



SHIRE OF MENZIES

Agenda

NOTICE OF MEETING

An Ordinary Meeting of the Council will be held in the Council Chambers, 124 Shenton Street, Menzies on Thursday, 15 October 2026 commencing at 1pm.

Anita Nathan (Anitha Varadaraj)
Chief Executive Officer

DISCLAIMER

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DISCLOSURES OF INTEREST

A member who has an Impartiality, Proximity or Financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice, given to the Chief Executive Officer, prior to the meeting, or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to a Proximity or Financial interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

RECORDING OF MEETINGS

- All Council Meetings are digitally recorded, for audio only, except for Confidential Agenda Items (in accordance with Section 5.23(2) of the Local Government Act 1995) during which time recording ceases.
- Following publication and distribution of the meeting minutes to Council Members the digital audio recording will be available on the Shire's website.

Defamation – cl 14K Local Government (Administration) Regulations 1996

- (1) A local government is not liable to an action for defamation in relation to any of the following done by the local government as required or authorised under this Part —
- (a) publicly broadcasting a meeting;
 - (b) making a recording of a meeting;
 - (c) making a recording of a meeting publicly available;
 - (d) retaining a recording of a meeting or a copy of a recording;
 - (e) providing a copy of a recording of a meeting to the Departmental CEO.

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1 DECLARATION OF OPENING

The Shire President, as Presiding Member, declared the meeting open at ____pm.

2 ANNOUNCEMENT OF VISITORS

3 RECORD OF ATTENDANCE

Councillors: Cr P Warner, Shire President
 Cr S Sudhir, Deputy Shire President
 Cr I Baird
 Cr K Tucker
 Cr J Dwyer
 Cr S Wessely
 Cr A Tucker

Staff: Ms A Nathan (Varadaraj), Chief Executive Officer
 Ms T Tran, Acting Deputy Chief Executive Officer
 Mr G Marland, Works Manager
 Ms M Yulo-Uy, Executive Officer (Minutes)

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

6 APPLICATIONS FOR LEAVE OF ABSENCE

Cr S Wessely – from 19 July 2026 to 19 October 2026 (Previously approved, pursuant to Council Resolution 091/26)

7 DISCLOSURES OF INTEREST

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

9 CONFIRMATION/RECEIVAL OF MINUTES

9.1 Confirmation of Minutes – Ordinary Meeting

(Provided under Separate Cover)

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 15 September 2026 be confirmed as a true and correct record.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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9.2 Confirmation of Minutes – Special Council Meeting

(Provided under Separate Cover)

OFFICER RECOMMENDATION

That the Minutes of the Special Council Meeting held on 30 September 2026 be confirmed as a true and correct record.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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10 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

11 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION

To be tabled

12 REPORTS OF COMMITTEES

Nil

13 REPORTS OF OFFICERS

13.1 Finance Reports

13.1.1	List of Payments - September 2026
LOCATION	Not Applicable
APPLICANT	Internal
DOCUMENT REF	Not Applicable
DATE OF REPORT	06 October 2026
AUTHOR	Finance Officer, Sam Mazza
RESPONSIBLE OFFICER	Acting Deputy CEO, Tien Tran
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	1. List of Payments - September 2026 [13.1.1.1 - 10 pages]

SUMMARY:

To receive the list of payments made for the month of September 2026.

BACKGROUND:

Payments have been made by electronic funds transfer (EFT), direct transfer from the Shire Municipal Bank account, and duly authorised as required by Council Policy. These payments have been made under delegated authority by the Chief Executive Officer and are reported to the Council.

COMMENT:

The EFT, Direct Debit, Credit Card and Payroll payments that have been made for the month of September 2026 are attached.

CONSULTATION:

Nil

STATUTORY AUTHORITY:

Regulation 13 of the Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS:

Policy 4.7 – Creditors Preparation for Payment.

FINANCIAL IMPLICATIONS:

A total of \$696,187.26 has been withdrawn from the Municipal Bank Account.

RISK ASSESSMENT:

The Shire may incur reputational damage if financial obligations are not met.

STRATEGIC IMPLICATIONS:

The Shire's Council Plan 2025 - 2035 outlines the following Outcome, Strategy and Activity:

8. An efficient and effective organisation.

8.1 Maintain a high level of corporate governance, responsibility and accountability.

8.1.2 Demonstrate sound financial planning and management, seeking a high level of legislative compliance and effective internal controls.

Accordingly, the officer's recommendation aligns with the Shire's Council Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the list of payments for the month of September 2026 totalling \$696,187.26 being:

1. Electronic Funds Transfer from EFT11585 to EFT11662, payments from Municipal Fund totalling \$436,132.88
2. Direct Debit payments from the Municipal Fund totalling \$63,275.01
3. Payroll payments from the Municipal Fund totalling \$176,126.20
4. Credit Card payments for the Statement Month of April 2026 from the Municipal Fund totalling \$19,376.67
5. Fuel Card payments from the Municipal Fund totalling \$1,071.83
6. Cabcharge payment from the Municipal Fund totalling \$204.67

be received.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.1.2	Finance Report - September 2026
LOCATION	Not Applicable
APPLICANT	Internal
DOCUMENT REF	Not Applicable
DATE OF REPORT	06 October 2026
AUTHOR	Acting Deputy CEO, Tien Tran
RESPONSIBLE OFFICER	Chief Executive Officer, Anitha Varadaraj
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	1. Statement of Financial Activity - September 2026 [13.1.2.1 - 26 pages] 2. Financial Information Statement - September 2026 [13.1.2.2 - 9 pages]

SUMMARY:

To receive the Statement of Financial Activity for the period ended 30 September 2026.

BACKGROUND:

Regulation 34 of the Local Government (Financial Management) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the revenue and expenditure, including:

- a. The annual budget estimates;
- b. Budget estimates to the end of the month;
- c. The actual amounts of expenditure, revenue, income to the end of the relevant month;
- d. Material variances between the comparable amounts between budget estimates to the end of the month and the year to date amount of expenditure, revenue and income to the end of the relevant month;
- e. Net current assets.

Regulation 35 of the Regulations requires a local government to prepare each month a statement of financial position of the local government as at the last day of the previous month and the last day of the previous financial year.

COMMENT:

This report contains the annual budget, actual amounts of expenditure and income to the end of the month. It shows the material variances between the budget and actual amounts where they are not associated with timing differences for the purpose of keeping the Council informed of the current financial position.

CONSULTATION:

No external consultation occurred during the preparation of this report

STATUTORY AUTHORITY:

Local Government (Financial Management) Regulations (1996):
Regulation 34 requires the local government to prepare and provide a statement of financial activity as of the end of the relevant month.

Regulation 35 requires the local government to prepare and provide a statement of financial position as of the end of the relevant month.

POLICY IMPLICATIONS:

There is no policy related to the subject matter.

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

RISK ASSESSMENT:

Applying the Council's Risk Management matrix, should the statutory process required not be followed there is a minor risk of reputational damage. As it is unlikely that the Council would ignore the statutory process there is a low overall consequence. However, should the officer's recommendation not be applied, the Council will be in contravention of Regulation 34 of the Regulations.

STRATEGIC IMPLICATIONS:

The Shire's Council Plan 2025-2035 outlines the following Outcome, Strategy and Activity:

- 8. An efficient and effective organisation.
- 8.1 Maintain a high level of corporate governance, responsibility and accountability.

Accordingly, the officer's recommendation aligns with the Shire's Council Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the Statement of Financial Activity for the period ending 30 September 2026, as attached, be received.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.2 Administration Reports

13.2.1	2026 Community Christmas Party	
LOCATION	Not Applicable	
APPLICANT	Internal	
DOCUMENT REF	Not Applicable	
DATE OF REPORT	06 October 2026	
AUTHOR	Acting Deputy CEO, Tien Tran	
RESPONSIBLE OFFICER	Chief Executive Officer, Anitha Varadaraj	
OFFICER DISCLOSURE OF INTEREST	Nil	
ATTACHMENT	Nil	

SUMMARY:

To confirm the date, time and location for the 2026 Community Christmas Party.

BACKGROUND:

The Shire of Menzies traditionally hosts an annual Community Christmas Party in December. The event provides an opportunity for residents, visitors, Councillors and staff to come together and celebrate the festive season. Complimentary food and drinks are provided at the event.

COMMENT:

The event is open to all community members of the Shire of Menzies.

It is proposed that the 2026 Community Christmas Party be held on Thursday, 17 December 2026 at the Ngaliaku Recreation Centre, Menzies, from 5.00pm to 8.00pm.

Following Council endorsement of the event, the Shire will advertise for catering submissions and assess quotations in accordance with its procurement requirements.

CONSULTATION:

No consultation was undertaken in the preparation of this report.

STATUTORY AUTHORITY:

There are no specific statutory implications associated with this report.

POLICY IMPLICATIONS:

Council Facilities – Alcohol Consumption

FINANCIAL IMPLICATIONS:

Costs associated with the Community Christmas Party will be accommodated within the adopted 2026/27 Annual Budget.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Injury or illness to attendees during the event.	Low	Ensure compliance with Work Health and Safety requirements, Food Safety Standards and responsible alcohol service practices.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025-2035 outlines the following Outcomes and Strategies:

1. An engaged and inclusive community.
 - 1.1. Facilitate, encourage and support community volunteers, groups, events and initiatives.
 - 1.2 Welcoming to all residents, strengthen community cohesiveness and participation.
7. A strategically focused Council, leading our community.
 - 7.3 Encourage and support community engagement and collaboration.
8. An efficient and effective organisation.
 - 8.2 Provide appropriate services to the community in a professional and efficient manner.

Accordingly, the officer's recommendation aligns with the Shire of Menzies Council Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the following date, time and location for the Shire of Menzies 2026 Community Christmas Party:

Date: Thursday, 17 December 2026
Time: 5.00pm to 8.00pm
Location: Ngalipaku Recreation Centre, Menzies

be endorsed.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.2.2	2026 Christmas Closure
LOCATION	Not Applicable
APPLICANT	Internal
DOCUMENT REF	Not Applicable
DATE OF REPORT	22 September 2026
AUTHOR	Acting Deputy CEO, Tien Tran
RESPONSIBLE OFFICER	Chief Executive Officer, Anitha Varadaraj
OFFICER DISCLOSURE OF INTEREST	
ATTACHMENT	Nil

SUMMARY:

To recommend the closure arrangements for the Administration Office, Works Depot and Community Resources Centre for the 2026 Christmas and New Year period.

BACKGROUND:

The Shire generally closes the Administration Office, Works Depot and Community Resource Centre during the Christmas/New Year period, as demand for Shire services is typically reduced, with minimal public visitation and telephone enquiries.

COMMENT:

Demand for Shire services generally reduces over the Christmas period as residents leave the district for holidays and employees take annual leave.

This year, Christmas Day falls on Friday, 25 December. It is recommended that the Administration Office and Works depot be closed from 5pm Friday, 18 December 2026, to 5pm Friday, 01 January 2027.

Essential services, including minor maintenance, watering, rubbish collection and cleaning of public facilities, will continue during the closure period, with Works employees rostered as required.

It is proposed that the Community Resource Centre operate from 9.00am to 12.00pm on the nominated days during the closure period. Staff members will be rostered to manage bookings and provide required support. These limited operating hours will ensure compliance with the service agreements with Australia Post and the Department of Primary Industries and Regional Development (DPIRD).

The operating hours for the Community Resource Centre are as follows:

• Monday 21 December 2026	- Open 9.00am to 12.00pm
• Tuesday 22 December 2026	- Open 9.00am to 12.00pm
• Wednesday 23 December 2026	- Open 9.00am to 12.00pm
• Thursday 24 December 2026	- Open 9.00am to 12.00pm
• Friday 25 December 2026	- Christmas Day Public Holiday (Closed)
• Monday 28 December 2026	- Boxing Day Holiday Observed (Closed)
• Tuesday 29 December 2026	- Open 9.00am to 12.00pm
• Wednesday 30 December 2026	- Open 9.00am to 12.00pm
• Thursday 31 December 2026	- Open 9.00am to 12.00pm
• Friday 01 January 2027	- New Year Public Holiday (Closed)

General rubbish collection for Menzies and Kookynie is scheduled for Monday, 21 December 2026, Wednesday, 23 December 2026 and Tuesday, 29 December 2026.

CONSULTATION:

No external consultation has occurred in the preparation of this report.

STATUTORY AUTHORITY:

There are no statutory implications for this report.

POLICY IMPLICATIONS:

No Council policy relates to the subject matter.

FINANCIAL IMPLICATIONS:

Any employee costs associated with maintaining essential services and operating the Community Resource Centre during the Christmas/New Year period will be accommodated within the adopted 2026/27 Annual Budget.

RISK ASSESSMENT:

Low.

The closure of Shire facilities may result in reduced access to services during the Christmas/New Year period. This risk is mitigated through limited operating hours at the

Community Resource Centre and the rostering of employees to maintain essential services.

STRATEGIC IMPLICATIONS:

The Shire's Strategic Community Plan 2025 - 2035 outlines the following Outcome and Strategy:

8. An efficient and effective organisation.

8.2 Provide appropriate services to the community in a professional and efficient manner.

Accordingly, the officer's recommendation aligns with the Shire of Menzies Council Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That:

1. The Shire Administration Office and Works Depot be closed from 5.00pm Friday, 18 December 2026, reopening on Monday, 4 January 2027.
2. The Community Resource Centre operate limited hours from 9.00am to 12.00pm on the dates outlined above over the closure period; and
3. General rubbish collection for Menzies and Kookynie be scheduled for Monday, 21 December 2026, Wednesday, 23 December 2026 and Tuesday, 29 December 2026.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.2.3	Community Bus - Menzies and Kookynie
LOCATION	Menzies and Kookynie
APPLICANT	Suellen Howlett
DOCUMENT REF	I261064
DATE OF REPORT	7 October 2026
AUTHOR	Works Manager, Garth Marland
RESPONSIBLE OFFICER	Chief Executive Officer, Anitha Varadaraj
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	1. Request Letter - S Howlett [13.2.3.1 - 1 page]

SUMMARY:

To consider a request to extend the Thursday community bus service to Kookynie, on a trial basis, so that Kookynie residents can travel to Kalgoorlie-Boulder and return each Thursday.

BACKGROUND:

In October 2023, the Council resolved to provide a free community bus run from Menzies to Kalgoorlie-Boulder once per week, using the Shire's Toyota 12-seater bus. The service runs every Thursday with volunteer drivers.

The route includes stops in Kalgoorlie-Boulder at major supermarkets, the CBD, Kalgoorlie Health Campus, health services and other government-service organisations. On 4 October 2026, Ms Suellen Howlett wrote to the Shire on behalf of an elderly relative who lives in Kookynie, asking that the bus service be extended into Kookynie so that ratepayers there can use it. The applicant advises that:

- the population in Kookynie is ageing;
- the drive to Menzies is high risk, and many residents will no longer be able to drive but do not yet want to leave their homes; and
- My Aged Care options have been reviewed and are not currently supported in the area.

COMMENT:

The existing Thursday service has run successfully and is used by several members of the public each week.

The applicant has asked for a monthly extension. As the service runs every Thursday, it is proposed that a Kookynie pick-up and drop-off be added to the weekly run.

Each Thursday the bus would travel four legs:

Leg	Route	Approx. distance
1	Menzies to Kookynie to collect passengers, return to Menzies	136 km
2	Menzies to Kalgoorlie-Boulder	130 km
3	Kalgoorlie-Boulder to Menzies	130 km
4	Menzies to Kookynie to drop passengers, return to Menzies	136 km
Total		532 km

The current Thursday run is about 260 kilometres. Adding Kookynie roughly doubles the driving each week and adds an early start and a late finish. Operationally:

- a volunteer driver would need to drive from Menzies to Kookynie early on Thursday morning and return to Menzies in time to drive to Kalgoorlie-Boulder;
- the departure time from Menzies to Kalgoorlie-Boulder would most probably need to change to around 9.00am;
- on return in the afternoon, the driver would need to take the bus to Kookynie and return to Menzies, probably after the Shire Office has closed, so a safe place would need to be selected for key return; and
- the bus is often required early on Friday morning, so refuelling would need to be carried out by staff early on Friday morning.

Volunteer drivers are workers under the *Work Health and Safety Act 2020*. The Shire owes them, and the passengers they carry, a duty to ensure health and safety so far as is reasonably practicable. A 532 kilometre day is too long for one unpaid driver without controls. It is proposed that:

- the driving be shared between two volunteer drivers, or the Kookynie legs be driven by a different driver from the Kalgoorlie-Boulder legs;
- each driver's licence be verified and each driver be inducted before driving;
- the service operate during daylight hours only;
- a first aid kit and an emergency communication device (satellite phone or UHF radio) be carried; and
- passenger numbers not exceed the seating capacity of the bus, with seatbelts worn.

Advice was sought from Local Government Insurance Services (LGIS), the Shire's insurance provider, on the use of the community bus. The advice, dated 8 October 2026, is provided as a confidential attachment to item 13.2.4 and applies equally to this service. In summary:

- cover under the Shire's motor fleet policy remains in place where the bus is operated by Shire employees;
- the policy excludes liability cover where the vehicle is let out on hire and not operated by the Shire or one of its employees (a "dry hire"). A volunteer driver is

not a Shire employee, whether appointed by the Shire or not, so the service is likely to fall within this exclusion. LGIS advised that the operator may obtain their own insurance to cover these gaps, and that the Shire may request a certificate of currency before allowing use of the vehicle;

- the policy excludes cover where the vehicle carries more passengers than it was constructed, registered or licensed for;
- the policy requires the Shire to take all reasonable care for the safety of the vehicle and the carriage of passengers, and cover may be declined where a known danger is disregarded; and
- some cover for personal injury to passengers should be available under compulsory third party insurance through the vehicle's registration.

The same position applies to the existing Thursday run to Kalgoorlie-Boulder, which has operated with volunteer drivers since October 2023.

LGIS has also asked the Shire to consider risk controls, including ensuring the driver is appropriately licensed, passengers remain safely seated during transit and the driver does not consume alcohol. These controls have been included in the officer's recommendation.

The applicant advises that My Aged Care options are not currently supported in Kookynie. The request was also sent to a second organisation, and the outcome of that approach is not yet known. The trial period allows the Shire to test demand and to confirm that the service does not duplicate a service offered by another provider.

The existing Thursday service operates without a passenger fee. It is recommended that the extension also operate without a fee during the trial period.

Having regard to the above, the options available to the Council are:

1. **Approve the extension with volunteer drivers, subject to conditions.** This meets the request. However, the Shire's motor fleet policy is unlikely to provide liability cover in these circumstances. The volunteers would need to hold their own insurance, including public liability, covering the operation of the bus and the carriage of passengers, and provide a certificate of currency to the Shire. Insurance of this nature may be difficult or costly for a private individual to obtain.
2. **Approve the extension with a Shire employee driving.** This is the option under which cover clearly remains in place. An employee would be away from normal duties for a full day each week, and the length of the extended day is likely to give rise to overtime and fatigue management obligations. Given the size of the Shire's workforce, a weekly commitment of this nature would need to be considered against existing operational demands.
3. **Defer consideration** pending consultation with Kookynie residents and the volunteer drivers, or further advice from LGIS or other parties.
4. **Not approve the request.**

CONSULTATION:

Local Government Insurance Services (LGIS), the Shire's insurance provider. Advice provided as a confidential attachment to item 13.2.4.

Kookynie residents and the current volunteer drivers have not yet been consulted. The officer's recommendation requires both before the extended service commences.

STATUTORY AUTHORITY:

Local Government Act 1995

- Section 3.1 provides for the general function of a local government to provide for the good government of persons in its district.
- Section 3.18(3) requires a local government to satisfy itself that the services it provides do not inappropriately duplicate services provided by others and are managed efficiently and effectively.

Work Health and Safety Act 2020

- Section 7 includes a volunteer in the meaning of worker.
- Section 19 sets the primary duty of care owed to workers and to other persons, including passengers.

Volunteers and Food and Other Donors (Protection from Liability) Act 2002

- Section 7 provides that a community organisation, which includes a local government, incurs the civil liability its volunteer would otherwise incur when doing community work it organises.

POLICY IMPLICATIONS:

Policy 9.5 Bus Hire

FINANCIAL IMPLICATIONS:

The 2026/2027 Budget provides \$24,108 for the community bus (account 2130855). Expenditure to 30 September 2026 was \$1,797.

The extension adds 272 kilometres to the run each Thursday, or about 1,180 kilometres a month. The additional operating costs (fuel and vehicle wear) are expected to be accommodated within the existing allocation.

Should the Council determine that the service be operated by a Shire employee rather than a volunteer, additional costs would be incurred in the form of overtime. These costs are not provided for in the 2026/2027 Budget.

If the Shire's motor fleet policy does not respond to a claim arising from the service, the Shire may be liable for the cost of that claim.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Driver fatigue over a 532 kilometre day each week leading to a crash	Medium	Driving shared between two volunteer drivers, or separate drivers for the Kookynie and Kalgoorlie-Boulder legs; rest breaks scheduled
Collision with wildlife or stock at dawn or dusk	Medium	Service operates in daylight hours only; Kookynie legs cancelled if they cannot be completed in daylight
Volunteer driver not covered under the Shire's motor fleet policy, or not appropriately licensed	Medium	Volunteer driver to hold their own insurance, including public liability, and provide a certificate of currency before driving; confirm driver licence class
Medical emergency or injury involving an elderly passenger on a remote road	Medium	First aid kit and emergency communication device carried on the bus; at least one volunteer on each trip holding a current first aid certificate
Too few volunteer drivers to share the driving every Thursday	Medium	Recruit additional volunteer drivers; where drivers are short, cancel the Kookynie legs, notify booked passengers and run the Menzies service as normal
Passenger fall or injury when boarding or leaving the bus	Low	Driver assists passengers; all passengers to remain seated with seatbelts fastened during transit
Bus carrying more passengers than its seating capacity, voiding insurance cover	Low	Bookings taken in advance; passenger numbers limited to the bus's seating capacity
Low demand making the extension an inefficient use of resources	Low	Bookings recorded and usage reported to the February 2027 review

STRATEGIC IMPLICATIONS:

The Shire's Council Plan 2025-2035 outlines the following Outcomes and Strategies:

1. An engaged and inclusive community.

1.2 Welcoming to all residents, strengthen community cohesiveness and participation.

8. An efficient and effective organisation.

8.2 Provide appropriate services to the community in a professional and efficient manner.

Accordingly, the officer's recommendation aligns with the Shire's Council Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That:

1. The Thursday community bus service be extended to Kookynie each Thursday, free of charge and on a trial basis, with the extended service not to commence until the Chief Executive Officer is satisfied that:
 - a. a risk assessment for the extended route has been completed and the current volunteer drivers have been consulted; and
 - b. Kookynie residents have been consulted and there is demand for the service.
2. The extended service operate subject to the following conditions:
 - a. each volunteer driver holding current insurance, including public liability, that covers the operation of the bus and the carriage of passengers, and providing a certificate of currency to the Shire before driving;
 - b. each volunteer driver being registered with the Shire, holding the appropriate driver's licence class and being inducted before driving;
 - c. the driving being shared between two volunteer drivers, or the Kookynie legs being driven by a different driver from the Kalgoorlie-Boulder legs;
 - d. the service operating during daylight hours only;
 - e. passengers booking in advance, the number of passengers not exceeding the seating capacity of the bus, and all passengers remaining seated with seatbelts fastened during transit;
 - f. a first aid kit and emergency communication device (satellite phone or UHF radio) being carried on the bus, and at least one volunteer on each trip holding a current first aid certificate;
 - g. a safe and secure site being available for the return of keys; and
 - h. the Kookynie legs being cancelled where no volunteer driver is available.
3. The Chief Executive Officer be authorised to set departure times, and to suspend the extended service at any time should any of the above conditions not be met or a safety concern arise.
4. The extended service be reviewed at the February 2027 Ordinary Meeting of Council.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.2.4	Community Bus – Friday Evening Service to Kookynie
LOCATION	Not Applicable
APPLICANT	Mr Roy Parfitt
DOCUMENT REF	IE20098
DATE OF REPORT	8 October 2026
AUTHOR	Executive Officer, Maureen Yulo-Uy
RESPONSIBLE OFFICER	Chief Executive Officer, Anitha Varadaraj
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	1. Request Letter - R Parfitt [13.2.4.1 - 1 page] 2. CONFIDENTIAL - Advice from LGIS [13.2.4.2 - 4 pages]

SUMMARY:

To consider the use of the Shire community bus to provide a weekly Friday evening transport service, on a trial basis, between Menzies and the Grand Hotel, Kookynie.

BACKGROUND:

Until its recent closure, the Menzies Hotel hosted a weekly Friday evening gathering that was well supported by the community. The event provided an inclusive and welcoming social environment open to all members of the community.

Since the closure of the Menzies Hotel, this weekly event has ceased, and there is currently no venue in Menzies offering a similar opportunity for residents to meet socially.

The Shire currently operates a free community bus service to Kalgoorlie-Boulder every Thursday for shopping and appointments, with volunteer drivers, using the Shire's Toyota 12-seater bus.

A request has been received from Mr Roy Parfitt seeking permission to use the community bus each Friday evening to transport residents from Menzies to the Grand Hotel, Kookynie.

COMMENT:

The applicant proposes the following arrangements:

- the bus departs Menzies at 5.00pm;
- the bus remains at Kookynie until close of trading at 8.00pm;
- the bus is returned to Menzies by 9.00pm; and
- the return journey is approximately 136 kilometres.

Mr Parfitt has advised that he has spoken with the licensee of the Grand Hotel, Kookynie, who supports the request.

The driver would be a volunteer. Mr Parfitt has offered to drive the bus until his departure from Menzies at the end of November 2026. Additional volunteer drivers will need to be identified for the service to continue beyond that date.

The service would also provide a safe transport option for residents attending the hotel, reducing the likelihood of residents driving after consuming alcohol.

Volunteer drivers are workers under the *Work Health and Safety Act 2020*. The Shire owes them, and the passengers they carry, a duty to ensure health and safety so far as is reasonably practicable. The return leg from Kookynie would be driven after dark, with passengers who have been drinking. It is proposed that:

- each driver's licence be verified before driving;
- a second volunteer holding a current first aid certificate accompany the driver on each trip, with neither consuming alcohol before or during the trip;
- a first aid kit and an emergency communication device (satellite phone or UHF radio) be carried;
- no alcohol be consumed or carried on the bus, and the driver have authority to refuse carriage; and
- passenger numbers not exceed the seating capacity of the bus, with seatbelts worn.

Advice was sought from Local Government Insurance Services (LGIS), the Shire's insurance provider. The advice, dated 8 October 2026, is provided as a confidential attachment. In summary:

- cover under the Shire's motor fleet policy remains in place where the bus is operated by Shire employees;
- the policy excludes liability cover where the vehicle is let out on hire and not operated by the Shire or one of its employees (a "dry hire"). A volunteer driver is not a Shire employee, whether appointed by the Shire or not, so the service is likely to fall within this exclusion. LGIS advised that the operator may obtain their own insurance to cover these gaps, and that the Shire may request a certificate of currency before allowing use of the vehicle;
- the policy excludes cover where the vehicle carries more passengers than it was constructed, registered or licensed for;
- the policy requires the Shire to take all reasonable care for the safety of the vehicle and the carriage of passengers, and cover may be declined where a known danger is disregarded; and
- some cover for personal injury to passengers should be available under compulsory third party insurance through the vehicle's registration.

The same position applies to the Thursday community bus service, which is the subject of item 13.2.3.

LGIS has also asked the Shire to consider risk controls, including ensuring the driver is appropriately licensed, passengers remain safely seated during transit and the driver

does not consume alcohol. These controls have been included in the officer's recommendation.

The applicant has suggested a fee of \$5.00 per passenger to assist with costs. As the existing Thursday community bus service operates without a passenger fee, it is recommended that this service also operate without a fee during the trial period. Whether a passenger fee should be introduced can be considered as part of the review of the service.

It is recommended that the service operate on a trial basis and be reviewed at the December 2026 Ordinary Meeting of the Council.

Having regard to the above, the options available to the Council are:

1. **Approve the service with a volunteer driver, subject to conditions.** This meets the request as made. However, the Shire's motor fleet policy is unlikely to provide liability cover in these circumstances. The volunteers would need to hold their own insurance, including public liability, covering the operation of the bus and the carriage of passengers, and provide a certificate of currency to the Shire. Insurance of this nature may be difficult or costly for a private individual to obtain.
2. **Approve the service with a Shire employee driving.** This is the option under which cover clearly remains in place. The service would operate outside ordinary working hours, giving rise to overtime or penalty rates on a weekly basis, fatigue management obligations following a full working day, and work health and safety duties to the employee in relation to the management of intoxicated passengers. Given the size of the Shire's workforce, a weekly commitment of this nature would also need to be considered against existing operational demands.
3. **Defer consideration** pending further advice from LGIS, the Department of Transport or other parties.
4. **Not approve the request.**

CONSULTATION:

Local Government Insurance Services (LGIS), the Shire's insurance provider. Advice provided as a confidential attachment.

The applicant advises that the licensee of the Grand Hotel, Kookynie, supports the request.

STATUTORY AUTHORITY:

Local Government Act 1995

- Section 3.1 provides for the general function of a local government to provide for the good government of persons in its district.

Work Health and Safety Act 2020

- Section 7 includes a volunteer in the meaning of worker.
- Section 19 sets the primary duty of care owed to workers and to other persons, including passengers.

Volunteers and Food and Other Donors (Protection from Liability) Act 2002

- Section 7 provides that a community organisation, which includes a local government, incurs the civil liability its volunteer would otherwise incur when doing community work it organises.

POLICY IMPLICATIONS:

Policy 9.5 Bus Hire

FINANCIAL IMPLICATIONS:

The 2026/2027 Budget provides \$24,108 for the community bus (account 2130855). Expenditure to 30 September 2026 was \$1,797.

The service adds a 136 kilometre return trip each Friday, or about 590 kilometres a month. The additional operating costs (fuel and vehicle wear) are expected to be accommodated within the existing allocation.

Should the Council determine that the service be operated by a Shire employee rather than a volunteer, additional costs would be incurred in the form of overtime or penalty rates for work performed outside ordinary working hours. These costs are not provided for in the 2026/2027 Budget.

If the Shire's motor fleet policy does not respond to a claim arising from the service, the Shire may be liable for the cost of that claim.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Collision with wildlife or stock while driving after dark on the return journey	Medium	Experienced volunteer driver only; driver to adhere to reduced speeds after dark
Unruly or intoxicated passenger behaviour on the bus	Medium	No alcohol to be consumed on the bus; driver authorised to refuse carriage
Volunteer driver not covered under the Shire's motor fleet policy, or not appropriately licensed	Medium	Volunteer driver to hold their own insurance, including public liability, and provide a certificate of currency before the service commences; confirm driver licence class

Risk Statement	Level of Risk	Risk Mitigation Strategy
Medical emergency or injury involving an intoxicated passenger during transport	Medium	A second volunteer holding a current first aid certificate to accompany each trip, with both volunteers to remain alcohol free; first aid kit and emergency communication device to be carried on the bus
Service unable to continue after the applicant departs at the end of November 2026	Medium	Recruit additional volunteer drivers before the end of November; suspend the service if no driver is available
Bus carrying more passengers than its seating capacity, voiding insurance cover	Low	Passenger numbers limited to the bus's seating capacity; all passengers to remain seated with seatbelts fastened
Reputational risk that the Shire is seen to promote alcohol consumption	Low	Promote the service as social transport that reduces drink driving

STRATEGIC IMPLICATIONS:

The Shire's Council Plan 2025-2035 outlines the following Outcome and Strategy:

1. An engaged and inclusive community.

1.1 Facilitate, encourage and support community volunteers, groups, events and initiatives.

Accordingly, the officer's recommendation aligns with the Shire's Council Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That:

1. The use of the Shire community bus to provide a weekly Friday evening transport service between Menzies and the Grand Hotel, Kookynie be approved, free of charge and on a trial basis, subject to the following conditions:
 - a. each volunteer driver holding current insurance, including public liability, that covers the operation of the bus and the carriage of passengers, and providing a certificate of currency to the Shire before driving;

- b. each volunteer driver being registered with the Shire, holding the appropriate driver's licence class and being inducted before driving;
 - c. a second volunteer holding a current first aid certificate accompanying the driver on each trip, with neither the driver nor the accompanying volunteer consuming alcohol before or during the trip;
 - d. no alcohol being consumed or carried on the bus, and the driver having authority to refuse carriage to any passenger;
 - e. the number of passengers not exceeding the seating capacity of the bus, and all passengers remaining seated with seatbelts fastened during transit;
 - f. a first aid kit and emergency communication device (satellite phone or UHF radio) being carried on the bus;
 - g. the bus departing Menzies at 5.00pm and returning to Menzies by 9.00pm;
 - h. a safe and secure site being available for the return of keys; and
 - i. the trip being cancelled where no volunteer driver is available.
2. The Chief Executive Officer be authorised to suspend the service at any time should any of the above conditions not be met or a safety concern arise.
3. The service be reviewed at the December 2026 Ordinary Meeting of Council.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15 NEW BUSINESS OF AN URGENT NATURE

Nil

16 BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS

Nil

17 NEXT MEETING

The next meeting is to be held on Thursday, 19 November 2026 at the Council Chambers, 124 Shenton Street, Menzies commencing at 1pm.

18 CLOSURE OF MEETING

The Shire President, as Presiding Member declared the meeting closed at ____pm.