



MINUTES

ORDINARY COUNCIL MEETING

SHIRE OF MENZIES COUNCIL CHAMBERS

Thursday August 27th 2009
Commencing At 9.29 am

SHIRE OF MENZIES

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SHIRE OF MENZIES



**ORDINARY COUNCIL MEETING
AUGUST 27TH 2009
IN COUNCIL CHAMBERS COMMENCING AT 9-29 AM**

MINUTES

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomed all elected Members, Staff and Visitors and declared the meeting open at 9.29 am.

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

PRESENT:	Cr S. Tonkin	Shire President
	Cr G Stubbs	Deputy President
	Cr K Pusey	Councillor
	Cr J Dwyer	Councillor
	Cr G Dwyer	Councillor
	Cr A Kelly	Councillor
STAFF:	Mr B Seale	Chief Executive Officer
VISITORS:	Mike Brewer	Dep't of Sport and Recreation
	Allan Mc Cooke	Visitor
	Justin Lee	Community Development Officer
APOLOGIES:	<i>Cr I Tucker</i>	<i>Councillor</i>

3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Not Applicable

4 PUBLIC QUESTION TIME

Allan Mc Cooke:

- 1) What was the result of the enquiry with the CEO relative to the possibility of preparing a state-wide Petition to oppose the amalgamation situation?
- 2.) What were the results of the Public consultation reform meeting conducted recently in the Town Hall.?

5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.

- ✓ Cr. Stubbs – Declares an interest in Agenda - Item 9.34.
 - 9.38am Mike Brewer and Justin Lee vacate chambers

6 PETITIONS / DEPUTATIONS / PRESENTATIONS

1.09pm

Arianne Webb delivers a presentation relative to the Goldfields Tourism Marketing Plan.

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Confirmation of the Previous Minutes of Council held July 23rd, 2009 as presented be adopted.

MOVED Cr J Dwyer

SECONDED Cr Kelly

“Carried 6/0”

8 ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION / QUESTIONS ON NOTICE.

8.1 Announcements by the President without Discussion.

- a) The President attended a meeting in Leonora relative to the amalgamation process and where the general mood from the attendees was in opposition to the amalgamation issue and a general support for the GVROC concept.
- b) The President also attended a breakfast with the Minister recently who spoke regarding the Amalgamation issue.
- c) Furthermore, the President attended a meeting in Kalgoorlie with the Northern Goldfields Shires as part of the reform process.
- d) The President also attended a “Non-Meeting” of the Lake Ballard Association (inc.) in Kalgoorlie, though it was informal as a result of a loss of quorum.
- e) The President also participated and assisted the Variety Bash in the Town Hall on Wednesday August 26th 2009.

8.2 Questions on Notice

None

COUNCIL RESOLUTION

ITEM 8.1

MOVED Cr Pusey

SECONDED Cr Kelly

That the Presidents Report as presented be received.

“Carried 6/0”

QUESTIONS ON NOTICE

ITEM 8.2

Nil

Chief Executive Officer

9.1 Financial Statements to July 31st 2009

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	August 27th 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:	August 27th , 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	ITEM 9.2
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MOVED Cr Pusey.....SECONDED Cr Stubbs.....

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

“Carried 6/0”

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:	.....

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: 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 9.3

MOVED Cr

SECONDED Cr

Cheque numbers 6362 to 6497 including direct debits and bank statement transfers totalling \$1,079,251.29 are presented for approval as paid under the delegated power to the C.E.O. and consistent with Council policy as per the submitted lists as well as Receipts totalling \$513,227-88.

“Defer to the September Meeting”

Explanation: The reason for not accepting the officers recommendation is that there was noticed an anomaly in the cheque numbers presented against the payees details shedding doubt on the integrity of the accounting for which a comprehensive test of all entries has been called for.

9.4 CORPORATE PLAN for 2009-2014

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 adopt the corporate plan as presented for the five years 2009-2014

BACKGROUND:

Corporate planning is a fundamental duty of Council and remains a statutory obligation

COMMENT:

CONSULTATION

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

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.4
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MOVED Cr Stubbs SECONDED Cr Pusey

To adopt the Corporate Plan as presented for the five years 2009-2014.

“Carried 6/0”

**9.6 APPLICATION FOR EXPLORATION LICENSE 39/1494
- THE RUBICON RESOURCES LIMITED**

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 approve the application for an exploration license from Rubicon Resources limited number 39/1494 at the location known as “Blue Peter Well.”, as presented

BACKGROUND:

Not applicable

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

N/A

POLICY IMPLICATIONS:

None - Not Applicable

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.6

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the application for an exploration license from ‘Rubicon Resources Limited’ number 39/1494 at the location known as “Blue Peter Well”, in terms of the details as presented

“Carried 6/0”

9.7 LIGHTING ASSISTANCE TO THE TJUNTJUNTJARRA AIR-FIELD

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 provide \$3,000 in assistance to the Tjuntjuntjarra Community to provide lighting to the air-field in terms of the attached data as presented to Council for consideration

BACKGROUND: Not Applicable

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: \$3,000 variation to the 2009/10 budget will be required.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.7
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MOVED Cr Kelly

SECONDED Cr G Dwyer

To provide \$3,000 in assistance to the Tjuntjuntjarra Community to provide lighting to the air-field in terms of the attached data as presented to Council for consideration

“Carried 6/0”

9.8 REQUEST FOR HALL HIRE FEE WAIVER

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 approve of the request for a waiver of the Hall Hire fee applicable to the Menzies Town Hall for August 27th, 2009 in order to conduct a charitable event as planned by the Variety Club of W.A., in terms of the attached data as presented to Council for consideration.

BACKGROUND:

This event was initially intended to be conducted at Niagara, but as the number exceeded 200, it was felt use of the Caravan Park in Menzies was appropriate and the Kookynie Volunteers are contributing to this event with the provision of breakfast on Thursday August 27th, 2009.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: Hall hire fee for a social function would ordinarily be \$80.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.8

MOVED Cr Kelly

SECONDED Cr Stubbs

To approve of the request for a waiver of the Hall Hire fee applicable to the Menzies Town Hall for August 27th, 2009 in order to conduct a charitable event as planned by the Variety Club of W.A., in terms of the attached data as presented to Council for consideration.

“Carried 5/1”

– Cr G Dwyer opposed

9.10 ROAD ACCESS THROUGH RESERVE 24144

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 provide a Statutory Declaration to the Department of Planning and Infrastructure as requested to facilitate conclusion to this protracted issue, in terms of the attached data as presented.

BACKGROUND:

The applicant requested consideration to this matter on 17/5/06 and Council recently approved this facility. Recent advices from the D.P.I. requested consideration to the provision of a Statutory Declaration, which is a standard and routine request. This will be a public road impacting upon the Reserves known as the State Battery and the Shire Common.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

No costs attach to this request and the applicant has agreed to meet the expenses associated therein, in terms of the written advices attached.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.10
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MOVED Cr Kelly

SECONDED Cr Pusey

To provide a Statutory Declaration to the Department of Planning and Infrastructure as requested to facilitate conclusion to this issue of the Local road impacting on Reserves 24144 and 8509, in terms of the attached data as presented.

“Carried 6/0”

-
- ❖ 10.44 am - Council Adjourned
 - ❖ 11.15 am - Council Resumed
-

9.12 ABORIGINAL JUSTICE AGREEMENT

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 approve of the attached Aboriginal Justice Agreement as presented.

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 9.12

MOVED Cr Kelly

SECONDED Cr G Dwyer

To receive the attached Aboriginal Justice Agreement as presented for the Shires of Menzies and Leonora as a plan to assist contribution towards support for aboriginal people in the two Shires.

“Carried 6/0”

9.13 TENDER No 2/10 – RURAL ROAD MAINTENANCE GRADING

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 submissions for the Rural Road Maintenance Grading for the Shire for the year ended June 30th,2010, in terms of the schedule attached and the submissions received.

BACKGROUND:

This is a routine annual event and a copy of the Shire Tender Register is attached.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Council has made budget provision of \$324,618 for this purpose in this financial year.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.13
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MOVED Cr Stubbs

SECONDED Cr Kelly

In consideration of the submissions for the Rural Road Maintenance Grading for the Shire for the year ended June 30th, 2010 presented to Council for deliberation in terms of the schedule attached and the submissions received, to appoint 'Breakaway Earthmoving' for this financial year as proposed at a rate of \$159-50 per hour for the Rural Road Maintenance Grading contract, to be contained to within Budget parameters.

"Carried 6/0"

9.14 TENDER No 1/10 – MOTOR GRADER.
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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 select a motor grader from the list of submission received in terms of tender number 1/10, as advertised for the statutory term, as required. A schedule of Tender submissions is appended as required.

BACKGROUND:

Council recently resolved to focus on Road Maintenance and contract out the Construction component. The result of this is the required appointment of a second Grader Driver and the purchase of a second Grader. Council has appointed Stanley Vincent as the driver given he has the skills for the role.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Council has made budget provision of \$400,000 for the purchase of an additional Grader with the Sale proceeds of \$200,000 being anticipated from the sale of plant and equipment.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.14
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MOVED Cr Kelly

SECONDED Cr G Dwyer

To accept the Tender from the Westrac Equipment organization for the supply of a new Cat 120 M Motor Grader as submitted, In terms of the attached data. In the sum of \$332,084-50 (inclusive of GST.)

“Carried 4/2”

Opposed - Cr’s. J Dwyer, G Dwyer

9.15 DEPOT PERSON – 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 adopt the Position Description Form for the role of Depot Person as presented and proceed with the advertising for the appointment.

BACKGROUND:

This position was approved “ **In Principle only**” recently, subject to the adoption by Council of the required Position Description Form (P.D.F.)

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Wages in the sum of approximately \$35,000 is planned for in the budget for 2009/10

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.15
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MOVED Cr Pusey

SECONDED Cr Kelly

To approve The “Position Description Form” as presented for the newly created position of Depot Person, on the M.E.U. award level four, as proposed, to be advertised promptly.

“Carried 5/1”
Opposed - Cr. G Dwyer

❖ 12.22pm	Council adjourns
❖ 1.09pm	Council reconvenes

-
- ❖ 1.09 pm Arianne Webb attends chambers
 - ❖ 1.09 pm Robyn Mc Carthy attends chambers
 - ❖ 1.09 pm Justin Lee attends chambers
-

-
-  1.15 pm Arianne Webb presents the 'Tourism Marketing Prospectus'
-

-
- ❖ 1.42pm Arianne, Justin and Robyn vacate chambers
 - ❖ 1.42pm Cr Stubbs vacates chambers
-

9.16 SALE of Lot 63 & Lot 61 CUMBERLAND STREET - KOOKYNIE

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 sale of lots 61 and 63 Cumberland Street Kookynie to Wayne and Carolyn Robb, in terms of the attached letter of request for \$3,000 each, as proposed.

BACKGROUND:

These lots were not sold in the recent Vacant Land Sale

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Proceeds from these potentials sales has not been included in the budget

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.16

MOVED Cr Pusey

SECONDED Cr G Dwyer

To approve of the sales of lot 61 & lot 63 Cumberland Street, Kookynie noted as town lots 17 and 653 as depicted on the attached map of the town and coloured orange, for \$3,000 each to Wayne and Carolyn Robb of Port Hedland, in terms of the letter of application as attached and presented to Council.

“Carried 5/0”

9.17 'MEMORANDUM OF UNDERSTANDING' FOR THE "GOLDEN QUEST DISCOVERY TRAIL ASSOCIATION (INC.)"

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 approve of entering into an agreement through a "Memorandum of Understanding" with the Golden Quest Discovery Trail Association (Inc.) for membership of the Association for a term of three years expiring June 30th, 2012

BACKGROUND:

Council is already participating as a member of the association and this M.O.U formalises the arrangement.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Financial commitment of \$10,000 is budgeted for in the 2009/10 year, as required.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.17
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MOVED Cr Pusey SECONDED Cr J Dwyer

To approve of entering into an agreement through a "Memorandum of Understanding" with the Golden Quest Discovery Trail Association (Inc.) for membership of the Association for a term of three years expiring June 30th. 2012 in terms of the attached agreement, as presented.
"Carried 5/0"

➤ 1.46 pm Cr Stubbs returns to chambers

9.18 ROYALTIES FOR REGIONS FUNDING – 2009/10

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 recognize the proposed revenue source in an amendment to the Budget and promote the “**Goldfields Voluntary Regional Organisation of Council**” as the preferred vehicle for the facilitating of these funds for the 2009/10 year in the sum of \$507,521, as proposed in the attached schedule..

BACKGROUND:

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

\$364,893 is already planned as a revenue item in this budget.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.18

MOVED Cr Kelly

SECONDED Cr Pusey

To recognise the proposed revenue source in an amendment to the Budget review of a purpose to be determined by Council, and promote the “**Goldfields Voluntary Regional Organisation of Councils**” as the preferred vehicle for the facilitating of these funds for the 2009/10 year in the sum of \$507,521 as proposed in the attached schedule.

“Carried 6/0”

9.19 AMALGAMATION REQUEST TO MERGE REID STREET LOTS 740, 741, and 742 (RAMONA ALTINIER)

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 approve of the request received from Ramona Altinier to merge lots 740, 741 and 742 Reid Street into one lot.

BACKGROUND:

The ratepayer purchased in the recent vacant land sale a site she thought was one lot of 1,1012 m2, but on settlement found that it was three individual lots. This attracts three rate assessments and three FESA levies (e.t.c.) and prevents construction of a dwelling across the boundaries. Accordingly the amalgamation is indeed a sensible process.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.19
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MOVED Cr Kelly SECONDED Cr Pusey

To approve of the request received from Ramona Altinier to merge lots 740 , 741 and 742 Reid Street into one lot, in terms of the attached application of request.

"Carried 6/0"

9.20 APPLICATION TO CLEAR NATIVE VEGETATION – SARACEN GOLD

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 approve the application received from Saracen Gold Mines Pty Ltd to clear native vegetation, at the Wallbrook project location South West of Edjudina, 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

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.20
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MOVED Cr Kelly

SECONDED Cr Pusey

To approve the application received from Saracen Gold Mines Pty Ltd to clear native vegetation, at the Wallbrook project location South West of Edjudina, in terms of the attached application of request, as presented and attached.

“Carried 6/0”

9.21 STATE PLANNING POLICY 4.1 – STATE INDUSTRIAL BUFFER

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 provide response to the W.A. Planning commission relative to the proposed Policy item 4.1 referring to the “State Industrial Buffer.”, in terms of the attached detail provided to Council for deliberation.

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 9.21
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MOVED Cr Kelly

SECONDED Cr Stubbs

To provide response to the W.A. Planning commission relative to the proposed Policy item 4.1 referring to the “State Industrial Buffer” in terms of the attached detail provided to Council for deliberation and in terms of the advices provided to the Chief Executive Officer during the meeting.

“Carried 6/0”

9.23 SPORTING AND RECREATION BUDGET VARIATION REQUEST.

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 budget variation of \$2,700 as a new cost centre for “Community Support ‘ to enable participation in sporting programmes in Leonora and other locations.

BACKGROUND:

Whilst Council has already adopted the budget for 2009/10, this request to support the Menzies Community was raised in July for Council consideration and is attached as required.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

The variation consists of editing the budget to accommodate the proposed expense of \$2,700 to support Community participation in Leonora and other towns in Sporting activities to be accommodated from budget reductions in the following areas.

- 1. Sports Shed \$2,000
- 2. Movie Nights \$ 200
- 3. Sporting Equipment Programme \$ 500

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.23
--	------------------

MOVED Cr Kelly SECONDED Cr J Dwyer

To approve a budget variation of \$2,700 for Community Support to participate in Sporting and Recreational activities in Leonora and other towns, with reductions in the following areas to accommodate this new cost centre, in terms of the attached data.

- 1. Sports Shed \$2,000.00
- 2. Movie Nights \$ 200.00
- 3. Sporting Equipment Programme \$ 500.00

“Carried 6/0”

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:	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 adopt the enclosed Reform strategy for presentation to the Minister by August 31st, 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.

However, as the Shire component has concluded, there is no reason not to present the submission by August 31st, as planned.

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 "Red Ochre" consultants to prepare this submission.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.24**

MOVED Cr SECONDED Cr

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 August 31st, 2009.

“Defer to the September meeting”

Explanation: The reason for not adopting the Chief Executive Officers recommendation is that the item was presented late and did not permit opportunity for the Councillors to read the document.

9.25 SALE OF LOT 95 COSMOS STREET, KOOKYNIE

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 reconsider the sale of the lot 95 Cosmos Street Kookynie to Marilyn Roe, the owner of the adjacent lot at lot 96 and the subject of an agenda item in the last meeting agenda

BACKGROUND:

Council addressed this issue at the July meeting and declined to approve this sale as the owner of the adjacent lot (Marilyn Roe) and applicant for this lot was in arrears of the Council rates at June 30th, 2009 and the collection was being handled by Councils Mercantile agent.

Regrettably, at the time of the meeting, Council was unaware of the fact that the client had in fact paid the arrears to the Bailiff, who had forwarded to the funds to the Police Department, who in turn forwarded the funds to the mercantile agent, who eventually provided the Shire with the funds during July.

Accordingly, this matter is revisited in case Council now wish to re-consider this matter and the previous data is enclosed to assist as required.

COMMENT:

CONSULTATION

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

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.25
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MOVED Cr Stubbs SECONDED Cr Kelly

To approve the application from Marilyn Roe to purchase lot 95 Cosmos Street Kookynie as presented by the Department for Planning and Infrastructure, in terms of the attached data.

“Carried 6/0”

9.26 WRITE OFF RATE ASSESSMENT – BAD DEBT.

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 write off a bad debt raised against a deceased rate payer where there is no funds available in the estate to meet this rate expenditure.

BACKGROUND:

It appears the deceased (Peter Warren Clark) had four assessments with the outstanding listed as follows:

1. Assessment 6046 \$43.32

There is no current policy authorising the Chief Executive Officer to write off a bad debt without Council approval.

COMMENT:

CONSULTATION

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

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.26**

MOVED Cr Kelly SECONDED Cr Pusey

To approve of the write-off of a bad debt in the name of the deceased rate-payer (Peter Warren Clark) for Assessment 6046 in the sum of \$43.32 and record the details in the Bad Debts register, in terms of the details as attached and presented to Council

"Carried 6/0"

9.27 N.A.I.D.O.C. WEEK CELEBRATIONS

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 involvement in the NAIDOC week celebrations scheduled for October 19th to 24th, in terms of the attached data

BACKGROUND:

Council recently endorsed and supported the concept of participation in the Naidoc week festivities as an annual event to recognise the culture of indigenous people in this community.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Whilst there hasn't been a specific budget provision set aside for this purpose, it is felt that participation is not likely to constitute a significant cost aspect.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.27
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MOVED Cr Dwyer J.

SECONDED Cr Dwyer G.

To approve **"In Principle"** involvement in the NAIDOC week celebrations scheduled for October 19th to 24th, in terms of the attached data, and with participation as advised to the Chief Executive Officer during the meeting.

"Carried 6/0"

9.28 WRITE OFF RATE DEBTOR – IN RECEIVERSHIP - (CENTAUR MINING.)

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 write of a rate debtor in the name of Centaur Mining (In receivership) in the sum of \$311-28 for assessment number 6811, in terms of the attached advises received from the Receivers Managers for Centaur Mining.

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
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MOVED Cr Kelly

SECONDED Cr J Dwyer

To approve the write of a rate debtor in the name of Centaur Mining (in receivership) in the sum of \$311-28 for assessment number 6811, in terms of the attached advises received from the Receivers Managers for Centaur Mining.

“Carried 6/0”

9.29 RANGER POSITION – NEW EMPLOYEE
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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 Position Description Form for the role of Ranger for the Shire of Menzies, in terms of the attached document and to advertise for this role to be filled promptly.

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 the presentation of a “Position Description Form“ for the role

COMMENT:

CONSULTATION

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

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.29
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MOVED Cr Pusey SECONDED Cr Kelly

To approve the Position Description Form for the role of Ranger for the Shire of Menzies, in terms of the attached document and to advertise for this role to be filled promptly.

“Carried 6/0”

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 some suggestions towards improving the Health of the inhabitants in Menzies as promoted by Dr Stokes recently

BACKGROUND:

Statistics indicate that Menzies has the highest rate of birth defects, stillborn, miscarriages and premature deaths in the State and is double the national average. This appears to be nutrition related and linked to folate deficiency, which can be averted or curbed by increasing the intake of fruit and vegetables

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

A minimal cost involvement will contribute significantly to this alarming statistic

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.31
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MOVED Cr Pusey

SECONDED Cr Stubbs

To consider some suggestions towards improving the Health of the inhabitants in Menzies as promoted by Dr Stokes recently, with the provision of:

1. Converting shire flower beds into Gardens for fresh vegetables for free selection of Fruits and vegetables.
2. Running regular market days to sell locally produced jams, preserves and produce.
3. Involve Food Bank.
4. Introduce educational programmes to improve the exercising of the Community.

“Carried 6/0”

9.33 ADVERTISING FOR THE CARAVAN PARK AND TOURIST FACILITIES

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 advertising in the two magazines as presented in the sum of \$1,300 in terms of the details provided and recommended by Robyn Mc McCarthy, as attached.

BACKGROUND:

Council does not presently advertise in these focused magazines and given they draw attention to the caravaners and tourists we are endeavouring to attract, the advertisement is seen as valuable

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

\$1,300 will be required and adequate budget provision under the caravan park operating cost centre is available

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.33**

MOVED Cr Dwyer J

SECONDED Cr Kelly

To approve of the proposed advertising in the two magazines as presented in the sum of \$1,300 in terms of the details provided and recommended by Robyn Mc McCarthy, as attached.

"Carried 6/0"

- 2.36 pm Cr Stubbs declares an interest in item 9.34 and vacates chambers.

9.34 REQUEST FOR SUPPORT – YIWARRA PALYA CAMPS

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 support for the Yiwarra Palya Camps request in the sum of \$1,200, in terms of the letter of request as attached.

BACKGROUND:

Council supported this request in 2008 to the extent of \$1,200

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Council has made budget provision of \$20,000 in the 2009/10 year to assist the provision of Sporting and Recreation Services for the Community as submitted by Carol and Greg Stubbs.

VOTING REQUIREMENTS: Simple Majority required

OFFICER RECOMMENDATION

ITEM 9.34

To support for the Yiwarra Palya Camps request in the sum of \$1,200, for the purpose of assisting in the provision of operating “The Friends Camp” in 2009 in terms of the letter of request as attached, to be funded from the existing budget provision.

MOVED Cr Kelly

SECONDED Cr Dwyer J.

1. To support interested children from the Menzies Shire interested in attending the Friends Camp to the extent of \$80 per head.
2. In the event where the cost does not exceed \$1,200 the difference will be provided as a donation to the Yiwarra Palya Camps.

“Carried 5/0”

Explanation: Council did not accept the Officer’s recommendation because Council wanted to ensure that the children from the Shire were supported.

➤ 2.50 pm Cr Stubbs returned to chambers.

❖ 2.52 pm Council adjourns

❖ 3.06 pm Council resumes

9.35 REPLACEMENT PHOTOCOPIER 2009/10

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 approve of the purchase of a replacement photocopier for the administration centre of the Shire to budget parameters of \$25,000

BACKGROUND:

This item was addressed and approved by Council in April 2009 for inclusion in the 2009/.10 budget deliberations in the sum of \$25,000 without a trade in. Due to the uncertainty of the rate base position a number of Council approved resolutions intended for the Budget were omitted in order to produce a balanced budget document. As the rate base situation is not as seriously parlous as previously anticipated, this new information will now justify revisiting the budget for presentation to Council to re-introduce those items and this is intended to be addressed at the September meeting.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Whilst this item was not specifically budgeted for, this was indeed intended to be so and will be included in the budget review due to be presented to Council in September

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.35

MOVED Cr Pusey

SECONDED Cr G Dwyer

To approve of the purchase of a replacement photocopier for the administration centre of the Shire to budget parameters of \$25,000 as approved in April 2009, with the existing copier being relocated to the Resource centre as a back-up machine.

“Carried 6/0”

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:	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 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.)

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 it is now time to consider how best to re-assess how best to provide these services.

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

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.36**

MOVED Cr Kelly

SECONDED Cr J Dwyer

To approve the proposal from the “Community Development Officer” to embrace the delivery of the services to the Community at Tjuntjuntjarra as part of his mandate of duties as tabled and presented to Council, as attached.

“Carried 6/0”

9.37 MENZIES TEA-ROOMS AND BUTCHER SHOP

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	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 consulting engineers report of the Tea rooms and Butcher shop as presented and to address the quote from a builder for the restoration work as proposed, quoted in the sum of \$538,000

BACKGROUND:

This project has been a long standing project for the Shire for some time and Council is keen to see the project draw to a conclusion. Council has resolved to restore the premises to a state that would ensure it could effectively be utilized for a number of purposes for which the ultimate intention is yet to be determined. Accordingly the restoration is generic only intended to restore the premise to a functional shell only.

**COMMENT:
CONSULTATION**

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

FINANCIAL IMPLICATIONS:
Council has limited funding available in this financial year for this purpose and this does not extend to \$538,000. A less expensive approach to this project may well be to retain the façade and rebuild a new premises at the rear, rather than try to restore the existing shell.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.37
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MOVED Cr Stubbs SECONDED Cr Kelly

To progress the restoration programme for the Tea Rooms and Butcher shop project with the following:

1. Ensure receipt of the Heritage Conservation Plan is received promptly.
2. To examine the possibility of retaining the façade and rebuilding a functional building at the rear with formal advices from the Consulting engineer to be presented to Council.
3. Determine the availability of Grant funding for this purpose, determined by the purpose intended.

“Carried 6/0”

9.38 LIVE PLAY FOR THE MENZIES TOWN HALL – “EDUCATING RITA”

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 live play for the Menzies Community to be conducted in the Town Hall in October/November 2009.

BACKGROUND:

Council has embraced and resolved the concept of conducting four smaller cultural events per annum rather than one larger event.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:
Council has made budget provision of \$25,000 for this purpose.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.38
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MOVED Cr Kelly

SECONDED Cr Pusey

To approve the facility of a live play as presented by the “Stage Left Theatre Group” from Boulder, together with an opportunity of a potential workshop for children and interested local theatre personnel to be restricted to \$5,000 to cover accommodation, travel and meals for this one night event, ideally scheduled for October/November 2009 where the play intended is to be “Educating Rita.”

“Carried 6/0”

9.39 BOOTSCOOTING DANCE TROUPE'

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 engagement of a dance group to conduct training session / workshop for local people and provide a dance display and further tuition in the evening estimated to cost \$2,500

BACKGROUND:

This is a first time event for Menzies and will encourage social interaction with physical activity, entertainment and fun for all ages. There is no fee for the dancers, but the cost is intended to cover bus hire, fuel/ travel, meals (e.t.c.)

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

Council has made budget provision of \$25,000 for cultural events in this financial year.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.39
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MOVED Cr Kelly

SECONDED Cr J Dwyer

To approve of the engagement of the 'Koorda dance troupe' to provide dancing lessons in a "Bootscooting" workshop on a Saturday in September 2009 and provide a display on Saturday evening with costs to be contained to \$2,500 intended to include the costs incurred to travel to Menzies, meals, bus hire and fuel (e.t.c.).

"Carried 6/0"

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:	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 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:

Not applicable

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

OFFICER RECOMMENDATION	ITEM 9.40
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MOVED Cr

SECONDED Cr

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.

“Defer to the September Meeting”

Explanation: The reason for not accepting the officers recommendation was due to the fact the truck is aged and replacement may well be considered.

9.41 SALE OF MERCHANDISE – PRICE ADOPTION

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 adopt the retail price for the sale of merchandise at the Lady Shenton resource centre, in terms of the schedule attached

BACKGROUND:

Only Council can approve the sale of a Shire good, service or product. It has recently come to our notice that a range of products and merchandise is being sold at the resource centre without Council approval.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

Section 6.19 of the Local Government Act 1995 clearly determines if a Local authority wishes to impose a fee or charge after the adoption of the annual budget, it must raise the item for Council approval by “**Absolute Majority**”, advertise the intention to apply fee for the Statutory period of fourteen days to include the date from which it is intended to apply the fee.

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: “**Absolute Majority**” required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.41

MOVED Cr Dwyer G

SECONDED Cr Pusey

To approve the scheduled of proposed fees to apply to the sale of merchandise in terms of the schedule attached, subject to the Statutory advertising of fourteen days as required to include the intention to impose the fee and the date from which the fee is to apply, noting also to advise the Dept of Local Government and the Shire auditor of the actions taken to remedy the breach of the legislation.

“Carried 6/0”

9.42 MAIN STREET DEVELOPMENT PROJECT

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 submission from the “Community Development Officer” as attached, as to how best to progress the “Main Street Upgrade Development “project.

BACKGROUND:

This has been a long standing project for Council and with advices of funding of \$500,000 through the G.E.D.C., the achievement of this project is decidedly possible in the short to medium term.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS:

It is anticipated this project will entail costs of approximately \$1,000,000

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.42
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MOVED Cr Dwyer J SECONDED Cr Pusey

To progress the Main Street upgrade project in terms of advices presented and attached by the Community Development Officer (Justin Lee) in the following fashion :

1. Stage the development plan over three years, to be proposed.
2. Present a budget variation item to Council to the earliest meeting for approval once costs are determined for the 2009/10 year.
3. Upon receipt of confirmed advices from the GEDC as to funding approval, of the \$500,000 arrange for tendering to proceed.

“Carried 6/0”

9.43 PROPOSED SUB-DIVISION OF LOT 200 SHENTON ST. -(ROADHOUSE)

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 submission from the surveyors relative to the proposed sub-divisional project at the roadhouse, in terms of the attached detail.

BACKGROUND:

This item was raised at the last meeting and deferred as the application purpose changed and it was unclear as to what it was that the client really wanted achieved. Thus the item was deferred pending further data.

COMMENT:

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None - Not Applicable

FINANCIAL IMPLICATIONS: Not applicable

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.43
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MOVED Cr J Dwyer

SECONDED Cr Stubbs

To approve a sub-division of the lot 200 in Shenton Street to retain a commercial zoning so that a Town Planning Scheme amendment is not required, in terms of the application as presented to Council for consideration.

“Carried 6/0”

10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Elected Members motions with previous notice.
Not Applicable

10.2 Confidential Business to be held behind closed doors.
None

10.3 Reports of Councillors and Staff

1.) Cr. G Stubbs:
No Comments

2.) Cr. G Pusey:

a) Variety Bash

To donate the proceeds to any charitable cause for the proceeds the Shire raised from this event.

b) Lake Ballard Local Laws

Chief Executive Officer to prepare an item for September to incorporate issues of:

- i. Long term Campers.
- ii. Driving /or damaging the Lake.
- iii. Anti Social behaviour (noting to provide examples from other Shires.)

c) Residents "Cutting Corners of the streets".

Concern is raised with residents driving off the streets and cutting the corners of the roads.CEO is to raise an item for September with a programme for curbing and footpaths.

d) Council Events.

Chief Executive Officer is to raise an Item for the September meeting to consider holding events that are alcohol and drug free

3.) Cr. A Kelly:

a) Interagency Meeting.

This meeting was conducted where Justin Lee was the Chairman

b) Residents Driving off the roads.

The habit of residents driving off the local roads is becoming a concern with the cutting of corners.

c) Friday Night netball/basketball

This programme is planned to commence shortly.

d) Pilot Programme in Leonora

This unrestrained children programme has commenced.

e) Blue Light disco for Menzies

The Leonora Police are planning the disco for Menzies.

f) Great Gardens Team to Visit Menzies

The evaluation team are due to visit Menzies shortly

- 4.) Cr G Dwyer
- a) Yeelirrie Reference Group Committee
Attended this meeting as planned with the BHP Billiton group.
 - b) Events Board – North and South of Town
Chief Executive Officer to prepare an item for September to effect repairs to the boards.
 - c) Mc Grath Homes (CEO's new residence)
CEO to write to Mc Grath Homes as to the seriousness of the cracking.
- 5.) Cr. J Dwyer:
- a) Note of Appreciation
To the Works Manager for his involvement in the Variety Bash event
Send letter of appreciation and certificate to the Roadhouse.
 - b) Eviction of Tenant from the Caravan Park
This unfortunate event has highlighted the need for some actions to avoid this re-occurring - as follows.
 - 1. An Incident Book is to be implemented immediately
 - 2. Ensure locks are applied to the ablution doors urgently.
 - 3. Delineate the bays so as to avoid conflicts.
 - 4. Ensure Rules of Occupancy are issued to Tenants.
 - 5. Process for the removal of Tenants to be in place.
- 6.) Cr. S Tonkin
- a) Chief Executive Officer to arrange tender required for the road grading at Tjuntjuntjarra
 - b) M.O.U. for Tjuntjuntjarra to be presented to Council
- 7) Mr. B W Seale (CEO)
- a) The Governors Visit – Thursday, September 24th.
A reminder that this visit is scheduled for September 24th 2009, where the Council is planned to provide a morning tea for the entourage at 10 am and luncheon at Lake Ballard for 12 noon.
 - b) Defer the September meeting to Friday September 25th, 2009
In view of the Governor's Visit, it is suggested the September meeting be deferred to Friday September 25th 2009.

MOVED: Cr J Dwyer

SECONDED: Cr Kelly

“Defer September meeting to Friday September 25th 2009 in view of the Governors' visit to Menzies on Thursday, September 24th 2009”

“Carried 6/0”

- c) Nex Metals Explorations Limited
Recent visit from the Directors confirm they intend to commence mining activities by December at Kookynie
- d) Council Position
On G.M.O. where this will be raised next meeting.
- e) Exploration License for - Cliffs Asia Pacific Iron Ore Pty Ltd.
Request for an exploration License was received on Thursday

MOVED: Cr Kelly

SECONDED: Cr Pusey

“To approve of the exploration License no 77/1693, as presented”

“Carried 6/0”

- f) Encouragement to reduce the numbers of Councillors.
This aspect whilst has already been considered by Council in the Wards boundary review, was raised as a significant point by the Consultants preparing the Reform strategy for Council to consider.
- g) Tourism Marketing Prospectus.
This item was a presentation by Arianne Webb and is required to be presented to the September meeting for assessment.

➤ 5.21pm Cr Stubbs Vacates Chambers

➤ 5.24pm Cr Stubbs Returns to Chambers

CARAVAN PARK UPGRADE PROJECT

Recommendation:

1. To approve the road network in terms of where the gate is installed.
2. Retain the existing ablutions as previously approved by Council
3. Make budget provision of \$600,000 for the 2009/10 financial year to be accommodated form the revision of the carry forward position adjustment. (Where the budget revision will be the subject of a comprehensive agenda item to be prepared for the September meeting.
4. To proceed with the tender arrangements for the provision of Power, Water and sewerage services upon receipt of advices of specifications from the Consulting Engineers.

MOVED: Cr G Dwyer

SECONDED: Cr. J Dwyer

“Carried 6/0”

11 INFORMATION BULLETIN

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

**12 CLOSURE
NEXT MEETING / MEETING CLOSURE**

The next Meeting will be held on Friday, September 25th, 2009 in Council Chambers, Menzies, commencing at 9.00am.

There being no further business to discuss, the President declared the meeting closed at: 6.10 pm.

These minutes were confirmed
as a true and accurate record of proceedings at the
Ordinary Meeting of Council, held Friday September 25th, 2009.

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

