism & local marketing
\$3,500 to support independent local marketing activities through the Menzies
Visitor Centre

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.41

MOVED Cr Dwyer (J.)

SECONDED Cr Kelly

To support 'in principle' the Golden Quest Discovery Trail Association Inc. proposal to expand into what will be known as 'Goldfields Tourism Marketing' and accordingly make a tentative budget provision of \$25,000 for 2010/2011 for this purpose in terms of the attached data and as presented to Council at the August meeting.

“CARRIED 6/0”

- 3.29pm - Cr Stubbs returns to Chambers

9.42 SHORT TERM ACCOMMODATION UNIT

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

SUMMARY:

To make available Unit 1: 29 Shenton Street as a Short-term accommodation unit (1 night to 7 days).

The unit would be primarily used for accommodating visiting consultants, contractors, staff, educators, health professionals when engaged in the direct delivery of services within the local Community.

BACKGROUND:

A short-term accommodation unit with en suite facilities is a need that is currently unmet within Menzies and whilst no such facility exists it leaves the town with no capacity to accommodate those who request such facilities.

COMMENT:

The Visitor Centre currently co-ordinate the bookings for the Caravan Park and would be able to co-ordinate the bookings and servicing of the Short-term accommodation unit.

CONSULTATION: Visitor Centre Co-ordinator

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

It is anticipated that approximately \$1,500 upfront costs for the provision of towels, sheets etc & TV, would be required.

Furthermore, approximately \$2,000 for provision of beds to bedroom 2 and possible furniture upgrades would also be required. Cleaning & washing of linen – approximately 1 hour per day

Scale of fees - Tourists. \$110.00 (GST incl.) per night. 10% discount for 3 – 7 nights.

Other users such as those providing a delivery of services to the Community - 50% of full fee i.e. \$55.00 (GST incl.) and may be included in program costs.

Income based at 70% occupancy rate per yr. = \$23,716
(184.8 tourist nights + 61.6 other = 246.4 nights)

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.42

MOVED Cr Kelly

SECONDED Cr Dwyer (G.)

To approve the concept of providing a short-term accommodation unit. (1 night to 7 days) at Unit 1: 29 Shenton Street, with the following to apply.

- Bookings & co-ordination through the Menzies Visitor Centre
- Initial \$1500 budget provision for set-up costs e.g. linen etc
- A budget provision of \$2000 for furniture for bedroom 2 & possible furniture upgrades
- Budget provision for cleaning & washing of linen when required. 1hr per day.
- Scale of fees – Tourists \$110.00 (GST incl.) per day. 10% discount for 3 – 7 nights.
- Scale of fees - Other users such as those providing a delivery of services to the Community.
50% of full fee i.e. \$55.00 (GST incl.) and may be included in program costs.

The proposal is subject to the statutory advertising for the imposition of a Fee or Charge to apply, if approved by council.

“CARRIED 7/0”

9.43 RATE BOOK REVIEW

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 submission from the "Rates Officer" as to the status of the Shire rate book, in terms of the attached data and the summary as provided in the agenda.

BACKGROUND:

This has been a long out-standing issue for Council and with significant impact on the Shire, due to the fact of this item represents a significant component of the Budget and if this Debtor balance is not reasonably achievable, then the integrity of the adopted budget is seriously in doubt, as Council has embraced a balanced budget for 2009/10, which include expensing the revenue of the Rate Base.

The rate base needs a lot of tidying up and this is a significant issue, but essential and an important factor in the design of the Budget Review due for submission to Council in October.

COMMENT

The attached summary page (from a very extensive submission listing 2,494 assessments, provided under separate cover to Council with the agenda in A3 print) , represents a schedule of the differing sets of circumstances existing in the rate base, which we will address's on a category by category basis., with recommendations applied to each.

The submission is prepared after the rates were issued in early July, so as to capture any previous debtor balance outstanding at June 30th, 2009 as the new rates issued reflect "Current and Valid" rate assessments and reveals a balance at July 31st, 2009 of \$1,926,947. In this way, it allows us to separate the anomalies of legitimate rate balances from the "Potentially Uncollectable"

Item "A"

Total rate base outstanding at July 31st. is \$2,016,930

Item "B"

This listing represents the balances in the current schedule in the sum of \$1,507,258, following the issuance of the 2009/10 rate assessments and where we have no reason to suspect the balance won't be paid in the near future.

Thus, this list will be monitored regularly and closely and letters of demand will issue promptly after the statutory thirty five days elapses and where a summons will issue shortly thereafter where the ratepayer fails to remit the sum due or enters into an acceptable arrangement for repayment.

Item “C”

This listing represents the value of the assessments currently in credit in the sum of \$9,487 and where requests for refunds have not been received.

Item “D”

This list at Item “D” represents the value of assessments of the Town Lots in debit and has been outstanding for over twelve months, where the recommendation is to issue a letter of demand with the object of issuing a summons to recover the Shire entitled value. Should the sum be found to exceed the statutory three year term, the recommendation is to recover the land into the name of the Shire

Item “E”

This schedule lists the mining assessments which were declared as “Dead Tenements”, but fir which rates for 2009/10 issued as we were unaware that the assessment was relinquished. Accordingly, the recommendation is to write-off these assessments as raised in error.

Item “F”

This schedule represents mining tenement assessments where the value remains outstanding for over twelve months and where we are not in receipt of advices that the assessment is dead. Accordingly, the recommendation is that where the assessment is less than \$200 the value be written off as irrecoverable and an entry be recorded in the Write-off register and where the value exceeds \$200 a letter of demand issue and a summons if the demand letter fails to produce results.

Item “G”

This schedule lists the value of mining tenements paid, but subsequently declared as “Dead” and where a refund is due and likely. Accordingly, it is recommended the value be recorded in the write-off register and the value transferred to the liability section of the Balance sheet in anticipation of the ratepayer calling for the refund.

Item “H”

This listing represents the value of tenements declared “Dead”, but where an outstanding entitlement to the Shire in the sum of \$50,272 remains.

The recommendation here is to forward a letter of demand to all ratepayers and seek response within twenty one days or a summons will issue.

Item “I”

This balance of \$65,650 represents the value applied to rates issued against deceased ratepayers and uncollectable.

The recommendation is to write off this value with entries recorded in the Write-off register and arrange to proceed with the redemption of the land through an auction with a memorandum of Advertising being recorded.

CONSULTATION None

STATUTORY OBLIGATIONS None

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

The starting figure for the Budget is very significant and leads to much concern later in the year where there is inaccuracy.

Thus, as Council plans to expense the value of the Rate base, it is clear that we must identify and convince Council that the collection of this value is achievable.

Given the rate base contains some anomalies (e.g.) Dead Tenements, Ratepayers in receivership, deceased, or simply unable to locate the ratepayer, the need is to identify a clear start position before we can proceed with a budget review and re-assess the projects to ensure Council has the funds available to promote the projects it intends to pursue in the 2009/10 year.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 9.43

MOVED Cr Pusey

SECONDED Cr Tucker

That the following be approved as appropriate actions for the administration to pursue to tidy the rate base and recover the Shire's entitled right to rightful revenue, in terms of the following and in terms of the scheduled attached and provided to Council:

Item "B"

This listing represents the balances in the current rate schedule in the sum of \$1,507,258, following the issuance of the 2009/10 rate assessments and where we have no reason to suspect the balance won't be paid in the near future.

Thus, this list will be monitored regularly and closely and letters of demand will issue promptly after the statutory thirty five days elapses and where a summons will issue shortly thereafter where the ratepayer fails to remit the sum due or enters into an acceptable arrangement for repayment.

Item "C"

This listing represents the value of the assessments currently in credit in the sum of \$9,487 and where requests for refunds have not been received, where it is recommended this value be refunded promptly to clear these liabilities.

Item "D"

This list at Item "D" represents the value of assessments of the Town Lots in debit in the sum of \$69,994 and has been outstanding for over twelve months, where the recommendation is to issue a letter of demand with the object of issuing a summons to recover the Shire entitled value.

Should the sum be found to exceed the statutory three year term, the recommendation is to recover the land into the name of the Shire

Item "E"

This schedule lists the mining assessments which were declared as "Dead Tenements", but for which rates for 2009/10 issued as we were unaware that the assessment was relinquished.

Accordingly, the recommendation is to write-off these assessments as raised in error in the sum of \$2,378 and record the entry in the write-off register.

Item "F"

This schedule represents mining tenement assessments in the sum of \$326,378 where the value remains outstanding for over twelve months and where we are not in receipt of advices that the assessment is dead.

Accordingly, the recommendation is that where the assessment is less than \$200 the value be written off as irrecoverable and an entry be recorded in the Write-off register and where the value exceeds \$200 a letter of demand issue and a summons if the demand letter fails to produce results.

Item “G”

This schedule lists the value of mining tenements paid in the sum of \$84,874, but subsequently declared as “Dead” and where a refund is due and likely.

Accordingly, it is recommended the value be recorded in the write-off register and the value transferred to the liability section of the Balance sheet in anticipation of the ratepayer calling for the refund.

Item “H”

This listing represents the value of tenements declared “Dead”, but where an outstanding entitlement to the Shire in the sum of \$50,272 remains.

The recommendation here is to forward a letter of demand to all ratepayers and seek response within twenty one days or a summons will issue for recovery, plus recovery of legal fees.

Item “I”

This balance of \$65,650 represents the value applied to rates issued against deceased ratepayers and uncollectable.

The recommendation is to write off this value with entries recorded in the Write-off register and arrange to proceed with the redemption of the land for Sale to the Public through an auction with a memorandum of Advertising being recorded, subject to further advices to Council as to the description of these lots in case Council elects not to redeem these sites, but covert them back to the Crown..

“CARRIED 7/0”

9.44 APPLICATION FOR PROSPECTING LICENSE 29/2134 AND 2135

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 prospecting licenses for Frederick Saunders number 29/2134 and 29/2135 for locations North of the Menzies – Sandstone road near the “Lady Irene” site, in terms of the applications as presented and attached.

BACKGROUND: Not Applicable.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: Not applicable

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.44

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the prospecting licenses for Frederick Saunders number 29/2134 and 29/2135 for locations North of the Menzies – Sandstone road near the “Lady Irene” site, in terms of the applications as presented and attached.

“CARRIED 7/0”

9.45 POLICY MANUAL AMENDMENT- RETENTION MONIES 10%

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 adopt a policy of Retention of 10% on construction work (not Roads) to be held pending the completion of the maintenance period, being usually twelve months.

BACKGROUND:

It was highlighted with the recent purchase / construction of the new C.E.O.s' residence that a retention value was not withheld and council expressed concern that there was no lever available to encourage the builder to return to rectify any maintenance issues which may have occurred since hand-over.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: Not applicable

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.45

MOVED Cr Pusey

SECONDED Cr Dwyer (J.)

To edit the Policy Manual to include clause 3.19 to ensure retention monies representing 10% of the contract price be with-held for twelve months pending the expiry of the maintenance period for the construction of infrastructure (not roads) within the Shire, where the retention may be cash or a Bankers Indemnity Guarantee for the equivalent value.

“CARRIED 7/0”

9.46 INDUSTRIAL PARK DEVELOPMENT

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 an industrial park development in Menzies to accommodate interest in Light Industry in Menzies, in terms of the attached plan of the town

BACKGROUND:

Council is in receipt of advices from four candidates interested in acquiring some industrial land for the purpose of light industrial development, for which access to water; power and a reasonable area are regarded essential. Whilst the Town planning scheme designates an area West of Town on Brown Street, past the Battery, access to Water and Power are prohibitive and makes development unattractive.

The vacant land near the power station is already determined as "Light Industry" by the occupation of the Power station, and therefore it is felt that development of that area would be most suitable.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:	Not Applicable
FINANCIAL IMPLICATIONS:	Not applicable
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.46

MOVED Cr Tucker

SECONDED Cr Dwyer (J.)

To approve "**In Principle Only**" the development of an "Industrial Park" for Menzies West of the Railway Line adjacent to the present power station, subject to the following:

1. The location of the site is to be determined by Council in close proximity to the Power Station and may be determined rural lots or a U.C.L. Site.
2. Each lot will be a minimum of 4,000m² in area (approximately)
3. Town Planning Scheme amendment to be prepared to convert the location.

4. Council's consultant to be engaged for the preparation of the scheme amendments.
5. Sale of the freehold lots to be approved by Council only following receipt of written applications from the purchasers to purchase the sites.
6. The Sale price for each lot is to be determined by Council.
7. Further advices to issue to Council by December 2009, once written evidence from the applicants is received, details of the sale price determined, the availability of the proposed sites is established and advices from the consultant is received.

“CARRIED 7/0”

10	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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10.1 Elected Members motions with previous notice.
Nil

10.2 Confidential Business to be held behind closed doors.
Nil

10.3 Reports of Councillors and Staff

Cr Stubbs,

- 1.) Note of thanks is expressed to Council for the Governors visit and the Luncheon at Lake Ballard.
- 2.) The presence of the Bilby is a valuable awareness for this Shire and represents an important ecological change for this region.

Cr Tucker

- 1.) Concern continues to be expressed over the driving of motor cycles and unlicensed vehicles around town and suggest a designated area for riding of these types of vehicles and for an awareness training education programme to learn about the importance of helmets, though it recognised the public liability issue arises with this matter.

Cr Kelly.

- 1.) Could an item be raised at the October meeting regarding the Skate ramp?
- 2.) Could council also consider an item of a Mulcher for the October meeting?
- 3.) Is it possible for the works team to collect the sandalwood mulch form the Gindalbie Station property?
- 4.) Please note the road between “Tank Hill” and the pumping station requires grading and comment requested as to whether or not it is gazetted as a local road or not.

Cr Pusey “No Comments”

Cr Dwyer (G.)

- 1.) The Yeelirrie Reference Group Committee meeting was conducted recently relative to Uranium being transported through town and further meeting will occur.
- 2.) The ablutions at Lake Ballard are likely to be completed soon.

Cr Dwyer (J.)

1. Recognition of thanks to Cr Stubbs for the splendid presentation at Lake Ballard for the Governor, including luncheon and dance and indigenous welcome.
2. A warm recognition of gratitude to President Tonkin for his wonderful service to the Shire of Menzies over an extended term and where the Council are grateful and appreciative for the excellence in Guidance and chairmanship provided during this time.

Cr Tonkin

1. Some interesting Statistical data was presented to Council relative to the value of dollars provided per kilometre of roads to be maintained and where Menzies is listed as \$374 per km.
2. The issue of drinking at the Hotel has come to the attention of the Council with shire vehicles being seen at night outside the Hotel and with the employees displaying the Shire logo on their shirts remains a concern. Accordingly it is requested an alcohol policy be determined for next meeting.
3. The recent fatal accident is town highlighted the need for essential equipment, including the "Jaws of Life". Given that the FESA group have two emergency trailers set up in Kalgoorlie, perhaps we could work towards acquiring one. In this matter, a letter of commendation is to be sent to the ambulance personnel for their participation in this event and also to the Roadhouse who supported the team with sandwiches and drinks (e.t.c.)
4. An innovative issue was also noted recently in the advertising on the side of Refuse Bins for specific causes, and raised now for consideration

➤ 4.14pm - Cr Stubbs vacates chambers.

• 4.16pm - Cr Stubbs returns to chambers

Chief Executive Officer

1. THE GENETICALLY MODIFIED ORGANISMS.
The views of council were sought on this matter as a result of the WALGA organisation making enquiry.
2. MEGA URANIUM LIMITED.
Details and the brochure from Mega Uranium Limited were presented to Council with a request for a presentation to Council in the future.
3. AMALGAMATION ISSUE – ALTINIER.

Whilst Council; has approved of the Amalgamation. The Planning commission have included some unusual conditions including Water and Power services, which don't; apply to numerous other blocks.

4. GRADER EMPLOYEE – CHARLIE WARREN.
The employee has sought to revert back to \$18.76 per hour with penalties as previously applied prior to conversion to the flat rate of \$25 per hour.
5. CARAVAN PARK TENDER.
Details as received from the Consulting Engineer relative to the tender data to be received in a day or so were presented to Council
6. SALE OF LAND (PIANTO.)
Letter of request form Jim and Debbie Pianto interested in Purchasing two blocks of land form the Shire was presented, where Council asked for a formal submission to be presented to the October meeting after considering the issue of the Main Street development programme.

11 INFORMATION BULLETIN

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

12 NEXT MEETING / MEETING CLOSURE

The next Meeting will be held on Thursday, October 22nd, 2009 in Council Chambers, Menzies, commencing at 9.00am.

There being no further business to discuss, the President declared the meeting closed at: 4.34 pm.

**These minutes were confirmed
as a true and accurate record of proceedings at the
Ordinary Meeting of Council, held Thursday, October 22nd, 2009.**

**Confirmed by the Shire of Menzies,
President Cr Stephen Tonkin** _____

