



**SHIRE OF MENZIES**

# **MINUTES**

**OF THE ORDINARY COUNCIL MEETING  
HELD ON**

**17 December 2020**

**Commencing at 1.00pm**

## **DISCLAIMER**

No responsibility whatsoever is implied or accepted by the shire of Menzies for any act or omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

## **FINANCIAL INTEREST**

A financial interest occurs where a Councillor, or person with whom the Councillor is closely associated, has direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

An indirect financial interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

**Councillors should declare an interest:**

- a) In a written notice given to the Chief Executive Officer (CEO) before the meeting: or
- b) At the meeting, immediately before the matter is discussed.

A member who has declared an interest must not:

- Preside at the part of the meeting relating to the matter: or
- Participate in or be present during the discussion of decision-making procedure relating to the matter unless the member is allowed to do so under Section 5.68 or 5.69 of the *Local Government Act 1995*.

**Councillor Attendance**  
**Shire of Menzies Council Meetings 2019/2020**

<b>Council Meeting Date</b>	<b>Attended In Person</b>	<b>Electronic Attendance</b>	<b>Leave of Absence</b>	<b>Apologies</b>	<b>Absent</b>
28 February 2019		Cr I Baird	-	Cr D Hansen	
28 March 2019		-	-	-	-
24 April 2019		Cr D Hansen Cr I Baird	-	-	-
30 May 2019		-	-	-	-
27 June 2019		-	-	-	Cr D Hansen
25 July 2019		-	-	Cr D Hansen	-
29 August 2019		-	-	Cr I Tucker Cr J Lee	-
26 September 2019		Adjourned			
31 October 2019		-	-	-	-
28 November 2019		-	-	Cr D Hansen	-
12 December 2019		-	-	Cr I Baird Cr D Hansen	-
27 February 2020		Cr J Lee	-	-	-
26 March 2020		Crs I Baird & Hansen by video Crs Lee, Ashwin by telephone with Cr J Dwyer by	-	-	-
30 April 2020		Crs Baird (at Pila Nguru Aboriginal Corp), Lee & Ashwin (at MAC) by	-	Cr Hansen	-
28 May 2020		Crs Baird (at Pila Nguru Aboriginal Corp), Lee (at MAC) by video conference	-	-	-
25 June 2020		Cr Ashwin in the transportable in the MAC yard. Cr Lee in the	-	-	Cr Baird Cr Hansen

<b>Council Meeting Date</b>		<b>Electronic Attendance</b>	<b>Leave of Absence</b>	<b>Apologies</b>	<b>Absent</b>
30 July 2020		Cr Baird (at Pila Nguru Aboriginal Corp)	-	Cr J Lee Cr V Ashwin Cr D Hansen	-
27 August 2020		Cr Ashwin in the transportable in the MAC yard.		Cr D Hansen	
24 September 2020		Cr G Dwyer, Cr Baird, Cr J Dwyer by conference call (from Tjunjunjara) Cr Lee by conference call (from Perth) Cr V Ashwin by conference call (from the transportable in the MAC yard)			
29 October 2020		Cr I Baird (Tjunjuntjara) Cr J Lee (MAC Office) Cr V Ashwin (MAC Transportable)	Cr J Dwyer		
26 November 2020	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader	Cr J Lee (MAC Office) Cr V Ashwin (MAC Transportable)			
17 December 2020	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader			Cr J Lee Cr V AShwin	

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Application for Miscellaneous Licence L30/85 Kalgoorlie Nickel Pty Ltd  
Request to mine Recreation Reserve – area use change from Racecourse Reserve 5168 (29/154) to  
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**1 DECLARATION OF OPENING**

The President declared the meeting open at 1.09pm.

**2 ANNOUNCEMENT OF VISITORS**

**3 RECORD OF ATTENDANCE**

Present

Councillors:

Cr G Dwyer  
Cr I Baird  
Cr. J Dwyer  
Cr K Mader

Shire President  
Deputy Shire President

Apologies

Cr J Lee  
Cr V Ashwin

Staff:

Mr R Brookes  
Ms R Stoker

A/Chief Executive Officer  
A/Executive Officer

**4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5 PUBLIC QUESTION TIME**

Nil

**6 APPLICATIONS BY MEMBERS**

Nil

**7 DECLARATIONS OF INTEREST**

Cr Keith Mader – 12.5.4 Dreadnought - Financial

**8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

14.1.4 Report – Works Manager (Confidential)

14.1.5 Report - Appointment of CEO (Confidential)

**9 CONFIRMATION / RECEIVAL OF MINUTES**

**9.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 NOVEMBER 2020 (Provided under Separate Cover)**

**COUNCIL RESOLUTION:**

**No. 2048**

**MOVED: Cr J Mader**

**SECONDED: Cr I Baird**

*That the minutes of the Ordinary Meeting of Council held on Thursday, 26 November 2020 be confirmed as a true and correct record of proceedings.*

***Carried 4 / 0***

**10 PETITIONS / DEPUTATIONS / PRESENTATIONS**

**11 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

**11.1 PRESIDENTS REPORT FOR MONTH OF NOVEMBER 2020**

**FRIDAY 27 NOVEMBER**

Northern Goldfields Working Group

Police Officers in Charge from Leonora, Laverton, Wiluna and Leinster and District Superintendent Jackson from Kalgoorlie in attendance for discussions on the strain on services in the Northern Goldfields last year with the influx of visitors over the Summer. Discussion on how better to manage if the incidences occur again this year associateds with additional people requiring the use of the services in the Northern Goldfields. Discussion on lack of funding, services and staff numbers to cope with additional visitors to the region.

Centrecare – Mental Health Support stationed in Leonora.

Northern Goldfields Tourism Strategy/Economic and Investment Prospectus.

**THURSDAY 10 DECEMBER**

With Cr I Baird on video conference and Cr J Dwyer on telephone, we attended a council briefing session.

<b>COUNCIL RESOLUTION:</b>	<b>No. 2049</b>
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**MOVED: Cr J Dwyer**

**SECONDED: Cr K Mader**

**That the Council receive the President's Report**

***Carried 4 / 0***

**12 REPORTS OF OFFICERS**

**12.1 FINANCE AND ADMINISTRATION**

**12.1.1 Statement of Financial Activity for the Month of October 2020**

**12.1.2 Monthly Listing of Payments for the Month of October 2020**

**12.1.3 Monthly Investment Report for the Month of October 2020**

**12.1.4 Report - Actions Against Land for Unpaid Rates**

**12.1.5 Report - Outstanding Rates 54 Sheridan Street**

**12.1.6 Report - Outstanding Rates – Dead Tenements**

**12.2 WORKS AND SERVICES**

**12.2.1 Works Report for the period November 2020**



### **12.3 HEALTH BUILDING AND TOWN PLANNING**

**NIL**

### **12.4 COMMUNITY DEVELOPMENT**

#### **12.4.1 Community Development Report for the period November 2020**

### **12.5 MANAGEMENT AND POLICY**

#### **12.5.1 Actions Performed under Delegation for the period November - December 2020**

#### **Council Meeting adjourned the meeting at 2.37pm and resumed 2.52pm**

**Application for General Purpose Lease 30/8 Carnegie Gold Pty Ltd**

**Application for Miscellaneous Licence 39/302 Murrin Murrin Operations Pty Ltd**

**Application for Miscellaneous Licence 29/143 Dreadnought (Kimberly) Pty Ltd**

**Application for Miscellaneous Licence L30/85 Kalgoorlie Nickel Pty Ltd**

**Request to mine Recreation Reserve – area use change from Racecourse Reserve 5168 (29/154) to Recreation Reserve 46874**

**12.5.2 Report - Property Leases 14a&b Walsh Street**

**12.5.3 Report - Consignment Agreement**

**12.5.4 Report – Use of Church Othneil**

**12.5.5 Report Ceremony Dresscode**

**12.5.6 Report – Policy Review Shire Housing Tenancy Conditions**

**12.5.7 Report – Public Interest Disclosure**

**12.5.8 Report – Road Conditions**

**12.5.9 Report – Road Signage**

**12.5.10 Report – ICAN Australia**

**12.5.11 Menzies Aboriginal Corporation Children’s Party Funding**

**12.5.12 Report – Policy Review Superannuation**

**12.5.13 Report - Policy Review Shire Accommodation Rental Charges**

### **13 ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN**

### **14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

**14.1.1 Report – Butcher’s Shop**

**14.1.2 Strategic Community Plan 2020-2030 Major Review**

**14.1.3 Local Road and Community Infrastructure Program Phase 2**

**14.1.4 Report – Works Supervisor (Confidential)**

**14.1.5 Appointment of CEO (Confidential)**

### **15 NEXT MEETING Thursday 28 January 2021**

### **16 CLOSURE OF MEETING**

## 12.1.1 Statement of Financial Activity for November 2020

<b>LOCATION:</b>	Menzies
<b>APPLICANT:</b>	Shire of Menzies
<b>DOCUMENT REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	10 December 2020
<b>AUTHOR:</b>	Rhona Hawkins Executive Consultant
<b>ATTACHMENT:</b>	Yes - Monthly Financial Report for the period ending 30 November 2020

### **IN BRIEF:**

Statutory Financial Reports are submitted to Council as a record of financial activity for the year to 30 November 2020.

### **BACKGROUND:**

The Financial Management *Regulation 34* requires Local Government entities to prepare each month a Statement of Financial Activity reporting on the sources and application of funds, as set out in the Annual Budget under *Regulation 22(1)(d)*:

- The annual budget estimates;
- Budget estimates to the end of the month to which the statement relates. Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- Any material variations between year to date for income and expenditure and the relevant budget provisions to the end of the relevant reporting period;
- Identify any significant areas where activity is not in accordance with budget estimates for the relevant reporting period;
- Include an operating statement;
- Include the net current assets; and
- Any other relevant reporting notes.

### **COMMENT:**

This report contains 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 to timing differences for the purpose of keeping Council informed of the current financial position.

### **CONSULTATION:**

Nil

### **STATUTORY ENVIRONMENT:**

*Local Government Act 1995 Section 6.4*

*Local Government (Financial Management) Regulation 1996, 34*

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

As detailed in the attachment.

**RISK ASSESSMENT:**

Nil

**STRATEGIC IMPLICATIONS:**

*14.3 Active civic leadership achieved*

- Regularly review plans with community consultation on significant decisions affecting the shire.

**VOTING REQUIREMENTS:**

Simple majority.

**OFFICER RECOMMENDATION:**

That Council receive the Statement of Financial Activity for the period ending 30 November 2020 as attached and note any material differences.

**COUNCIL DECISION:**

**COUNCIL RESOLUTION:**

**No. 2050**

**MOVED: Cr J Dwyer**

**SECONDED: Cr K Mader**

That Council receive the Statement of Financial Activity for the period ending 30 November 2020 as attached and note any material differences.

*Carried 4 / 0*

## SHIRE OF MENZIES

### MONTHLY FINANCIAL REPORT (Containing the Statement of Financial Activity) For the Period Ended 30 November 2020

LOCAL GOVERNMENT ACT 1995  
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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**Shire of Menzies  
Information Summary  
For the Period Ended 30 November 2020**

## Key Information

### Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

### Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

### Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 30 November 2020 of \$4,160,304.

### Items of Significance

The material variance adopted by the Shire of Menzies for the 2020/21 year is plus (+) or minus (-) of 10% for items greater than \$25,000 variance. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

Income & Expenditure		Annual Budget	YTD Budget	YTD Actual
Operating Grants, Subsidies and Contributions	62%	\$ 1,515,687	\$ 804,012	\$ 932,237
Non-operating Grants, Subsidies and Contributions	20%	\$ 2,241,861	\$ 934,095	\$ 454,328
	<b>37%</b>	<b>\$ 3,757,548</b>	<b>\$ 1,738,107</b>	<b>\$ 1,386,565</b>
Rates Levied	98%	\$ 3,562,400	\$ 3,515,200	\$ 3,496,169
Materials & Contracts	27%	(\$2,307,568)	(\$961,010)	(\$626,127)
Capital Projects				
Infrastructure Assets - Roads	11%	(\$200,000)	(\$83,325)	(\$22,575)
Infrastructure Assets - Other	0%	(\$60,000)	(\$24,995)	\$0

*% Compares current ytd actuals to annual budget*

Financial Position		This Time Last Year	30 Nov 2020
Adjusted Net Current Assets	67%	\$ 6,251,987	\$ 4,163,388
Cash and Equivalent - Unrestricted	64%	\$ 5,292,880	\$ 3,386,947
Cash and Equivalent - Restricted	134%	\$ 8,874,377	\$ 11,856,154
Receivables - Rates	88%	\$ 1,296,802	\$ 1,144,600
Receivables - Other	71%	-\$ 333,519	-\$ 235,588
Payables	249%	\$ 75,612	\$ 188,478

*% Compares current ytd actuals to prior year actuals at the same time*

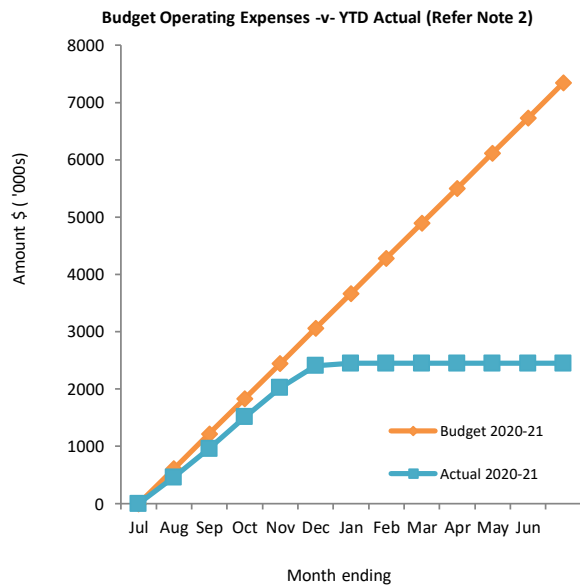
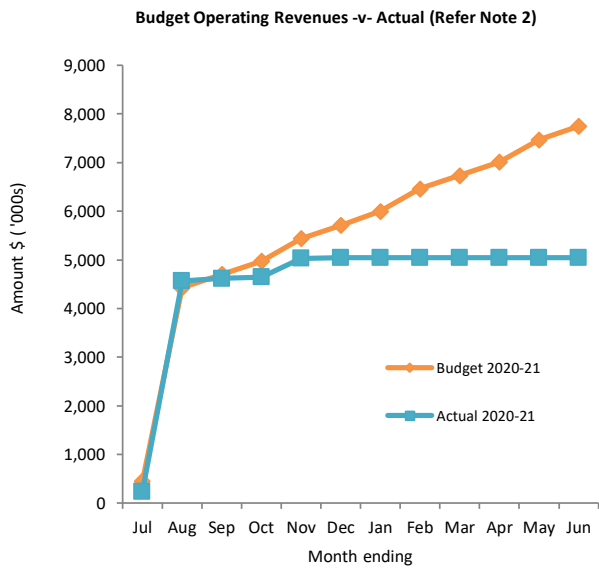
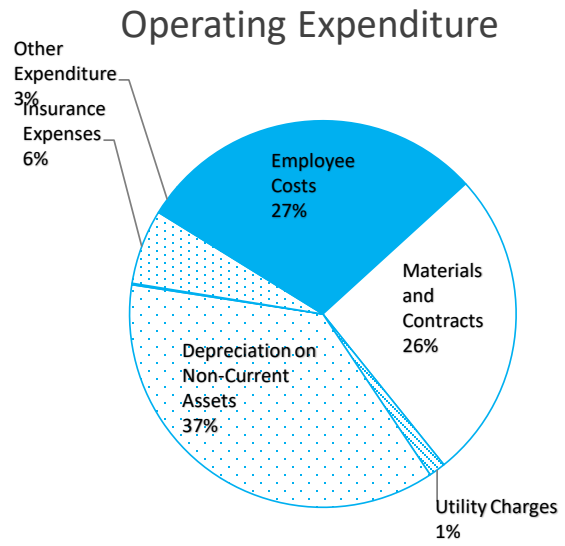
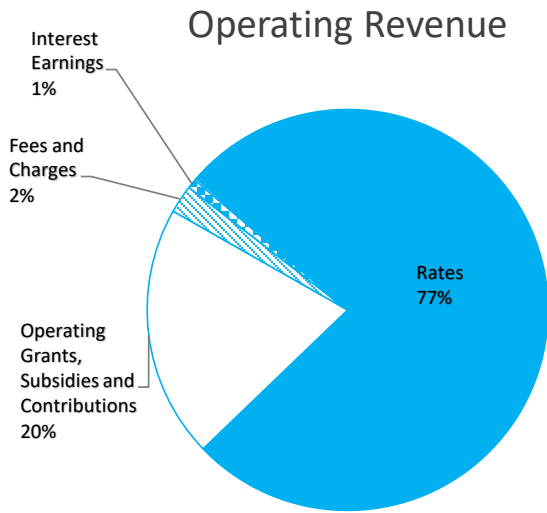
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

## Preparation

Prepared by: Rhona Hawkins

Date Prepared: 10 Dec 2020

**Shire of Menzies  
Information Summary  
For the Period Ended 30 November 2020**



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

**SHIRE OF MENZIES**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(Statutory Reporting Program)**  
**For the Period Ended 30 November 2020**

	Note	Amended Annual Budget	YTD Amended Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening Funding Surplus(Deficit)</b>	3	811,748	811,748	<b>1,389,574</b>	577,826	71%	
<b>Revenue from operating activities</b>							
Governance		100	40	24,285	24,245	60612%	
General Purpose Funding - Rates	9	3,562,400	3,515,200	3,496,169	(19,031)	(1%)	
General Purpose Funding - Other		1,411,622	662,722	730,276	67,554	10%	▲
Law, Order and Public Safety		11,462	4,770	6,958	2,188	46%	
Health		300	125	0	(125)	(100%)	
Education and Welfare		0	0	0	0		
Housing		65,700	27,365	24,515	(2,850)	(10%)	
Community Amenities		25,630	16,420	16,009	(411)	(3%)	
Recreation and Culture		800	320	0	(320)	(100%)	
Transport		198,034	180,440	181,238	798	0%	
Economic Services		207,359	86,375	77,115	(9,260)	(11%)	
Other Property and Services		22,200	9,240	17,832	8,592	93%	
		<b>5,505,607</b>	<b>4,503,017</b>	<b>4,574,397</b>	<b>71,380</b>	<b>2%</b>	
<b>Expenditure from operating activities</b>							
Governance		(560,170)	(233,300)	(436,883)	(203,583)	(87%)	▼
General Purpose Funding		(312,214)	(130,040)	(68,387)	61,653	47%	▲
Law, Order and Public Safety		(41,613)	(17,305)	(43,394)	(26,089)	(151%)	▼
Health		(39,360)	(16,395)	(12,507)	3,888	24%	
Education and Welfare		0	0	0	0		
Housing		(293,070)	(122,065)	(80,144)	41,921	34%	▲
Community Amenities		(126,501)	(52,655)	(116,295)	(63,640)	(121%)	▼
Recreation and Culture		(389,382)	(162,090)	(345,063)	(182,973)	(113%)	▼
Transport		(2,043,769)	(851,490)	(862,408)	(10,918)	(1%)	
Economic Services		(911,987)	(379,820)	(346,337)	33,483	9%	
Other Property and Services		(2,626,514)	(1,094,215)	(96,768)	997,447	91%	▲
		<b>(7,344,580)</b>	<b>(3,059,375)</b>	<b>(2,408,184)</b>	<b>651,191</b>	<b>21%</b>	<b>▲</b>
<b>Operating activities excluded from budget</b>							
Add back Depreciation		2,225,431	927,205	886,115	(41,090)	(4%)	
Adjust (Profit)/Loss on Asset Disposal	8	0	0	0	0		
Adjust Provisions and Accruals		0	0	0	0		
<b>Amount attributable to operating activities</b>		<b>386,458</b>	<b>2,370,847</b>	<b>3,052,327</b>			
<b>Investing Activities</b>							
Non-operating Grants, Subsidies and Contributions	11	2,241,861	934,095	454,328	(479,767)	(51%)	▼
Proceeds from Disposal of Assets	8	0	0	0	0		
Land and Buildings	13	(2,162,500)	(901,010)	(560,578)	340,432	38%	▲
Plant and Equipment	13	(159,000)	(66,245)	(6,006)	60,239	91%	▲
Infrastructure Assets - Roads	13	(3,319,000)	(1,382,900)	(135,898)	1,247,002	90%	▲
Infrastructure Assets - Drainage	13	0	0	0	0		
Infrastructure Assets - Bridges	13	0	0	0	0		
Infrastructure Assets - Footpaths	13	(200,000)	(83,325)	(22,575)	60,750	73%	▲
Infrastructure Assets - Parks and Ovals	13	(60,000)	(24,995)	0	24,995	100%	
Infrastructure Assets - Airports	13	0	0	0	0		
Infrastructure Assets - Sewerage	13	0	0	0	0		
Infrastructure Assets - Other	13	(275,000)	(114,565)	(10,868)	103,697	91%	▲
<b>Amount attributable to investing activities</b>		<b>(3,933,639)</b>	<b>(1,638,945)</b>	<b>(281,597)</b>	<b>1,357,348</b>	<b>83%</b>	<b>▲</b>
<b>Financing Activities</b>							
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	2,835,433	(1,181,425)	0	1,181,425	(100%)	
Transfer from Restricted Cash		0	0	0	0		
Repayment of Debentures	10	0	0	0	0		
Transfer to Reserves	7	(100,000)	41,650	0	(41,650)	100%	
<b>Amount attributable to financing activities</b>		<b>2,735,433</b>	<b>(1,139,775)</b>	<b>0</b>	<b>1,139,775</b>	<b>100%</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>403,875</b>	<b>4,160,304</b>			

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

**SHIRE OF MENZIES**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(By Nature or Type)**  
**For the Period Ended 30 November 2020**

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening Funding Surplus (Deficit)</b>	3	811,748	811,748	<b>1,389,574</b>	577,826	71%	▲
<b>Revenue from operating activities</b>							
Rates	9	3,562,400	3,515,200	3,496,169	(19,031)	(1%)	
Operating Grants, Subsidies and Contributions	11	1,515,687	804,012	932,237	128,225	16%	▲
Fees and Charges		192,830	86,040	103,585	17,545	20%	
Interest Earnings		211,640	88,180	34,511	(53,669)	(61%)	▼
Other Revenue		23,050	9,585	7,895	(1,690)	(18%)	
Profit on Disposal of Assets	8	0	0	0	0		
		5,505,607	4,503,017	4,574,397	71,380	2%	
<b>Expenditure from operating activities</b>							
Employee Costs		(2,020,866)	(841,855)	(646,387)	195,468	23%	▲
Materials and Contracts		(2,307,568)	(961,010)	(626,127)	334,883	35%	▲
Utility Charges		(80,588)	(33,515)	(33,771)	(256)	(1%)	
Depreciation on Non-Current Assets		(2,225,431)	(927,205)	(886,115)	41,090	4%	
Non Operating Expenses		0	0	(2,933)	(2,933)		
Insurance Expenses		(129,692)	(53,985)	(150,908)	(96,923)	(180%)	▼
Other Expenditure		(580,435)	(241,805)	(61,943)	179,862	74%	▲
Loss on Disposal of Assets	8	0	0	0			
		(7,344,580)	(3,059,375)	(2,408,184)	651,191	21%	▲
<b>Operating activities excluded from budget</b>							
Add back Depreciation		2,225,431	927,205	886,115	(41,090)	(4%)	
Adjust (Profit)/Loss on Asset Disposal	8	0	0	0	0		
Adjust Provisions and Accruals		0		0	0		
<b>Amount attributable to operating activities</b>		<b>386,458</b>	<b>2,370,847</b>	<b>3,052,327</b>	<b>681,480</b>		
<b>Investing activities</b>							
Grants, Subsidies and Contributions	11	2,241,861	934,095	454,328	(479,767)	(51%)	▼
Proceeds from Disposal of Assets	8	0	0	0	0		
Land and Buildings	13	(2,162,500)	(901,010)	(560,578)	340,432	(38%)	
Plant and Equipment	13	(159,000)	(66,245)	(6,006)	60,239	(91%)	
Infrastructure Assets - Roads	13	(3,319,000)	(1,382,900)	(135,898)	1,247,002	(90%)	
Infrastructure Assets - Drainage	13	0	0	0	0		
Infrastructure Assets - Bridges	13	0	0	0	0		
Infrastructure Assets - Footpaths	13	(200,000)	(83,325)	(22,575)	60,750	(73%)	
Infrastructure Assets - Parks and Ovals	13	(60,000)	(24,995)	0	24,995	(100%)	
Infrastructure Assets - Airports	13	0	0	0	0		
Infrastructure Assets - Sewerage	13	0	0	0	0		
Infrastructure Assets - Other	13	(275,000)	(114,565)	(10,868)	103,697	(91%)	
<b>Amount attributable to investing activities</b>		<b>(3,933,639)</b>	<b>(1,638,945)</b>	<b>(281,597)</b>	1,357,348	83%	
<b>Financing Activities</b>							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Advances to Community Groups		0	0	0	0		
Transfer from Reserves	7	2,835,433	(1,181,425)	0	1,181,425	(100%)	
Repayment of Debentures	10	0	0	0	0		
Transfer to Reserves	7	(100,000)	41,650	0	(41,650)	100%	
<b>Amount attributable to financing activities</b>		<b>2,735,433</b>	<b>(1,139,775)</b>	<b>0</b>	1,139,775	100%	
<b>Closing Funding Surplus (Deficit)</b>	3	<b>0</b>	<b>403,875</b>	<b>4,160,304</b>	<b>3,756,429</b>	930%	▲

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.



**SHIRE OF MENZIES**  
**STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING**  
**For the Period Ended 30 November 2020**

**Capital Acquisitions**

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	Budget YTD Budget (d)	Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	560,578	0	901,010	2,162,500	560,578	(340,432)
Plant and Equipment	13	6,006	0	66,245	159,000	6,006	(60,239)
Infrastructure Assets - Roads	13	135,898	0	1,382,900	3,319,000	135,898	(1,247,002)
Infrastructure Assets - Drainage	13	0	0	0	0	0	0
Infrastructure Assets - Bridges	13	0	0	0	0	0	0
Infrastructure Assets - Footpaths	13	22,575	0	83,325	200,000	22,575	(60,750)
Infrastructure Assets - Parks and Ovals	13	0	0	24,995	60,000	0	(24,995)
Infrastructure Assets - Airports	13	0	0	0	0	0	0
Infrastructure Assets - Sewerage	13	0	0	0	0	0	0
Infrastructure Assets - Other	13	10,868	0	114,565	275,000	10,868	(103,697)
<b>Capital Expenditure Totals</b>		<b>735,925</b>	<b>0</b>	<b>2,573,040</b>	<b>6,175,500</b>	<b>735,925</b>	<b>(1,837,115)</b>
<b>Capital acquisitions funded by:</b>							
Capital Grants and Contributions				934,095	2,241,861	454,328	
Other (Disposals & C/Fwd)				0	0	0	
Council contribution - Cash Backed Reserves							
Building Reserve Accumulation				0	(1,098,433)	0	
Plant Reserve Accumulation				0	(72,000)	0	
Roads Reserve Accumulation				0	(600,000)	0	
Main Street Reserve Accumulation				0	0	0	
Staff Amenities Reserve Accumulation				0	(420,000)	0	
Caravan Park Reserve Accumulation				0	(150,000)	0	
Bitumen Reserve Accumulation				0	0	0	
Niagara Dam Reserve Accumulation				0	(85,000)	0	
Waste Management Reserve Accumulation				0	0	0	
Former Post Office Reserve Accumulation				0	(410,000)	0	
Council contribution - operations				1,638,945	6,769,072	281,597	
<b>Capital Funding Total</b>				<b>2,573,040</b>	<b>6,175,500</b>	<b>735,925</b>	

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 1: Significant Accounting Policies**

The Shire of Menzies adopts its significant accounting policies at the time of adopting its annual budget. Significant accounting policies are set in relation to the following:

- a) Basis of preparation
- b) Prior year actual balances
- c) Rounding off figures
- d) Comparative figures
- e) Budget comparative figures
- f) Forecast fair value adjustments
- g) Rates, grants, donations & other contributions
- h) Goods and services tax (GST)
- i) Superannuation
- j) Cash and cash equivalents
- k) Trade and other payables
- l) Inventories
- m) Fixed assets
- n) Fair value of assets and liabilities
- o) Financial instruments
- p) Impairment of assets
- q) Trade and other payables
- r) Employee benefits
- s) Borrowing costs
- t) Provisions
- u) Leases
- v) Investments in associates
- x) Interests in joint arrangements
- y) Current and non-current classification

There have been no changes to the Shire of Menzies significant accounting policies since adopting the 2020/21 Annual Budget.

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 2: Explanation of Material Variances**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is plus (+) or minus (-) of 10% for items greater than \$25,000 variance.

Reporting Program	YTD Budget	YTD Actual	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>			\$	%			
Governance	40	24,285	24,245	60612%	▲	Permanent	GVROC Refund \$22,727
General Purpose Funding- Other	662,722	730,276	67,554	10%	▲	Timing	Investments matured in October, Budget has been apportioned over twelve months.
Economic Services	86,375	77,115	(9,260)	(11%)	▲	Timing	CRC Income lower than anticipated.
Other Property and Services	9,240	17,832	8,592	93%	▲	Permanent	Credit received form LGIS.
<b>Operating Expense</b>							
Governance	(233,300)	(436,883)	(203,583)	(87%)	▲	Permanent	CEO termination payout.
General Purpose Funding	(130,040)	(68,387)	61,653	47%	▲	Timing	Rates write-offs have not occurred as anticipated in th Budget.
Law, Order and Public Safety	(17,305)	(43,394)	(26,089)	(151%)	▲	Timing	
Health	(16,395)	(12,507)	3,888	24%	▲	Timing	
Housing	(122,065)	(80,144)	41,921	34%	▲	Timing	Housing maintenance has not occurred in accordance with the Budget.
Community Amenities	(52,655)	(116,295)	(63,640)	(121%)	▲	Timing	Operational services higher than anticipated for this time of year.
Recreation and Culture	(162,090)	(345,063)	(182,973)	(113%)	▲	Timing	Budget has been loaded into accounting system and apportioned over twelve months.
Transport	(851,490)	(862,408)	(10,918)	(1%)	▲	Timing	Road Maintenance higher than anticipated at Budget preparation.
Economic Services	(379,820)	(346,337)	33,483	9%	▲	Timing	Noxious weed control not commence at this stage. Caravan Park maintenance higher than the twelve month apportionment.
Other Property and Services	(1,094,215)	(96,768)	997,447	91%	▲	Timing	1st instalment of Insurance paid and not apportioned over twelve months. Allocations are to be reviewed.
<b>Capital Revenues</b>							

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 2: Explanation of Material Variances**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is plus (+) or minus (-) of 10% for items greater than \$25,000 variance.

Reporting Program	YTD Budget	YTD Actual	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Grants, Subsidies and Contributions	934,095	454,328	(479,767)	(51%)	▲	Timing	
<b>Capital Expenses</b>							
Land and Buildings	(901,010)	(560,578)	340,432	38%	▲	Timing	Capital expenditure has not occurred in accordance with the Budget upload.
Plant and Equipment	(66,245)	(6,006)	60,239	91%	▲	Timing	Capital expenditure has not occurred in accordance with the Budget upload.
Infrastructure Assets - Roads	(1,382,900)	(135,898)	1,247,002	90%	▲	Timing	Capital expenditure has not occurred in accordance with the Budget upload.
Infrastructure Assets - Footpaths	(83,325)	(22,575)	60,750	73%	▲	Timing	
Infrastructure Assets - Parks and Ovals	(24,995)	0	24,995	100%	▲	Timing	
Infrastructure Assets - Other	(114,565)	(10,868)	103,697	91%	▲	Timing	Capital expenditure has not occurred in accordance with the Budget upload.
<b>Financing</b>							
Transfer from Reserves	-	-	1,181,425	(100%)	▲	Timing	
Transfer to Reserves	41,650	0	0	100%	▲	Timing	

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 3: Net Current Funding Position**

Positive=Surplus (Negative=Deficit)

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2020	30 Nov 2019	30 Nov 2020
		\$	\$	\$
<b>Current Assets</b>				
Cash Unrestricted	4	1,045,697	5,292,880	3,386,947
Cash Restricted - Conditions over Grants	11	0	0	0
Cash Restricted	4	11,856,154	8,874,377	11,856,154
Receivables - Rates	6	863,375	1,296,802	1,144,600
Receivables - Other	6	(100,699)	(333,519)	(235,588)
Interest / ATO Receivable/Trust				
Inventories		13,623	4,385	47,940
		13,678,151	15,134,925	16,200,053
<b>Less: Current Liabilities</b>				
Payables		(435,801)	(75,612)	(188,478)
Provisions Leases		(3,985)	(9,565)	(3,985)
Provisions Leave		(197,106)	(134,592)	(197,106)
		(636,892)	(219,769)	(389,570)
Less: Cash Reserves	7	(11,856,154)	(8,874,377)	(11,856,154)
Less: Unspent Grants			0	0
Add: Loan Current		0	0	0
Add: Lease Current		3,985	9,565	3,985
Less: SSL Repayments		0	0	0
Add: Leave Reserve		201,643	201,643	205,074
Trust imbalance (Department of Transport funds timing)		(1,158)	0	
<b>Net Current Funding Position</b>		<b>1,389,574</b>	<b>6,251,987</b>	<b>4,163,388</b>

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 4: Cash and Investments**

	Unrestricted	Restricted	Trust	Total Amount	Institution
	\$	\$	\$	\$	
<b>(a) Cash Deposits</b>					
Cash At Bank	856,178			856,178	NAB
Cash At Call - Bank	2,529,448			2,529,448	NAB
Municipal Fund Term Deposits	0			0	NAB
Cash at Reserve - Bank		8,601,945		8,601,945	NAB
Reserve Fund Term Deposits		3,254,210		3,254,210	NAB
Trust Fund Bank			0	0	NAB
Petty Cash Float	1,320			1,320	
<b>Total</b>	<b>3,386,947</b>	<b>11,856,154</b>	<b>0</b>	<b>15,243,101</b>	

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 7: Cash Backed Reserve**

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve - Accumulation	205,074		0	1,724	0	0	0	206,798	205,074
Building Reserve Accumulation	2,795,090		0	23,774	0	(1,098,433)	0	1,720,431	2,795,090
Plant Reserve Accumulation	1,946,393		0	16,370	0	(72,000)	0	1,890,763	1,946,393
Roads Reserve Accumulation	2,755,425		0	23,183	0	(600,000)	0	2,178,608	2,755,425
Main Street Reserve Accumulation	140,456		0	1,181	0	0	0	141,637	140,456
Staff Amenities Reserve Accumulation	575,564		0	4,847	0	(420,000)	0	160,411	575,564
TV Reserve Accumulation	17,889		0	150	0	0	0	18,039	17,889
Caravan Park Reserve Accumulation	431,416		0	3,626	0	(150,000)	0	285,042	431,416
Bitumen Reserve Accumulation	603,847		0	5,079	0	0	0	608,926	603,847
Rates Creditors Reserve Accumulation	51,144		0	428	0	0	0	51,572	51,144
Niagara Dam Reserve Accumulation	1,252,493		0	10,525	0	(85,000)	0	1,178,018	1,252,493
Water Park Reserve Accumulation	299,813		0	2,524	0	0	0	302,337	299,813
Waste Management Reserve Accumulation	59,515		0	499	0	0	0	60,014	59,515
Former Post Office Reserve Accumulation	418,407		0	3,517	0	(410,000)	0	11,924	418,407
Commercial Enterprise Reserve - Accumulation	101,210		0	857	0	0	0	102,067	101,210
Land Purchase Reserve - Accumulation	202,420		0	1,716	0	0	0	204,136	202,420
	<b>11,856,154</b>	<b>0</b>	<b>0</b>	<b>100,000</b>	<b>0</b>	<b>(2,835,433)</b>	<b>0</b>	<b>9,120,721</b>	<b>11,856,154</b>
<b>GL Reserve Bank 9130101</b>	<b>-8,601,945</b>								

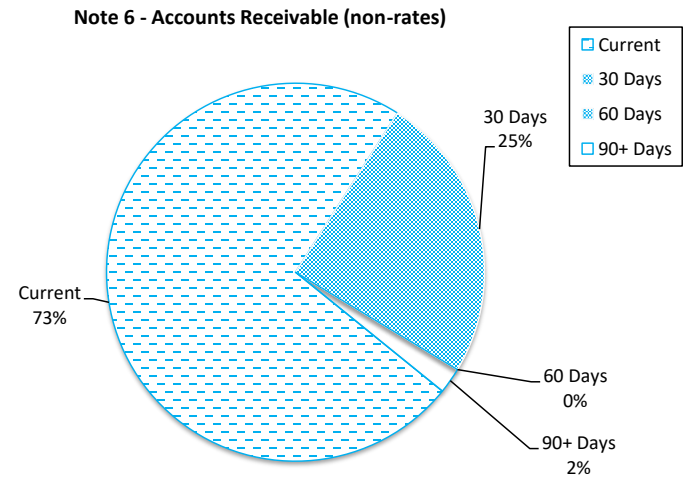
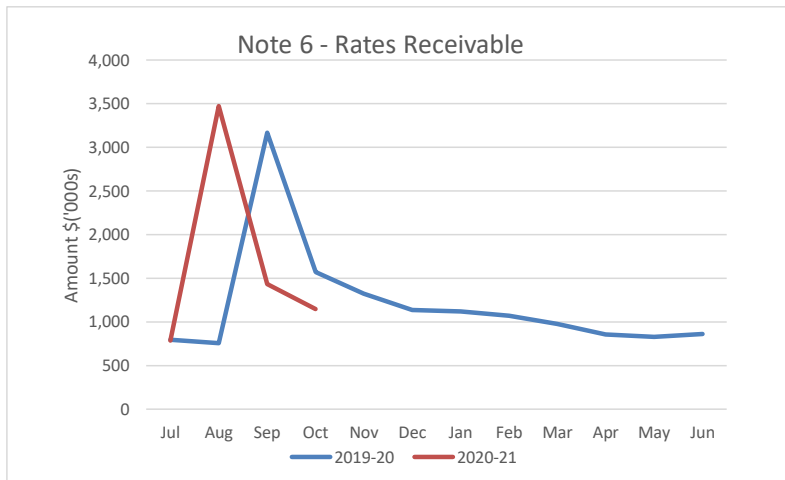
**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 6: Receivables**

Receivables - Rates Receivable	30 Nov 2020	30 June 2020
	\$	\$
Opening Arrears Previous Years	863,375	794,305
Levied this year	3,530,406	3,476,331
<u>Less</u> Collections to date	3,249,181	3,407,262
Equals Current Outstanding	1,144,600	863,375
<b>Net Rates Collectable</b>	<b>1,144,600</b>	<b>863,375</b>
% Collected	73.95%	79.78%

Receivables - General	Current	30 Days	60 Days	90+ Days	Totals
	\$	\$	\$	\$	\$
Sundry Debtors	14,375	4,819		435	19,629
Rates - Pensioner Rebate Claimed					1,052
<b>Balance per Trial Balance</b>					
Sundry Debtors					20,681
<b>Total Receivables General Outstanding</b>					<b>20,681</b>

Amounts shown above include GST (where applicable)





**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 9: Rating Information**

	Rate in	Number of Properties	Rateable Value	YTD Actual			Budget				
				Rate Revenue	Interim Rates	Back Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
<b>RATE TYPE</b>	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Differential General Rate</b>											
GRV - Residential	0.0862	40	2,500,428	215,537	0	0	215,537	214,694	0	0	214,694
GRV - Vacant	0.0864	204	20,956	1,811	0	0	1,811	1,811	0	0	1,811
UV - Mining	0.1655	282	15,472,156	2,560,642	-180	-355	2,560,107	2,561,176	50,000	0	2,611,176
UV - Pastoral	0.0829	27	826,983	68,557	0	0	68,557	67,750	0	0	67,750
UV - Other	0.0829	64	307,900	25,525	0	0	25,525	24,978	0	0	24,978
UV - Exploration	0.1500	451	3,082,413	462,362	-10,705	3,005	454,662	467,552	0	0	467,552
UV - Prospecting	0.1477	269	463,848	68,510	426	1,124	70,060	63,039			63,039
<b>Sub-Totals</b>		<b>1,337</b>	<b>22,674,684</b>	<b>3,402,943</b>	<b>(10,459)</b>	<b>3,775</b>	<b>3,396,259</b>	<b>3,401,000</b>	<b>50,000</b>	<b>0</b>	<b>3,451,000</b>
<b>Minimum Payment</b>	<b>Minimum \$</b>										
GRV - Residential	200.00	8	5,537	1,600	0	0	1,600	2,200	0	0	2,200
GRV - Vacant	200.00	200	41,081	40,000	0	0	40,000	40,000	0	0	40,000
UV - Mining	200.00	54	34,031	10,800	0	0	10,800	12,000	0	0	12,000
UV - Pastoral	200.00	4	4,638	800	0	0	800	1,400	0	0	1,400
UV - Other	200.00	1	100	200	0	0	200	600	0	0	600
UV - Exploration	200.00	141	45,622	28,200	0	0	28,200	37,400	0	0	37,400
UV - Prospecting	200.00	73	49,913	14,600	0	0	14,600	17,800	0	0	17,800
<b>Sub-Totals</b>		<b>481</b>	<b>180,922</b>	<b>96,200</b>	<b>0</b>	<b>0</b>	<b>96,200</b>	<b>111,400</b>	<b>0</b>	<b>0</b>	<b>111,400</b>
		<b>1,818</b>	<b>22,855,606</b>	<b>3,499,143</b>	<b>(10,459)</b>	<b>3,775</b>	<b>3,492,459</b>	<b>3,512,400</b>	<b>50,000</b>	<b>0</b>	<b>3,562,400</b>
Movement in Excess Rates							0				0
Discounts							0				0
<b>Amount from General Rates</b>							<b>3,492,459</b>				<b>3,562,400</b>
Write Offs							0				0
Ex-Gratia Rates							0				0
Specified Area Rates											0
<b>Totals</b>							<b>3,492,459</b>				<b>3,562,400</b>

**Comments - Rating Information**

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

**Note 11: Grants and Contributions**

	Grant Provider	Type	Opening Balance (a)	Amended Budget Operating	Budget Capital	YTD Budget	Annual Budget (d)	Post Variations (e)	Expected (d)+(e)	YTD Actual Revenue
				\$	\$	\$				\$
<b>General Purpose Funding</b>										
GEN PUR - Financial Assistance Grant - General	WALGCC	Operating	0	772,046	0	396,242	772,046		772,046	416,679
GEN PUR - Financial Assistance Grant - Roads	WALGCC	Operating	0	425,376	0	177,240	425,376		425,376	273,552
<b>Governance</b>										
OTH GOV - Reimbursements		Operating	0	0	0	0	0		0	22,727
<b>Law, Order and Public Safety</b>										
ESL BFB - Operating Grant	Dept. of Fire & Emergency Serv.	Operating	0	6,522	0	2,715	6,522		6,522	1,416
<b>Community Amenities</b>										
COM AMEN - Grants		Non-operating		0	50,000	20,830	50,000		50,000	0
<b>Recreation and Culture</b>										
REC - Grants		Non-operating	0	0	150,000	62,500	150,000		150,000	0
OTH CUL - Grants - Other Culture		Non-operating	0	0	0	0	0		0	10,328
<b>Transport</b>										
ROADC - Regional Road Group Grants (MRWA)	Main Roads WA	Non-operating	0	0	563,780	234,905	563,780		563,780	292,000
ROADC - Roads to Recovery Grant	Commonwealth Gvt	Non-operating	0	0	700,626	291,925	700,626		700,626	152,000
ROADC - Other Grants - Roads/Streets	Main Roads WA	Non-operating	0	0	230,000	95,830	230,000		230,000	0
ROADM - Street Lighting Subsidy		Operating	0	1,713	0	710	1,713		1,713	0
ROADM - Direct Road Grant (MRWA)	Main Roads WA	Operating	0	194,321	0	178,900	194,321		194,321	178,900
<b>Economic Services</b>										
TOUR - Grants	Main Roads WA	Non-operating	0	0	547,455	228,105	547,455		547,455	0
OTH ECON - Community Resource Centre Income		Operating	0	80,000	0	33,330	80,000		80,000	109
OTH ECON - Community Resource Centre Grant		Operating	1	0	0	0	0		0	2,500
OTH ECON - Grants	Indue, DPIRD	Operating	0	35,709	0	14,875	35,709		35,709	18,583
<b>Other Property &amp; Services</b>										
ADMIN - Reimbursements	DFES	Operating	0	0	0	0	0		0	11,402
<b>TOTALS</b>			<b>1</b>	<b>1,515,687</b>	<b>2,241,861</b>	<b>1,738,107</b>	<b>3,757,548</b>	<b>0</b>	<b>3,757,548</b>	<b>1,386,565</b>
<b>SUMMARY</b>										
Operating	Operating Grants, Subsidies and Contributions		1	1,515,687	0	804,012	1,515,687	0	1,515,687	932,237
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	0	0	0	0	0	0	0
Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	2,241,861	934,095	2,241,861	0	2,241,861	454,328
<b>TOTALS</b>			<b>1</b>	<b>1,515,687</b>	<b>2,241,861</b>	<b>1,738,107</b>	<b>3,757,548</b>	<b>0</b>	<b>3,757,548</b>	<b>1,386,565</b>

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 November 2020**

% of  
Completion

**Note 13: Capital Acquisitions**

Assets	Job	YTD Actual			Budget		
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance
		\$	\$	\$	\$	\$	\$
<i>Level of completion indicator, please see table at the end of this note for further detail.</i>							
<b>Buildings</b>							
<b>Education &amp; Welfare</b>							
0.00	Seniors Centre	BC060	0	0	0	350,000	145,830 (145,830)
	<b>Education &amp; Welfare Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>350,000</b>	<b>145,830 (145,830)</b>
<b>Housing</b>							
0.00	CEO's House - Lot 1 (37-39) Reid St - Building (Capital)	BC001	0	0	0	20,000	8,330 (8,330)
0.00	MFA's House - Lot - 1085 (39) Mercer St - Building (Capital)	BC002	0	0	0	15,000	6,250 (6,250)
1.00	MWS House Lot 165 (25) Onslow St - Building (Capital)	BC003	5,500	0	5,500	0	5,500
0.00	Lot 91 (40) Mercer St - Building (Capital)	BC004	(0)	0	(0)	47,000	19,580 (19,580)
0.00	Lot 93 (36) Mercer St - Building (Capital)	BC005	0	0	0	10,000	4,165 (4,165)
0.00	Lot 1086 (41) Mercer St - Building (Capital)	BC006	0	0	0	15,000	6,250 (6,250)
0.00	Duplex Lot 12a Walsh St (North Unit) - Building (Capital)	BC007	0	0	0	45,000	18,750 (18,750)
1.36	New Staff House 2020 - Building (Capital)	BC009	245,633	0	245,633	180,000	75,000 170,633
0.00	New 2x1 Staff House - Building (Capital)	BC010	0	0	0	240,000	100,000 (100,000)
0.00	Teachers Unit Lot 1090 (53a) (14a) Walsh St - Building (Capital)	BC015	0	0	0	18,000	7,500 (7,500)
0.01	Teachers Unit Lot 1090 (53b) (14b) Walsh St - Building (Capital)	BC016	112	0	112	18,000	7,500 (7,388)
0.00	Unit Lot 45 (29a) Shenton (Front) - Building (Capital)	BC017	0	0	0	7,500	3,125 (3,125)
0.02	Unit Lot 45 (29b) Shenton (Back) - Building (Capital)	BC018	431	0	431	18,000	7,500 (7,069)
0.00	Lot 1089 (57) Walsh St Rental - Building (Capital)	BC019	0	0	0	22,000	9,165 (9,165)
0.00	Old Post Office House Lot 102 (33) Walsh St - Building (Capital)	BC020	0	0	0	500,000	208,330 (208,330)
	<b>Housing Total</b>		<b>251,675</b>	<b>0</b>	<b>251,675</b>	<b>1,155,500</b>	<b>481,445 (229,770)</b>
<b>Community Amenities</b>							
14.81	Truck Bay Ablution Block - Building (Capital)	BC048	148,122	0	148,122	10,000	4,165 143,957
	<b>Community Amenities Total</b>		<b>0</b>	<b>0</b>	<b>148,122</b>	<b>10,000</b>	<b>4,165 143,957</b>
<b>Recreation And Culture</b>							
0.00	Town Hall (Hall) - Building (Capital)	BC026	0	0	0	50,000	20,830 (20,830)
1.00	Town Hall (Admin) - Building (Capital)	BC027	700	0	700	0	700
1.00	Youth Centre - Building (Capital)	BC036	1,785	0	1,785	0	1,785
	<b>Recreation And Culture Total</b>		<b>2,485</b>	<b>0</b>	<b>2,485</b>	<b>50,000</b>	<b>20,830 (18,345)</b>
<b>Transport</b>							
0.66	Depot - Building (Capital)	BC037	21,179	0	21,179	32,000	13,330 7,849
0.00	Workshop - Enclosed Carport	BC037A	0	0	0	50,000	20,830 (20,830)
	<b>Transport Total</b>		<b>21,179</b>	<b>0</b>	<b>21,179</b>	<b>82,000</b>	<b>34,160 (12,981)</b>
<b>Economic Services</b>							
	Caravan Park Unit (Disabled) - Building (Capital)	BC021	94,277	0	94,277	0	94,277
	Lady Shenton/CRC Lot 41 (37) Shenton St - Building (Capital)	BC028	0	0	0	300,000	125,000 (125,000)
	Church Hall Lot 8 (50) Shenton St - Building (Capital)	BC030	40,548	0	40,548	25,000	10,415 30,133

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 November 2020

**Note 13: Capital Acquisitions**

% of  
Completion

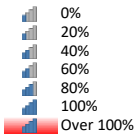
Assets	Job	YTD Actual			Budget			
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
0.00	Caravan Park Ablution Blocks - Building (Capital)	BC038	2,292	0	2,292	0	0	2,292
	Shelter at Lake Ballard - Building (Capital)	BC046	0	0	0	25,000	10,415	(10,415)
	Mercer Street Caravan Park Infrastructure	BC050	0	0	0	150,000	62,500	(62,500)
	Shelter and BBQ Niagara Dam	BC131	0	0	0	15,000	6,250	(6,250)
	<b>Economic Services Total</b>		<b>137,118</b>	<b>0</b>	<b>137,118</b>	<b>515,000</b>	<b>214,580</b>	<b>(77,462)</b>
0.26	<b>Buildings Total</b>		<b>412,456</b>	<b>0</b>	<b>560,578</b>	<b>2,162,500</b>	<b>755,180</b>	<b>(194,602)</b>
<b>Plant &amp; Equipment (inc Furniture)</b>								
<b>Governance</b>								
0.00	Administration Communications Equipment	C0141	0	0	0	10,000	4,165	(4,165)
0.00	Software and Systems	C0142	0	0	0	25,000	10,415	(10,415)
	<b>Governance Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>35,000</b>	<b>14,580</b>	<b>(14,580)</b>
<b>Transport</b>								
0.00	Minor Plant Purchases	C0127	0	0	0	15,000	6,250	(6,250)
0.40	Banners and Signage	C0128	6,006	0	6,006	15,000	6,250	(244)
0.00	Mechanics Vehicle	CP013	0	0	0	72,000	30,000	(30,000)
0.00	Test and Tag System	C1217	0	0	0	6,000	2,500	(2,500)
0.00	Auto Tyre Changer	C1218	0	0	0	6,000	2,500	(2,500)
0.00	Bore Trailer	C1219	0	0	0	10,000	4,165	(4,165)
	<b>Transport Total</b>		<b>6,006</b>	<b>0</b>	<b>6,006</b>	<b>124,000</b>	<b>51,665</b>	<b>(45,659)</b>
0.04	<b>Plant &amp; Equipment Total</b>		<b>6,006</b>	<b>0</b>	<b>6,006</b>	<b>159,000</b>	<b>66,245</b>	<b>(60,239)</b>
<b>Infrastructure Assets - Roads</b>								
<b>Transport</b>								
0.00	Sundry Roads Capex	RC000	0	0	0	747,000	311,245	(311,245)
0.00	Kookynie Malcom Rd (Capital)	RC038	0	0	0	100,000	41,665	(41,665)
0.00	Menzies North West Rd (R2R)	R2R007	0	0	0	1,100,000	458,330	(458,330)
0.39	Tjuntjunjarra Access Rd (R2R)	R2R049	73,635	0	73,635	190,000	79,165	(5,530)
0.00	Menzies North West Rd (RRG)	RRG007	0	0	0	121,000	50,415	(50,415)
0.00	Evanston Menzies Rd (RRG)	RRG008	0	0	0	255,000	106,250	(106,250)
0.00	Yarri Rd (RRG)	RRG039	0	0	0	121,000	50,415	(50,415)
1.00	Connie Sue Rd (Capital)	RC048	5,754	0	5,754	0	0	5,754
0.01	Tjuntjunjarra Access Rd (Capital)	RC049	2,509	0	2,509	240,000	0	2,509
0.00	Pinjin Rd (Capital)	RC001	0	0	0	345,000	143,750	(143,750)
0.00	Tjuntjunjarra Internal Roads Program	RC249	0	0	0	100,000	41,665	(41,665)
1.00	Shire House Crossovers	C1214	54,000	0	54,000	0	0	54,000
	<b>Transport Total</b>		<b>135,898</b>	<b>0</b>	<b>135,898</b>	<b>3,319,000</b>	<b>1,282,900</b>	<b>(1,147,002)</b>
0.04	<b>Infrastructure Roads Total</b>		<b>135,898</b>	<b>0</b>	<b>135,898</b>	<b>3,319,000</b>	<b>1,282,900</b>	<b>(1,147,002)</b>

**SHIRE OF MENZIES**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 November 2020

% of  
Completion

**Note 13: Capital Acquisitions**

Assets	Job	YTD Actual			Budget		
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance
		\$	\$	\$	\$	\$	\$
<b>Footpaths</b>							
<b>Transport</b>							
1.00	Wilson St - Footpath Capital	FC031	7,280	0	7,280	0	7,280
0.29	Onslow St - Footpath Capital	FC047	14,280	0	14,280	50,000	(6,550)
0.00	Mercer St - Footpath Capital	FC053	0	0	0	50,000	(20,830)
1.00	Shenton St - Footpath Capital	FC100	1,015	0	1,015	0	1,015
0.00	Footpath Construction General (Budgeting Only)	FC000	0	0	0	100,000	(41,665)
	<b>Transport Total</b>		<b>22,575</b>	<b>0</b>	<b>22,575</b>	<b>200,000</b>	<b>(60,750)</b>
0.11	<b>Footpaths Total</b>		<b>22,575</b>	<b>0</b>	<b>22,575</b>	<b>200,000</b>	<b>(60,750)</b>
<b>Infrastructure Assets - Parks and Ovals</b>							
<b>Recreation and Culture</b>							
0.00	Drink Fountain in Park	PC036	0	0	0	10,000	(4,165)
0.00	Hand Wash at BBQ Area Water Park	PC112	0	0	0	10,000	(4,165)
0.00	Rodeo Grounds Infrastructure	CO113	0	0	0	40,000	(16,665)
	<b>Transport Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>60,000</b>	<b>(24,995)</b>
0.00	<b>Infrastructure Parks and Ovals Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>60,000</b>	<b>(24,995)</b>
<b>Other Infrastructure</b>							
<b>Community Amenities</b>							
0.00	Cometvale Cemetery Fence	C0103	0	0	0	50,000	(20,830)
0.00	Tjuntjunjarra Cemetery Shade	C0104	0	0	0	50,000	(20,830)
1.00	Grid Replacement Program	C0124	10,868	0	10,868	0	10,868
1.00			0	0	0	0	0
	<b>Community Amenities Total</b>		<b>10,868</b>	<b>0</b>	<b>10,868</b>	<b>100,000</b>	<b>(30,792)</b>
<b>Transport</b>							
0.00	Town Dam Upgrade	C0121	0	0	0	20,000	(8,330)
0.00	Bores to Support Road Works	C0123	0	0	0	50,000	(20,830)
0.00	Kookynie Airstrip Extension	C0126	0	0	0	20,000	(8,330)
	<b>Transport Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>90,000</b>	<b>(37,490)</b>
<b>Economic Services</b>							
0.00	Niagra Dam Capital Works	C0131	0	0	0	85,000	(35,415)
	<b>Economic Services Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>85,000</b>	<b>(35,415)</b>
0.04	<b>Other Infrastructure Total</b>		<b>10,868</b>	<b>0</b>	<b>10,868</b>	<b>275,000</b>	<b>(103,697)</b>
0.12	<b>Capital Expenditure Total</b>		<b>587,804</b>	<b>0</b>	<b>735,925</b>	<b>6,175,500</b>	<b>(1,591,285)</b>



Percentage YTD Actual to Annual Budget  
Expenditure over budget highlighted in red.

<b>12.1.2</b>	<b>LIST OF PAYMENTS FOR THE MONTH OF NOVEMBER 2020</b>
<b>LOCATION</b>	Internal
<b>APPLICANT</b>	Shire of Menzies
<b>DOCUMENT REF</b>	FIN.935.1 / NAM331
<b>DATE OF REPORT</b>	7 December 2020
<b>AUTHOR</b>	Carol McAllan – Finance Officer
<b>DISCLOSURE OF INTEREST</b>	NIL
<b>ATTACHMENT</b>	Payment Listing for November 2020

**SUMMARY:**

The List of Payments for the Month of November 2020 to be received by Council.

**BACKGROUND:**

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

**COMMENT:**

The EFT, Direct Debit, Credit Card and Payroll payments that have been made for the month of November 2020 are attached.

**CONSULTATION:**

Rhona Hawkins – Consultant Deputy Chief Executive Officer

**STATUTORY AUTHORITY:**

*Local Government (Financial management) Regulations 1996 Regulation 13.*

**POLICY IMPLICATIONS:**

**Policy 4.7 – Creditors – Preparation for Payment.**

**FINANCIAL IMPLICATIONS:**

\$319,102.28 withdrawn from Municipal Bank.

**RISK ASSESSMENT:**

Nil

**STRATEGIC IMPLICATIONS:**

**14.3 – Active Civil leadership achieved.**

- Regularly review plans with community consultation on significant decisions affecting the Shir.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council receive the List of Payments for the month of November 2020 totalling \$319,102.28 being:

- 1. No cheques were drawn
- 2. Electronic Funds Transfer EFT 5556 – EFT 5602 payments from the Municipal Fund totalling \$180,361.08
- 3. Direct Debit payments from the Municipal Fund totalling \$58,468.08
- 4. Payroll payments from the Municipal fund totalling \$80,273.12
- 5. Credit Card payments of \$10,542.54 for the statement month of October 2020 are included in Direct Debits of \$58,468.08

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2051</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr I Baird</b>
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That Council receive the List of Payments for the month of November 2020 totalling \$319,102.28 being:

- 1. No cheques were drawn
- 2. Electronic Funds Transfer EFT 5556 – EFT 5602 payments from the Municipal Fund totalling \$180,361.08
- 3. Direct Debit payments from the Municipal Fund totalling \$58,468.08
- 4. Payroll payments from the Municipal fund totalling \$80,273.12
- 5. Credit Card payments of \$10,542.54 for the statement month of October 2020 are included in Direct Debits of \$58,468.08

<b>Carried</b>	<b>4/0</b>
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**Shire of Menzies**  
**List of Payments for the Month of November 2020**

<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
		Cheques		\$0.00
		EFT		\$180,361.08
		Direct Debit		\$58,468.08
		<b>Total Payments</b>		<b><u>\$238,829.16</u></b>
		Credit Card Payments (included in Direct Debit)		\$10,542.54
		Payroll	\$	80,273.12
		<b>GRAND TOTAL</b>		<b><u>\$319,102.28</u></b>



**Shire of Menzies**  
**List of Payments for the Month of November 2020**

Chq/EFT	Date	Name	Description	Amount
EFT5556	23/11/2020	Canine Control	ANIMAL CONTROL Ranger Services 1 November 2020	\$1,600.50
EFT5557	23/11/2020	Leonora Pharmacy	CONSIGNMENT Pharmacy items October 2020	\$1,240.43
EFT5558	23/11/2020	3E Advantage	ADMIN STATIONERY	\$1,877.03
EFT5559	23/11/2020	Coolgardie Tyre Service	PLANT VARIOUS New Tyre and Valve, Repair Tyre	\$451.00
EFT5560	23/11/2020	Emygor Services	NEW STAFF HOUSE TRUCK BAY Connect Water and Sewage	\$19,604.20
EFT5561	23/11/2020	Visage Productions	TOURISM PROMOTION TV Series One Man and a Bike	\$5,500.00
EFT5562	23/11/2020	Shire of Chapman Valley	PLANNING CONSULTANT Services July to Sept 2020	\$264.00
EFT5563	23/11/2020	KTEAM	ROADS CONSULTANT Ora Banda Mining Specification & Design Brief	\$8,670.00
EFT5564	23/11/2020	Rebus Restrooms	TRUCK ABLUTION BLOCK Construction & Delivery of Building	\$25,025.00
EFT5565	23/11/2020	LG Best Practices	ADMIN CONSULTANT Financial Services 19 - 27 October 2020	\$6,930.00
EFT5566	23/11/2020	Eastgold Dairy Distributors	GOODS Menzies Hotel delivered 31 October 2020	\$496.00
EFT5567	23/11/2020	Janet Hancock	REIMBURSEMENT MEMBERS TRAINING Dwyer, Dwyer, Mader, Hancock travel	\$1,197.28
EFT5568	23/11/2020	Canning Bridge Auto Lodge	TRAINING ACCOMMODATION Rates Course 13-17 October 2020 (CM)	\$520.00
EFT5569	23/11/2020	Access Hire Kalgoorlie	MAIN STREET BANNERS Hire Scissors and Plate Compactor 4 days 28/10/2020 to 31/10/2020	\$2,170.69
EFT5570	23/11/2020	Beilby Downing Teal Pty Ltd	RECRUITMENT CEO Engagement	\$6,600.00
EFT5571	23/11/2020	Richard Brookes	REIMBURSEMENT FUEL 1MN No fuel card available	\$54.54
EFT5572	23/11/2020	Rayleen Stoker	REIMBURSEMENT ACCOM New EA whilst enroute	\$141.49
EFT5573	23/11/2020	Derek Morrison	TOWN HALL Clock Annual Service	\$1,150.00
EFT5574	23/11/2020	Air Liquide Australia Ltd	DEPOT GAS Cylinder Rental 01/10/2020 to 31/10/2020	\$28.16
EFT5576	23/11/2020	Cybersecure	INFORMATION TECHNOLOGY Backup Subscription	\$259.88
EFT5577	23/11/2020	Goldline Distributors	CONSIGNMENT GOODS Menzies Hotel 29 October 2020	\$3,405.40
EFT5578	23/11/2020	Goldfields Pest Control	DEPOT MAINTENANCE COUNCIL PROPERTIES General Pest Treatment	\$6,897.00
EFT5579	23/11/2020	Goldfields Records Storage	RECORDS MANAGEMENT Storage and Boxes to 30 October 2020	\$86.78
EFT5580	23/11/2020	Goldfields Tourism Network Association	MEMBERSHIP SUBSCRIPTIONS Golden Quest Discovery Trail Association Inc	\$12,650.00
EFT5581	23/11/2020	Goldfields Toyota	PLANT SERVICE 1MN Toyota Prado (CEO)	\$547.67
EFT5582	23/11/2020	Goldfields Voluntary Regional Org	GOVERNANCE GVRO Annual Contribution 2020/2021	\$11,000.00
EFT5583	23/11/2020	Harvey Norman Bedding Kalgoorlie	CARAVAN PARK CABINS Bedding	\$1,179.50
EFT5584	23/11/2020	IT Vision	RATES TRAINING Pensioners and Seniors Training 1 day	\$770.00
EFT5585	23/11/2020	JR & A Hersey	WORKS UNIFORMS Michael Bargerbos	\$585.47
EFT5586	23/11/2020	Kleenheat Gas	TRUCK BAY ABLUTION BLOCK 2 x gas bottles and 8 tails	\$271.26
EFT5587	23/11/2020	Kalgoorlie Precast Concrete	NEW STAFF HOUSE Sewerage Tanks	\$2,860.00
EFT5588	23/11/2020	Landgate	TITLE SEARCH MINING SCHEDULES	\$149.70
EFT5589	23/11/2020	LO-Go Appointments	RECRUITMENT Permanent Placement Executive Assistant - Janet Hancock	\$8,236.80
EFT5590	23/11/2020	Marketforce	GOVERNANCE ADVERTISING Lease of Butcher Shop Building KM 10/10/20	\$221.87
EFT5591	23/11/2020	Mcleods Barristers & Solicitors	ROADS LEGAL Advice Cattle Grids on Local Roads 13/10/2020 to 26/10/2020	\$1,110.53
EFT5592	23/11/2020	Shire of Menzies Social Club	Payroll deductions	\$230.00
EFT5593	23/11/2020	MLG OZ Pty Ltd	TRUCK BAY ABLUTION BLOCK 50 tonne of ballast rock for leach drains	\$1,680.36
EFT5594	23/11/2020	Netlogic Information Technology	INFORMATION TECHNOLOGY Support	\$825.00
EFT5595	23/11/2020	Office National	ADMIN- Stationery	\$558.62
EFT5596	23/11/2020	Shire Of Leonora	HEALTH BUILDING Contract Services to 20 October 2020	\$3,507.50
EFT5597	23/11/2020	Tourism Council Western Australia	TOURISM SUBCRIPTIONS	\$578.00
EFT5598	23/11/2020	The Work Wear Group	ADMIN UNIFORMS Kaylene Tucker	\$437.60
EFT5599	23/11/2020	Moore Stephens	ADMIN CONSULTANT Statutory Compliance Services, assets advice	\$34,636.25
EFT5600	23/11/2020	Verlinden's Electrical Service	CARAVAN PARK MAINTENANCE 6 x Hand Dryers	\$3,378.10
EFT5601	23/11/2020	Paul Warner	REIMBURSEMENT Internet charges (MWS)	\$69.95
EFT5602	25/11/2020	Bunnings	PARKS & GARDENS CHEMICALS Herbicide, Fertiliser	\$707.52
				<b><u>\$180,361.08</u></b>

**Shire of Menzies**  
**List of Payments for the Month of November 2020**

<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
DD3667.1	03/11/2020	Aware Super Pty Ltd	Superannuation contributions	\$6,079.76
DD3667.2	03/11/2020	Australian Super	Superannuation contributions	\$501.35
DD3667.3	03/11/2020	WA Local Govt Superannuation Plan	Payroll deductions	\$2,209.30
DD3693.1	13/11/2020	Horizon Power	Power usage 28 August to 27 October 2020	\$6,255.31
DD3695.1	06/11/2020	Horizon Power	Power usage 21 August to 20 October 2020	\$4,268.40
DD3697.1	02/11/2020	WESTNET	Internet services from 1 November 2020 to 1 December 2020	\$54.99
DD3703.1	17/11/2020	Aware Super Pty Ltd	Superannuation contributions	\$7,160.51
DD3703.2	17/11/2020	Australian Super	Superannuation contributions	\$513.42
DD3703.3	17/11/2020	WA Local Govt Superannuation Plan	Payroll deductions	\$2,618.99
DD3712.1	18/11/2020	Horizon Power	ROADS - Streetlights	\$867.09
DD3714.1	02/11/2020	NAB	FINANCE- Credit Cards	\$10,542.54
DD3716.1	09/11/2020	Telstra - DIRECT DEBIT ONLY	ADMIN- Communications	\$6,330.36
DD3718.1	09/11/2020	Telstra - DIRECT DEBIT ONLY	PWO - Sat Phones	\$382.20
DD3720.1	09/11/2020	Power ICT Pty Ltd	ADMIN- Communication	\$75.90
DD3722.1	11/11/2020	Telstra - DIRECT DEBIT ONLY	ADMIN- Communication	\$456.99
DD3726.1	24/11/2020	Australia Post	POST OFFICE Postal products	\$1,121.62
DD3733.1	26/11/2020	Gregory Dwyer	GOVERNANCE Sitting Fees G. Dwyer	\$3,364.49
DD3733.2	26/11/2020	Ian Baird	GOVERNANCE Sitting Fees I. Baird	\$1,289.67
DD3733.3	26/11/2020	Vashti Marie Fay Ashwin	GOVERNANCE Sitting Fees V. Ashwin	\$875.83
DD3733.4	26/11/2020	Cr Justin Lee	GOVERNANCE Sitting Fees J. Lee	\$875.83
DD3733.5	26/11/2020	Cr Keith Mader	GOVERNANCE Sitting Fees K. Mader	\$875.83
DD3733.6	26/11/2020	Jillian Dwyer	GOVERNANCE Sitting Fees J. Dwyer	\$875.83
DD3735.1	30/11/2020	Wright Express Australia Pty Ltd	PLANT VARIOUS Fuel Cards	\$776.67
DD3740.1	30/11/2020	NAB	Account Fees AKF - 30 November 2020	\$95.20
				<b><u>\$58,468.08</u></b>

**Shire of Menzies**  
**List of Payments for the Month of November 2020**

<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
<b>CEO Credit Card</b>			
14/10/2020	Activ8me	Internet at CEO house	\$ 70.65
28/10/2020	Water Corporation	Water connection at Truck Bay	\$ 10,453.89
28/10/2020	National Australia Bank	Card Fee	\$ 9.00
<b>Pascoe Durtanovich Credit Card</b>			
28/10/2020	National Australia Bank	Card Fee	\$ 9.00
			<b><u>\$ 10,542.54</u></b>
<b>Payroll</b>			
04/11/2020		Payroll	\$ 39,010.14
18/11/2020		Payroll	\$ 41,262.98
			<b><u>\$ 80,273.12</u></b>
Direct Debit			<b><u>\$171,097.78</u></b>

### 12.1.3

### MONTHLY INVESTMENT REPORT

<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	Shire of Menzies
<b>DOCUMENT REF:</b>	As Applicable
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	15 November 2020
<b>AUTHOR:</b>	Rhona Hawkins Executive Consultant
<b>ATTACHMENT:</b>	

#### IN BRIEF:

This item recommends Council receives the investment report for the month of November 2020.

#### BACKGROUND:

The Chief Executive Officer has delegated authority to invest funds into interest bearing accounts under Delegation 2.5 – Investment of Surplus Funds.

#### COMMENT:

Below are the current investments for the Shire of Menzies as at 30/11/2020.

INSTITUTION / ACCOUNT TYPE	SUM	TERM	DATE OF MATURITY	INTEREST RATE	RISK ASSESMENT
NAB – Reserve Term Deposit *6210	\$3,270,035.08	90 Days	04/01/2021	0.45%	Medium
NAB – Reserve Term Deposit – *6410	\$8,517,815.07	90 Days	19/01/2021	0.52%	Medium
NAB – Muni TD *2057	\$1,000,000	90 Days	02/12/2020	0.70%	Medium
NAB – Muni TD *2067	\$1,000,000	90 Days	21/12/2020	0.70%	Medium
NAB – Muni TD *6491	\$500,000	90 Days	21/12/2020	0.70%	Medium
NAB – Reserve Maximiser account	\$29,468.78	Open	Open		Medium

#### CONSULTATION:

Nil

## **STATUTORY ENVIRONMENT**

### ***Local Government Act***

2.7 (2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

### **3.1. General function**

- (1) The general function of a local government is to provide for the good government of persons in its district.

### **6.14 Power to invest**

#### ***Local Government (Administration) Regulations***

#### **19C. Investment of money, restrictions on (Act s. 6.14(2)(a))**

- (1) In this regulation —

***authorised institution*** means —

- (a) an authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or
  - (b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;
- (2) When investing money under section 6.14(1), a local government may not do any of the following —
    - (a) deposit with an institution except an authorised institution;
    - (b) deposit for a fixed term of more than 3 years;
    - (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
    - (d) invest in bonds with a term to maturity of more than 3 years;
    - (e) invest in a foreign currency.

## **POLICY IMPLICATIONS:**

Council Policy 4.9 - Investments

Delegation 2.5 – Investment of Surplus Funds

## **FINANCIAL IMPLICATIONS:**

Nil

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
<p>There is always a certain risk in investment of funds as banking institutions are no longer the stable and unfailing institutions they once were.</p> <p>The proposal is to closely manage the Shire's investments and avoid the possibility of loss on the investment.</p> <p>At the same time this proposal still seeks the safest and not necessarily the most profitable return on investments</p>	<p>Medium</p>	<p>Close management of investment.</p> <p>Close attention to financial markets and information.</p> <p>Diversity of investments as much as possible.</p>

**STRATEGIC IMPLICATIONS:***14.3 Active civic leadership achieved*

- Regularly monitor and report on the Shire's activities, budgets, plans and performance.

**VOTING REQUIREMENTS:**

Simple majority.

**OFFICERS RECOMMENDATION:**

That Council receives the investment report for the month of September 2020.

**COUNCIL DECISION:****COUNCIL RESOLUTION:****No. 2052****MOVED: Cr J Dwyer****SECONDED: Cr I Baird**

That Council receives the investment report for the month of September 2020.

*Carried 4 / 0*

<b>12.1.4</b>	<b>ACTIONS AGAINST LAND FOR UNPAID RATES</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Shire of Menzies</b>
<b>DOCUMENT REF</b>	<b>As Applicable</b>
<b>DATE OF REPORT</b>	<b>12 October 2020</b>
<b>AUTHOR</b>	<b>Niel Mitchell, Consultant</b>
<b>DISCLOSURE OF INTEREST</b>	<b>nil</b>
<b>ATTACHMENT</b>	<b>Attach - Lots to transfer to the Crown (updated)</b>

(This is a copy of the Original Report presented to Council at the Ordinary Meeting in October 2020)

### **SUMMARY:**

This item reconsiders previous resolutions of Council and recommends alternative actions to be taken against various properties for non-payment of rates.

### **BACKGROUND:**

The Local Government Act 1995 provides for a number of options for the recovery of rates if reminders and usual debt recovery actions have not been successful in accordance with the Local Government Act s.6.55 and 6.56.

Privately held land is rateable property, and where rates are not paid, a range of remedies is available to the local government to attempt recovery as a debt, subject to various conditions that must be met. These range from reminders, to debt collection, legal action and ultimately, seizure of the land and sale or transfer to the Crown or Shire.

In May 2020, 52 lots were identified within the townsites of Menzies and Kookynie as having rates unpaid for in excess of 3 years. Repeated attempts to recover the debts or to contact the owners had not been successful. Since that time, several lots have had owners come forward or located. In accordance with the requirements of the Act, actions against these lots will be discontinued.

As previously advised, similar action was initiated some years ago, however a number of assessments did not have the processes completed. To avoid complications, it is proposed that action on these lots be recommenced.

However, recent discussions with the Dept of Local Government revealed that the wrong provision of the Act had been relied on when making recommendations to Council in May 2020. The provision relied was section 6.64, which in summary –

- s.6.64 - power to lease, sell, transfer to the Crown or Shire, and the actions to be taken –
  - lease – owner can pay any outstanding debts and claim all income any time within 12 years
  - sell – a better option than leasing as it avoids potential future re-claiming of the land, but the demand for land is may be very low, and it is difficult to control who buys (sell by auction or tender)
  - transfer to State – non-rateable, able to sell at any time
  - transfer to Shire – non-rateable, Shire can sell at any time and can accept a loss if considered in the long term benefit of the community

The effect of this section is not to enable action to be initiated against the land, but is more to set the parameters of circumstances in which other sections of the Act may be used –

- s.6.73 – if sold or transferred to State or Shire, all State and Shire costs/debts are discharged
- s.6.74 – power to have land revested in the Crown if rates in arrears for 3 years
- s.6.75 – process for land which is to be transferred to the Shire applicable is detailed in Sch 6.3, with other provisions apply to leases or sale of land
- Sch 6.3(8) – details the transfer process required

Currently, lots remaining with unpaid rates for more than 3 years are –

	<b>Menzies townsite</b>	<b>Kookynie townsite</b>
Number of assessments	45	4
No. of lots to transfer to the Crown	45	4
No. of lots to transfer to Shire	0	0
Total value of rates outstanding	\$ 178,656.64	\$ 18,632.64

**COMMENT:**

Despite a number of assessments being resolved, the likely demand for land to lease or purchase in the townsites of Menzies and Kookynie, it is considered that lease or sale by public auction remain low probability outcomes.

Following the advice of the Department, it is considered that the best option for Council to resolve the issues surrounding these lots is to transfer all lots to the Crown under section 6.74. The advice of the Department is that for land to be transferred directly to the Shire, the Shire will have had to have had possession of the land for 12 years. It is this requirement for possession for 12 years that was creating issues with interpreting the legislation and the wording of s.6.64.

Accordingly, it is suggested that Council –

- revoke Resolution 1869 of the Council meeting held 28 May 2020; and
- resolve to have all lots revested in the Crown under Local Government Act s.6.74.

Although the preparation work is largely complete, formal processes have not commenced as notice under the Act must be given to the owners of the intended action to be taken.

The Act requires a notice to be given to the owners at their last known address, notices to be placed on the land etc. The owners are able to object to the proposed actions within 30 days, and Council must consider any objections prior to continuing actions.

Once revested in the Crown, interested persons will be able to pursue purchase of any of the lots through Landgate.

**CONSULTATION:**

Dept of Local Government, Sport and Cultural Industries  
 Carol McAllan, Finance Officer

**STATUTORY AUTHORITY:**

*Local Government Act 1995 –*

- *s.6.64 – power to lease, sell, or transfer to State or Shire*
- *s.6.72 – title to the land transferred*
- *s.6.73 – discharge of liabilities on sale or transfer of land*
- *s.6.74 – power to revest land in the State*



- s.6.75 – land to be transferred to Shire
  - Schedule 6.3 – provisions relating to sale or transfer of land where rates etc are unpaid
- Local Government (Financial Management) Regulations 1996 –*
- regs 72 to 75 and 78 – various forms of notices required by the Act to be given to owner, placed on the land etc
  - reg 77 – requirement to advise owners (to last known address) and publish intent in the Government Gazette

**POLICY IMPLICATIONS:**

4.6 – Debt Recovery – Outstanding Rates and Sundry Debtors

**FINANCIAL IMPLICATIONS:**

Costs of advertising, production of notices etc  
 Cost of lodgement of forms, discharge of memorials on titles etc  
 Eventual write off of outstanding rates totalling \$197,289.28 as at 25 September 2020

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Continued distortion of rate debtors outstanding in financial statements and budgets	High	Transfer of land to the Crown or Shire, resulting in write-off of rates and charges
Continued distortion of financial ratios in mandatory reporting	High	Transfer of land to the Crown or Shire, resulting in write-off of rates and charges

**STRATEGIC IMPLICATIONS:**

*14.3 Active civic leadership achieved*  
 Regularly monitor and report on the Shire’s activities, budgets, plans and performance

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER RECOMMENDATION 1:**

That Council revoke Resolution 1869 made 28 May 2020

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2007</b>
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<b>Moved</b>	<b>Cr J Lee</b>	<b>Seconded</b>	<b>Cr V Ashwin</b>
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*That Council revoke Resolution 1869 made 28 May 2020.*

<b>Carried</b>	<b>5/0</b>
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**OFFICER RECOMMENDATION 2:**

That Council proceed with action under section 6.74 of the Local Government Act and Financial Management Regulations to have revested in the Crown, the lots identified in Attachment A having outstanding rates for a period of more than 3 years and totalling \$197,289.28 as at 25 September 2020

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2008</b>
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<b>Moved</b>	<b>Cr J Lee</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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*That the matter be laid on the table and presented to the next meeting of Council with detail, location, scheme rights and planning use of each lot.*

<b>Carried</b>	<b>5/0</b>
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**CEO COMMENTS**

Further information has been provided in relation to the location and planning of each Lot as shown on the attached maps.

**OFFICER RECOMMENDATION**

That Council of the Shire of Menzies proceed with action under section 6.74 of the Local Government Act and Financial Management Regulations to have revested in the Crown, the lots identified in Attachment A having outstanding rates for a period of more than 3 years and totalling \$197,289.28 as at 25 September 2020.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2053</b>
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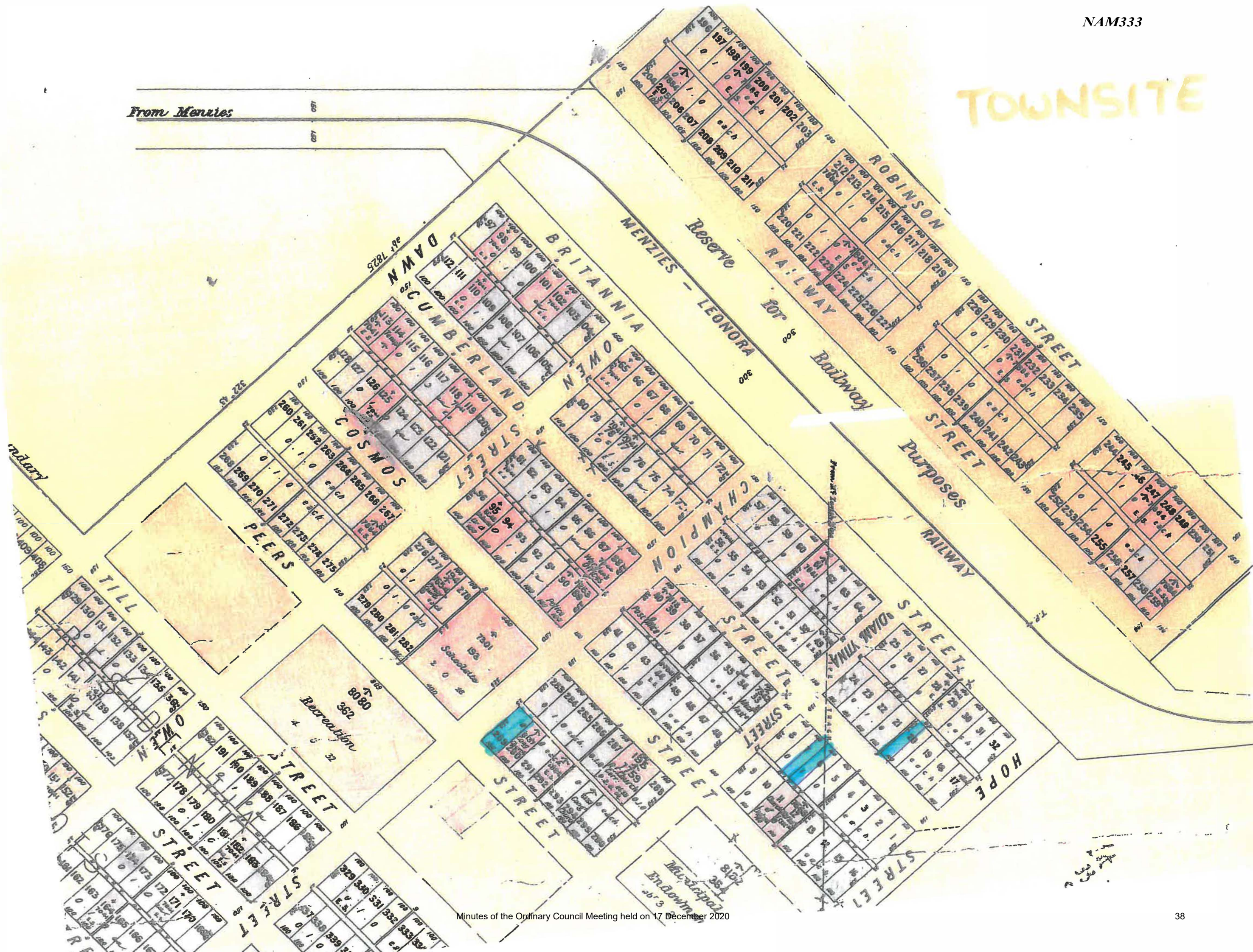
<b>Moved</b>	<b>Cr K Mader</b>	<b>Seconded</b>	<b>Cr J Dwyer</b>
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*That Council of the Shire of Menzies proceed with action under section 6.74 of the Local Government Act and Financial Management Regulations to have revested in the Crown, the lots identified in Attachment A having outstanding rates for a period of more than 3 years and totalling \$197,289.28 as at 25 September 2020 other than those west of the railway and 52 & 54 Mahon Street .*

<b>Carried</b>	<b>4/0</b>
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# TOWNSITE



<b>12.1.5</b>	<b>Outstanding Rates 54 Sheridan Street</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>A1692 &amp; RAT.936.1/NAM346</b>
<b>DATE OF REPORT</b>	<b>30<sup>th</sup> November 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Relating letters &amp; emails</b>

**SUMMARY:**

For the Council to give consideration to writing off outstanding rates for 54 Sheridan Street

**BACKGROUND:**

The issue of outstanding rates for this property was raised at the OCM in March 2019 whereat the Council resolved:

*That Council*

1. *Refuse the application from Mr Robert Peter Casotti to write off Rates and Interest on Assessment 1692 (54 Sheridan Street Menzies)*
2. *Support a payment plan for the repayment of outstanding funds to be agreed within 45 days of this resolution.*
3. *Agree that failure to agree to a payment program or to adhere to an agreed payment program will result in the immediate commencement of legal action.*

The Chief Executive Officer wrote to the landowner on the 17<sup>th</sup> March 2020. (a copy of the letter is attached)

Notwithstanding the Councils resolution of the 28<sup>th</sup> March 2019, it appears that the CEO negotiated with the landowner and advised (in part) “I would not ask the Council write off the whole rate debt as they will most likely refuse. However if we can come to this agreement, then I will seek Council approval to write-off the balance of the rates.”

**COMMENT:**

In addition to previous payments, it appears that Mr Casotti has paid \$2238.50 this financial year (20/21), which is approximately \$841 more than the “agreed” sum

The current rates outstanding for the property as at the 25<sup>th</sup> November 2020 is \$2448.12.

Mr Casotti believes that he has met the “agreed” terms and seeks the remainder of the outstanding rates be written off.

**CONSULTATION:**

Mr Casotti, Moore Australia & Rate Officer

**STATUTORY AUTHORITY:**

Local Government Act 6.12 - power to defer, grant discounts, waive or write off debts.

**POLICY IMPLICATIONS:**

There are no Council policies that deal with a matter of this nature

#### **FINANCIAL IMPLICATIONS:**

The outstanding rates as at the 25<sup>th</sup> November 2020 are \$2,448.12 which is accumulating interest.

#### **RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Rates are a significant source of annual income for the Shire	Medium	Ensure that outstanding debts to the Shire are collected as soon as practicable

#### **STRATEGIC IMPLICATIONS:**

There are no strategies in the Community Strategic Plan that relate to this issue.

#### **VOTING REQUIREMENTS:**

Absolute Majority

#### **OFFICER RECOMMENDATION:**

*That Council of the Shire of Menzies:*

- 1. Refuse the request from Mr Robert Peter Casotti to write off the outstanding rates and interest on assessment 1692 (54 Sheridan Street Menzies)*
- 2. Support a payment plan for the repayment of outstanding funds to be agreed within 45 days of this resolution.*
- 3. Agree that failure to agree to a payment program or to adhere to an agreed payment program will result in the immediate commencement of legal action.*

#### **COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2054</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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*That Council of the Shire of Menzies:*

- 1. Refuse the request from Mr Robert Peter Casotti to write off the outstanding rates and interest on assessment 1692 (54 Sheridan Street Menzies)*
- 2. Support a payment plan for the repayment of outstanding funds to be agreed within 45 days of this resolution.*
- 3. Agree that failure to agree to a payment program or to adhere to an agreed payment program will result in the immediate commencement of legal action.*

<b>Carried</b>	<b>4/0</b>
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12.5.12



Mr. R.P Casotti  
4 Sissinghurst Crescent  
LANDSDALE WA 6065

**SUBJECT: Assessment Number 1692 - 54 Sheridan Street MENZIES.WA.6436**

Dear Mr. Casoti,

I write regarding the matter of the outstanding rate debt to the Shire of Menzies associated with 54 Sheridan Street Menzies.

Landgate records show you purchased the property in 2009. The Shire has no record of this purchase and did not become aware of the purchase until our rates officer investigated the property records in 2017.

When you were sent an account for the back rates you sought a write off from the Shire as you said you never received any rate notices. Unless the previous owner forwarded rate notices to you, then that is most likely correct that you didn't receive rate notices.

However, you are recorded as owning several other properties so you could have enquired about not receiving rate notices on this property.

I understand that you the made contact with the CEO sometime in 2019 and by agreement you paid the current rates being \$282.00 on 18 February 2019 and \$437.28 on 15 October 2019.

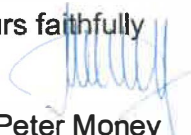
Considering there may be faults on both sides the Shire is prepared to meet you half way and write off rates prior to the 2015/2016 rates year.

By our calculations, this would result in the rates raised less payments made from 2015/2016 of \$866.72, with interest of \$530.75 for a total of \$1,397.47.

I would not ask the Council write off the whole rate debt as they will most likely refuse. However if we can come to this agreement, then I will seek Council approval to write-off the balance of the rates.

Please let me know if you agree or not.

Yours faithfully

  
Mr Peter Money  
Chief Executive Officer  
17 March 2020

<b>12.1.6</b>	<b>Outstanding Rates – Dead Tenements</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>FIN.952.1/NAM345</b>
<b>DATE OF REPORT</b>	<b>4<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes &amp; Rates Officer</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>List of mining tenements</b>

#### **SUMMARY:**

For the Council to give consideration to writing off rates relating to dead mining tenements.

#### **BACKGROUND:**

The rates officer has prepared a list of tenements with outstanding rates where the tenements have been ceased in excess of 7years.

Mail relating to outstanding rates keeps getting returned to the Shire.

Outstanding rates and debt affect the Shire’s bottom line and impact on sustainability ratios.

#### **COMMENT:**

The outstanding rates represent overdue amounts from 3 entities

1. FMR Investments Pty Ltd      26 Assessments
2. Crucible Resources Pty Ltd    6 Assessments
3. Potts Christopher Peter        3 Assessments

The rates officer has sought advice from a debt recovery consultant with the following advice:

Looking at these they are probably all Statute Barred in which case we cannot instigate legal action and our avenues to collect are very limited.

I am prepared to conduct some searches on these and take some legal advice but the Shire would need to pay the legal advice on this which is a cost to us for this type of information.

The statute of limitations usually is 6 years from date of last payment or notice of debt. It seems these companies are still trading though and the individual is not bankrupt.

We would like to get some advice if these fall outside the scope of normal statute of limitations.

This information concurs with previous verbal advice received by the Shire

The Shire has 2 options

1. Seek legal advice relating to avenues available for the collection of outstanding rates, if any; or
2. Write off the outstanding rates as a bad debt

Whilst it is not the most favourable option, it appears that the likelihood of recovering the outstanding rates is low and seeking legal advice may just incur further costs.

#### **CONSULTATION:**

Rates Officer

#### **STATUTORY AUTHORITY:**



**POLICY IMPLICATIONS:**

4.6 Debt Recovery – Outstanding Rates and Sundry Debtors

**FINANCIAL IMPLICATIONS:**

Outstanding rates for dead mining tenements exceeding 7 years as of the 4<sup>th</sup> December 2020

1. FMR Investments Pty Ltd \$106,847.79
2. Crucible Resources Pty Ltd \$11,217.83
3. Potts Christopher Peter \$4,745.98

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
The Shire has a significant number of outstanding debtors on the books relating to the non-payment of rates	High	Undertake a debt collection process to recover debts Write off outstanding rates where the likelihood of collection is low or the cost of collection exceeds the benefit.

**STRATEGIC IMPLICATIONS:**

There are no themes within the Community Strategic Plan that refer to a matter of this nature

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies in accordance with clause 6.12 (1)(c) of the Local Government Act 1995 write off the outstanding rates of the mining leases of the properties identified in attachment B which have been outstanding for a period of more than 7 years and totalling \$122,811.60 as at the 17<sup>th</sup> December 2020.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	2055
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<b>Moved</b>	<b>Cr K Mader</b>	<b>Seconded</b>	<b>Cr J Dwyer</b>
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<b>Carried</b>	4/0
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## OVERDUE RATES REPORT

Ward : 5 - Dead

Assess #	Property Address/Ratepayer/Service Name & Address	Charges	Cur/Arr	Levied	Received	Balance
A876	E40/00042 MINING TENEMENT Fmr Investments Pty Ltd	Rates	A	108.53	0.00	108.53
		Interest	C	92.54	0.00	92.54
Pension #	VEN 1201065	Number of Instalments	Totals	201.07	0.00	201.07
A885	E40/00087 MINING TENEMENT Fmr Investments Pty Ltd	Rates	A	185.39	0.00	185.39
		Interest	C	162.09	0.00	162.09
Pension #	VEN 1201098	Number of Instalments	Totals	347.48	0.00	347.48
A1094	M40/00036 MINING TENEMENT FMR Investments Pty Ltd	Rates	A	4194.33	0.00	4194.33
		Interest	C	3773.24	0.00	3773.24
		ESL PENALTY	A	91.03	0.00	91.03
Pension #	VEN 1211267	Number of Instalments	Totals	8058.60	0.00	8058.60
A1095	M40/00037 MINING TENEMENT Fmr Investments Pty Ltd	Rates	A	4941.82	0.00	4941.82
		Interest	C	4426.18	0.00	4426.18
		ESL PENALTY	A	80.17	0.00	80.17
Pension #	VEN 1211268	Number of Instalments	Totals	9448.17	0.00	9448.17
A1096	M40/00038 MINING TENEMENT Fmr Investments Pty Ltd	Rates	A	9511.17	0.00	9511.17
		Interest	C	14185.11	0.00	14185.11
		ESL PENALTY	C	5.61	0.00	5.61
		ESL PENALTY	A	157.70	0.00	157.70
		EMERGENCY SERVICES LEVY	A	172.00	0.00	172.00
Pension #	VEN 1211269	Number of Instalments	Totals	24031.59	0.00	24031.59
A1111	M40/00111 MINING TENEMENT Fmr Investments Pty Ltd	Rates	A	3264.04	0.00	3264.04
		Interest	C	4867.87	0.00	4867.87
		ESL PENALTY	C	5.61	0.00	5.61
		ESL PENALTY	A	150.26	0.00	150.26
		EMERGENCY SERVICES LEVY	A	172.00	0.00	172.00
Pension #	VEN 1211285	Number of Instalments	Totals	8459.78	0.00	8459.78
A1116	M40/00119 MINING TENEMENT FMR Investments Pty Ltd	Rates	A	10073.42	0.00	10073.42
		Interest	C	8988.84	0.00	8988.84
		ESL PENALTY	A	118.89	0.00	118.89
Pension #	VEN 1211290	Number of Instalments	Totals	19181.15	0.00	19181.15
A1123	M40/00138 MINING TENEMENT Fmr Investments Pty Ltd	Rates	A	11245.84	0.00	11245.84
		Interest	C	10044.06	0.00	10044.06

## OVERDUE RATES REPORT

Ward : 5 - Dead

Assess #	Property Address/Ratepayer/Service Name & Address	Charges	Cur/Arr	Levied	Received	Balance
		ESL PENALTY	C	3.93	0.00	3.93
		ESL PENALTY	A	186.61	0.00	186.61
		EMERGENCY SERVICES LEVY	A	120.29	0.00	120.29
Pension #	VEN 1211305	Number of Instalments	Totals	21600.73	0.00	21600.73
A1349	P40/00956 MINING TENEMENT	Rates	A	147.63	0.00	147.63
	Fmr Investments Pty Ltd	Interest	C	127.46	0.00	127.46
Pension #	VEN 1223218	Number of Instalments	Totals	275.09	0.00	275.09
A1351	P40/00958 MINING TENEMENT	Rates	A	108.51	0.00	108.51
	Fmr Investments Pty Ltd	Interest	C	92.54	0.00	92.54
Pension #	VEN 1223220	Number of Instalments	Totals	201.05	0.00	201.05
A1357	P40/00981 MINING TENEMENT	Rates	A	129.52	0.00	129.52
	Fmr Investments Pty Ltd	Interest	C	111.11	0.00	111.11
Pension #	VEN 1223236	Number of Instalments	Totals	240.63	0.00	240.63
A1362	P40/00986 MINING TENEMENT	Rates	A	108.53	0.00	108.53
	Fmr Investments Pty Ltd	Interest	C	92.54	0.00	92.54
Pension #	VEN 1223241	Number of Instalments	Totals	201.07	0.00	201.07
A1363	P40/00987 MINING TENEMENT	Rates	A	108.53	0.00	108.53
	Fmr Investments Pty Ltd	Interest	C	92.54	0.00	92.54
Pension #	VEN 1223242	Number of Instalments	Totals	201.07	0.00	201.07
A1368	P40/00996 MINING TENEMENT	Rates	A	108.53	0.00	108.53
	Fmr Investments Pty Ltd	Interest	C	92.54	0.00	92.54
Pension #	VEN 1223253	Number of Instalments	Totals	201.07	0.00	201.07
A1369	P40/01001 MINING TENEMENT	Rates	A	264.27	0.00	264.27
	Fmr Investments Pty Ltd	Interest	C	232.81	0.00	232.81
Pension #	VEN 1223254	Number of Instalments	Totals	497.08	0.00	497.08
A1370	P40/01002 MINING TENEMENT	Rates	A	264.27	0.00	264.27
	Fmr Investments Pty Ltd	Interest	C	232.81	0.00	232.81
Pension #	VEN 1223255	Number of Instalments	Totals	497.08	0.00	497.08
A1372	P40/01015 MINING TENEMENT	Rates	A	108.53	0.00	108.53
	Fmr Investments Pty Ltd	Interest	C	92.54	0.00	92.54

## OVERDUE RATES REPORT

Ward : 5 - Dead

Assess #	Property Address/Ratepayer/Service Name & Address	Charges	Cur/Arr	Levied	Received	Balance
Pension #	VEN 1223268	Number of Instalments	Totals	201.07	0.00	201.07
A1383	P40/01045 MINING TENEMENT Fmr Investments Pty Ltd	Rates Interest	A C	108.53 92.54	0.00 0.00	108.53 92.54
Pension #	VEN 1223290	Number of Instalments	Totals	201.07	0.00	201.07
A3024	P29/01861 MINING TENEMENT Potts Christopher Peter	Rates Interest	A C	671.82 1095.44	0.00 0.00	671.82 1095.44
Pension #	VEN 1635194	Number of Instalments	Totals	1767.26	0.00	1767.26
A3025	P29/01868 MINING TENEMENT Potts Christopher Peter	Rates Interest	A C	474.52 772.89	0.00 0.00	474.52 772.89
Pension #	VEN 1635195	Number of Instalments	Totals	1247.41	0.00	1247.41
A3026	P29/01869 MINING TENEMENT Potts Christopher Peter	Rates Interest	A C	658.17 1073.14	0.00 0.00	658.17 1073.14
Pension #	VEN 1635196	Number of Instalments	Totals	1731.31	0.00	1731.31
A3694	P40/01165 MINING TENEMENT FMR Investments Pty Limited	Rates Interest	A C	699.31 974.95	0.00 0.00	699.31 974.95
Pension #	VEN 1682539	Number of Instalments	Totals	1674.26	0.00	1674.26
A3695	P40/01166 MINING TENEMENT FMR Investments Pty Limited	Rates Interest	A C	699.31 974.95	0.00 0.00	699.31 974.95
Pension #	VEN 1682540	Number of Instalments	Totals	1674.26	0.00	1674.26
A3697	P40/01170 MINING TENEMENT Crucible Resources Pty Ltd	Rates Interest	A C	786.98 1066.06	0.00 0.00	786.98 1066.06
Pension #	VEN 1682544	Number of Instalments	Totals	1853.04	0.00	1853.04
A3698	P40/01171 MINING TENEMENT Crucible Resources Pty Ltd	Rates Interest	A C	786.98 1066.06	0.00 0.00	786.98 1066.06
Pension #	VEN 1682545	Number of Instalments	Totals	1853.04	0.00	1853.04
A3700	P40/01173 MINING TENEMENT Crucible Resources Pty Ltd	Rates Interest	A C	953.62 1293.21	0.00 0.00	953.62 1293.21
Pension #	VEN 1682548	Number of Instalments	Totals	2246.83	0.00	2246.83
A3701	P40/01174 MINING TENEMENT	Rates	A	400.00	0.00	400.00

OVERDUE RATES REPORT

Ward : 5 - Dead

Assess #	Property Address/Ratepayer/Service Name & Address	Charges	Cur/Arr	Levied	Received	Balance
Pension #	FMR Investments Pty Limited VEN 1682549	Interest Number of Instalments	C Totals	621.80 1021.80	0.00 0.00	621.80 1021.80
A3704	P40/01177 MINING TENEMENT Crucible Resources Pty Ltd	Rates Interest	A C	699.31 859.27	0.00 0.00	699.31 859.27
Pension #	VEN 1682552	Number of Instalments	Totals	1558.58	0.00	1558.58
A3705	P40/01178 MINING TENEMENT FMR Investments Pty Limited	Rates Interest	A C	479.18 739.93	0.00 0.00	479.18 739.93
Pension #	VEN 1682553	Number of Instalments	Totals	1219.11	0.00	1219.11
A3706	P40/01181 MINING TENEMENT Crucible Resources Pty Ltd	Rates Interest	A C	786.98 1066.06	0.00 0.00	786.98 1066.06
Pension #	VEN 1682556	Number of Instalments	Totals	1853.04	0.00	1853.04
A3707	P40/01183 MINING TENEMENT Crucible Resources Pty Ltd	Rates Interest	A C	786.98 1066.32	0.00 0.00	786.98 1066.32
Pension #	VEN 1682558	Number of Instalments	Totals	1853.30	0.00	1853.30
A3828	E40/00230 MINING TENEMENT Fmr Investments Pty Ltd	Rates Interest	A C	919.18 974.06	0.00 0.00	919.18 974.06
Pension #	VEN 1694292	Number of Instalments	Totals	1893.24	0.00	1893.24
A3829	E40/00232 MINING TENEMENT Fmr Investments Pty Ltd	Rates Interest	A C	396.89 350.14	0.00 0.00	396.89 350.14
Pension #	VEN 1694297	Number of Instalments	Totals	747.03	0.00	747.03
A3852	P40/01193 MINING TENEMENT FMR Investments Pty Ltd	Rates Interest	A C	888.91 1283.08	0.00 0.00	888.91 1283.08
Pension #	VEN 1699055	Number of Instalments	Totals	2171.99	0.00	2171.99
A3853	P40/01194 MINING TENEMENT Fmr Investments Pty Ltd	Rates Interest	A C	946.11 1455.14	0.00 0.00	946.11 1455.14
Pension #	VEN 1699056	Number of Instalments	Totals	2401.25	0.00	2401.25
Totals for Dead ward:						122811.60

OVERDUE RATES REPORT

CRITERIA	GRAND TOTALS				
=====	Charges	Cur/Arr	Levied	Receipted	Balance
Ratepayers: All Ratepayers					
Balances prior to 17.12.20.					
Assessment Range from:            to:	Rates	A	57015.64	0.00	57015.64
Balance Range from    :            to:	Interest	C	64531.86	0.00	64531.86
Bals: O/S Y, Credit N, Zero N	ESL PENALTY	C	15.15	0.00	15.15
Back Rated ONLY N, Interim Rated ONLY N	ESL PENALTY	A	784.66	0.00	784.66
Instalment Payer ONLY N, Non-instalment Payer ONLY N	EMERGENCY SERVICES LEVY	A	464.29	0.00	464.29
Ward Code 5                   , Rate Code					
Service Code                   , Other Code	35 properties		122811.60	0.00	122811.60
Owner Code					
Totals ONLY N, Phone N, All Owners N					
Lots N, Order by Ward					

<b>12.2.1</b>	<b>WORKS REPORT</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COR860.1/NAM334</b>
<b>DATE OF REPORT</b>	<b>20/11/20</b>
<b>AUTHOR</b>	<b>Paul Warner</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

**SUMMARY:**

To advise the Council of the activities of the Works Department of the Shire of Menzies for the month of November 2020.

**BACKGROUND:**

The Works Department undertakes inspection, replacement, repair and maintenance of roads, fences, houses, buildings, plant, equipment, grounds, signs, reserves and other property which are under the care, control and management of the Shire of Menzies.

**COMMENT:**

The following work was carried by the Works Department:

- General cleaning of townsite.
- Signs that were missing and damaged at Mt Ida replaced.
- The Shire grader is currently grading Menzies /Evanston road.
- The Contractor grader is grading Yarri road.
- Water at truck bay will be hooked up soon.
- Ground works for new house getting done ready for concrete.
- Dirt for footpaths next to new Kerbing completed.
- Water park has been serviced and is now open.
- Cars at rubbish tip set on fire and fire brigade responded and put out.

**Workshop:**

- General maintenance on small plant.
- Go to grader camp fix genset mount.
- New tyres on P0233 and P0220.
- P0188 circle drive needs replacing.

**Building:**

- Replace globes in old post office kitchen.
- Get air/con replaced in records container.
- Assorted odd jobs around offices, CRC and housing

**CONSULTATION:**

CEO and maintenance contractors

**STATUTORY AUTHORITY:**

*Local Government Act 1995, Road Traffic Act 1974, Waste Avoidance and Resource Recovery Act 2007 and associated regulations*

**POLICY IMPLICATIONS:**

Various Council policies relating to works plant and equipment 12.1 – 12.6

**FINANCIAL IMPLICATIONS:**

Costs associated with inspections, repairs, replacement are included in the budget

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
N/A		

**STRATEGIC IMPLICATIONS:**

**1. Sustainable local economy encouraged**

The acquisition of appropriate resources to assist with economic and tourism planning and development.

**2. Strong sense of community maintained**

Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.

Our community will value each other, building relationships and networks to interact, socialise and for recreation.

Our community will have access to all necessary service requirements.  
The Shire to review disability access throughout the Shire of Menzies.

**3 Active civic leadership achieved**

Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.

Regularly monitor and report on the Shire’s activities, budgets, plans and performance.  
Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.  
Continue to participate in regional activities to the benefit of our community.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council receive the Works Report for the month of November 2020

**COUNCIL DECISION:**



<b>Council Resolution Number</b>	<b>2056</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr I Baird</b>
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That the Council receive the Works Report for the month of November 2020

<b>Carried</b>	<b>4/0</b>
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<b>12.4.1</b>	<b>COMMUNITY SERVICES REPORT – November 2020</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Shire of Menzies</b>
<b>DOCUMENT REF</b>	<b>COR.860.1/NAM335</b>
<b>DATE OF REPORT</b>	<b>17 December 2020</b>
<b>AUTHOR</b>	<b>Sethen Sheehan-Lee Community Service Officer</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

### SUMMARY:

The purpose of the report is to advise Council of Community Service Activates for the month of November 2020.

### BACKGROUND:

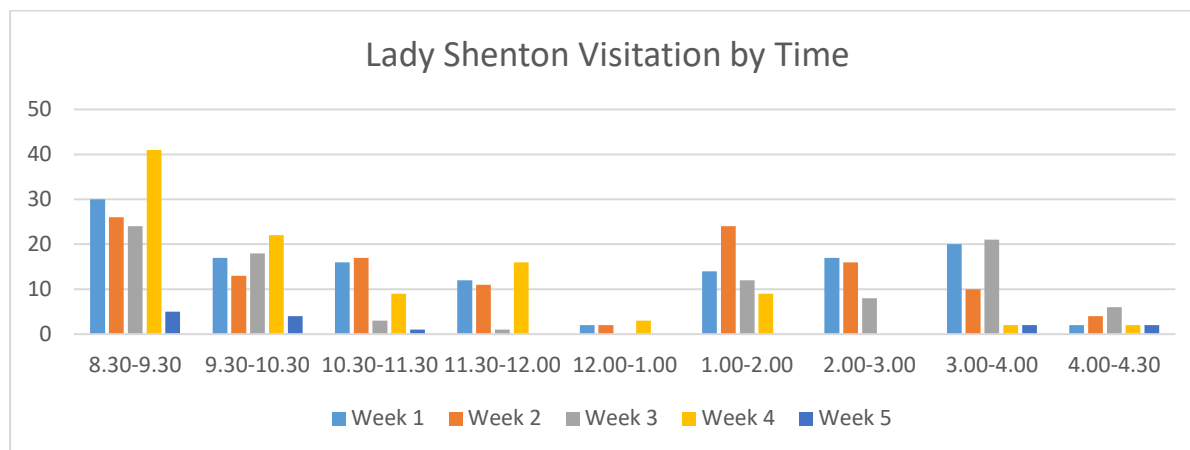
The Lady Shenton Building accommodate the Community Resource Centre, Menzies Visitor Centre and the Menzies Caravan Park management.

The Youth Centre Ngalipaku Building forms a key part of the Menzies Youth and Community Precinct and operates as a space to host youth and community events.

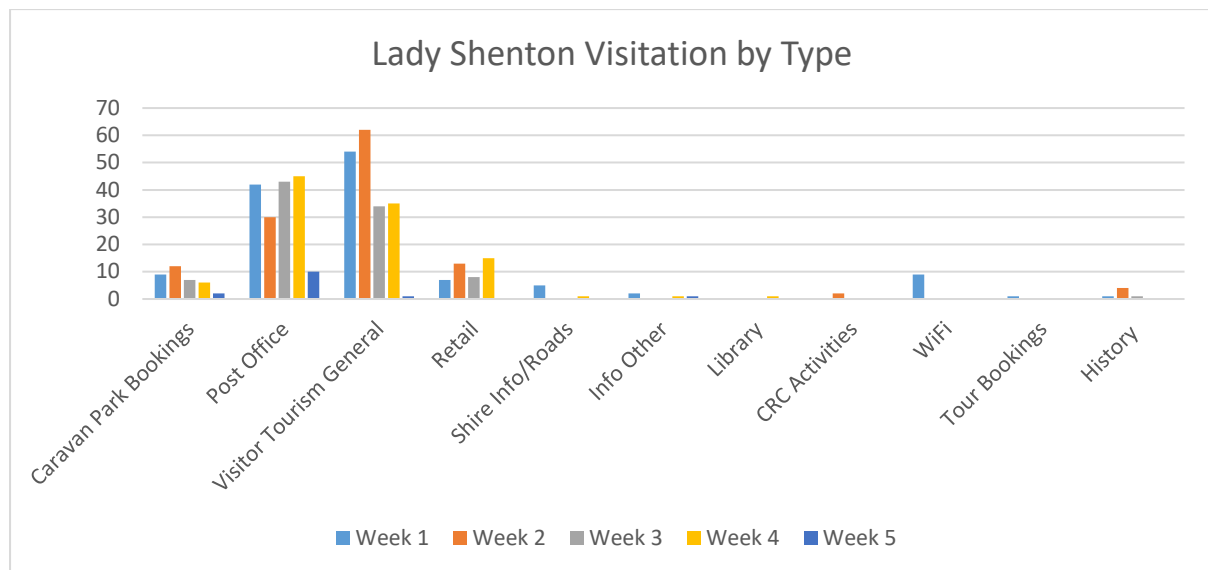
### COMMENT:

#### Lady Shenton

The Lady Shenton received 464 visitors in November 2020, which is a significant drop from the 1086 visitors in October 2020. Unlike the previous month, visitation was also below that of previous years (receiving 765 in 2019 and 585 in 2017). The only obvious cause of lower visitor numbers this month is that we had several *Catastrophic Fire Weather Warning* days in this region. In these circumstances, travel for non-e reasons (such as site seeing/tourism) is discouraged. Being that tourist make up a majority of visitors to the Lady Shenton building (at least for a majority of the year), this would've had some effect on the numbers for the month.

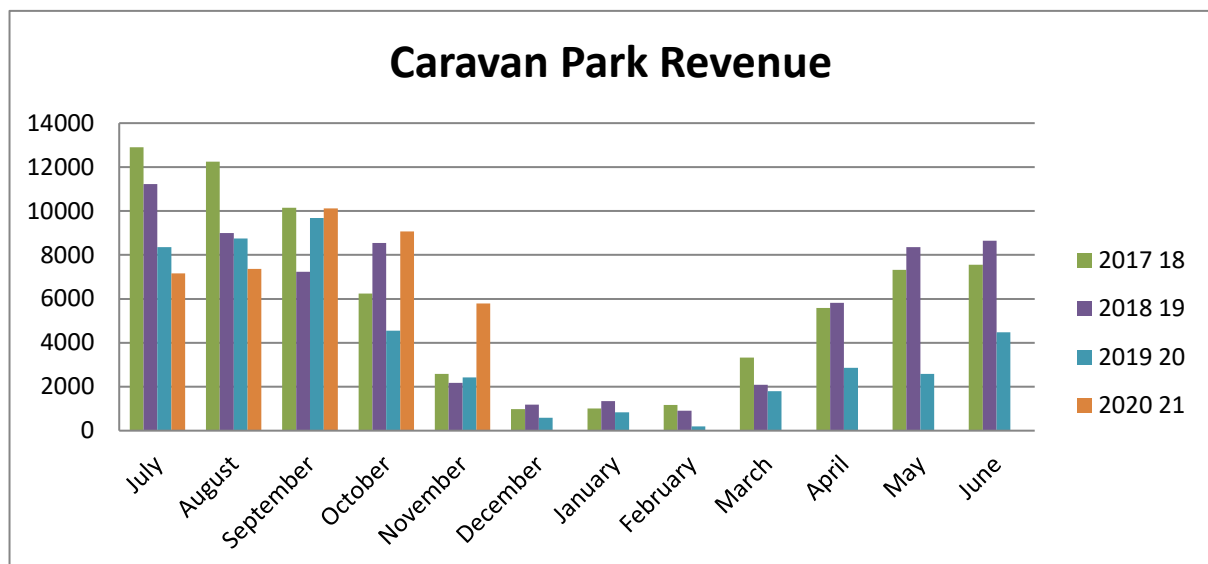


‘Visitor Tourism General’ continues to be the most popular service at the Lady Shenton with 186 visiting for this purpose. This was trailed closely by the “Post Office” service which contributed to a total of 170 visitors in November 2020.



### Caravan Park

While the drop in Caravan Park revenue in October to November (2020) was reasonable, in comparison to previous years, the revenue was relatively high for this period. Seeming as the number of Caravan Park booking was down on previous months and years, this increase in revenue is majorly attributed to number bookings for the fully furnished units.



## **Youth Centre and General Community Services**

Outside of the regular operation of the Nglipaku Building Youth Centre, Community services staff assisted with operation and organization of a number of community related events in November 2020.

On the 7<sup>th</sup> of November Wilurarra Creative hosted an outdoor concert performance at the Ngalipaku Building Youth Centre. The event was well received by the community with a reasonable number of people turning out.

On the 23<sup>rd</sup> and 24<sup>th</sup> of November the Strategic Community Plan workshops took place in the Council Chambers. We had over 20 people attend both these events and an overwhelming majority of the ideas presents were diverse and productive.

On the 27<sup>th</sup> of November, in collaboration with Menzies Community School, we organized for the Bilya Kaatijin dance group to do a performance at the Menzies Town Hall. While this was a smaller event, it is constructive to have several parties working together to operate an activity in the community. On the evening of the 27<sup>th</sup>, a community Basketball game was hosted at the town sports courts. While this event wasn't organized by community services staff, the Shire did assist with this event by donating trophies and several Shire of Menzies staff volunteered their time with the set-up/pack-up for this event.

In August (2020), we started surveying young people and families on what they wanted for the future of youth services and the Youth Centre in Menzies. The basketball games, arts and craft activities, online bingo games and live music events that took place this year continue to be popular with our audience. Some new information that came from the survey is that most of the young people in the community are interesting in learning about being environmentally friendly. Consideration for this will be made when planning activities next year. In terms of any recreational infrastructure, there's high demand for a scooter/pump track to be added to the Youth and Community Precinct. The major reason provided for this was that many young people in the community have scooters, but some also suggested it would be safer for young people to be using a well-maintained track rather than riding around the busy main road near the playground.

**CONSULTATION:**

Debra Pianto  
Sethen Sheehan-Lee

Lady Shenton Visitors Centre & Community Resource Centre Officer  
Community Service Officer

**STATUTORY AUTHORITY:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Nil	Nil	Nil

**STRATEGIC IMPLICATIONS:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council receive the Report of Activity for Community Services for the month of November 2020.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2057</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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That Council receive the Report of Activity for Community Services for the month of November 2020.

<b>Carried</b>	<b>4/0</b>
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## CR K MADER LEFT THE ROOM

### 12.5.1 ACTIONS PERFORMED UNDER DELEGATIONS FOR THE MONTHS OF NOVEMBER

<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	Shire of Menzies
<b>DOCUMENT REF:</b>	NAM336
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	7 December 2020
<b>AUTHOR:</b>	Richard Brookes A/Chief Executive Officer
<b>ATTACHMENT:</b>	5

#### IN BRIEF:

To report back to Council actions performed under delegated authority for the month ended November - December 2020.

#### BACKGROUND:

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for:-

- Bushfire
- Common Seal
- Planning Approvals
- Building Permits
- Health Approvals
- Ranger Related Issues
- Mining / Exploration / Miscellaneous Applications

The following tables outline the actions performed within the organisation relative to delegated authority for the month ended October – November 2020.

#### *Bushfire*

No delegated decisions were undertaken by the Shire of Menzies pursuant to Bushfire matters for the month ended October – November 2020.

#### *Common Seal*

The following decisions were undertaken by the Shire of Menzies pursuant to the Common Seal for the month ended October – November 2020:

<i>Date of decision</i>	<i>Decision ref:</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
		No seal applied		

#### *Planning Approvals*

No delegated decisions were undertaken by the Shire of Menzies pursuant to Planning Approvals for the month ended October – November 2020.

#### *Health Approvals*

No delegated decisions were undertaken by the Shire of Menzies pursuant to Health Approvals for the Month ended October – November 2020.

***Building Permits (including Septic Tank approvals)***

The following decisions were undertaken by the Shire of Menzies pursuant to Building Permits (*including Septic Tank approvals*) for the month ended October – November 2020.

<i>Date of decision</i>	<i>Decision ref:</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
		XX		

***Ranger Related Dog Issues***

No delegated decisions were undertaken by the Shire of Menzies pursuant to Ranger related Dog issues for the month ended October – November 2020.

***Applications***

The following Mining/Prospecting/Exploration/Miscellaneous Applications were made for the month ended November - December 2020.

<i>Applicant Name</i>	<i>Application Type</i>	<i>Application Details</i>
Carnegie Gold Pty Ltd	General Purpose Lease	G 30/8
Murrin Murrin Operations Pty Ltd	Miscellaneous Licence	L 39/302
Dreadnought ( Kimberley Pty Ltd)	Miscellaneous Licence	L 29/143
Ardea Resources	Miscellaneous Licence	L30/85
Kingswest Resources	Mining Lease	L29/154

The following Community Assistance Fund Applications were made for the month ended October - November 2020.

<i>Applicant Name</i>	<i>Application Type</i>	<i>Grant Approved</i>
	Nil	

**CONSULTATION:**

Acting Chief Executive Officer

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**RISK ASSESSMENT:**

**OP13** Governance – Council does not comply with statutory requirements

**STRATEGIC IMPLICATIONS:**

*14.3 Active civic leadership achieved*

- Regularly monitor and report on the Shire’s activities, budgets, plans and performance.
- Maintain sustainability through our leadership, our regional and government partnerships and ensure we make informed resource decisions for our community good.

**VOTING REQUIREMENTS:**

Simple majority

**OFFICER RECOMMENDATION TO BE DEBATED AND RESOLVED BY COUNCIL:**

That Council receive the report of the actions performed under delegation for the month ended November - December 2020.

<b>COUNCIL RESOLUTION:</b>	<b>No.</b>
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**MOVED:**

**SECONDED:**

*Council could not make a resolution as there was no quorum*

*Cr K Mader returned to the room after the recess which was from 12.37pm to 2.52pm*





21 October 2020

CHIEF EXECUTIVE OFFICER  
SHIRE OF MENZIES  
PO BOX 4  
MENZIES WA 6436

RECEIVED  
03 NOV 2020  
BY: JAP19Z

our ref: 0660 Shire of Menzies \_ Appl service \_ G30.8-9\_23102020  
**DELIVERY BY WAY OF REGISTERED POSTAL SERVICE 44 63800 09400 12888 16600**

Dear Sir/Madam,

RE: APPLICATION FOR GENERAL PURPOSE LEASES ~~30/8 AND 30/9~~<sup>DONE</sup> BY CARNEGIE GOLD PTY LTD

On behalf of Carnegie Gold Pty Ltd, a wholly owned subsidiary of Ora Banda Mining Ltd, please find attached a copy and plan of each of the applications for G30/8 and G30/9.

Pursuant to Regulation 64A of the Western Australian **Mining Regulations 1981 (As Amended)**, this notice has been served on you because the application encroaches onto the Shire of Menzies.

Should you have any queries or require any further information, please do not hesitate to contact this office.

Regards

  
Jacquiline Ly  
GIS/Tenement Administration Officer



[info@orabandamining.com.au](mailto:info@orabandamining.com.au)  
T: 08 6365 4548  
LEVEL 1, 2 KINGS PARK ROAD, WEST PERTH WA 6005  
ABN 69 100 038 266

- 1 -

Form 21

WESTERN AUSTRALIA  
Mining Act 1978  
(Secs. 41, 58, 70C, 74, 86, 91, Reg. 64)

**APPLICATION FOR MINING TENEMENT**

(a) Type of tenement	(a) General Purpose Lease	No. G 30/8
(b) Time & Date marked out (where applicable)	(b) 30/09/2020 15:05:00	(c) NORTH COOLGARDIE
(c) Mineral Field		
For each applicant:	(d) and (e)	(f) Shares
(d) Full Name and ACN/ABN	CARNEGIE GOLD PTY LTD (ACN: 117 116 097) PO BOX 464, WEST PERTH, WA, 6872	100
(e) Address		
(f) No. of shares		(g) Total 100
(g) Total No. of shares		
DESCRIPTION OF GROUND APPLIED FOR: (For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)	(h) RIVERINA WLF NTH (i) DATUM SITUATED AT GDA 94, ZONE 51, 6706405N, 263238E (j) thence: 6708212N, 263238E thence: 6709142N, 264032E thence: 6706417N, 263823E back to datum Purposes: a waste landform and a drainage channel.	
(h) Locality		
(i) Datum Peg		
(j) Boundaries		
(k) Area (ha or km <sup>2</sup> )	(k) 151.00000 HA	

(l) Signature of applicant or agent (if agent state full name and address)  
*(l) Jacqueline Ly*  
LEVEL 1, 2 KINGS PARK ROAD, WEST PERTH, WA, 6005  
Date: 09/10/2020

**OFFICIAL USE**

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 13th day of November 2020 (See Note 4).

Where an objection to this application is lodged the hearing will take place on a date to be set.

Received at	11:51:53	on	9 October	2020	with fees of
Application	\$551.00				
Rent	\$2,702.90				
TOTAL	\$3,253.90				
Receipt No:	57618347159				

**Mining Registrar**

**NOTES**

**Note 1: EXPLORATION LICENCE**

- (i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (h), (i), (j) and (k) above.
- (ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

**Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE**

- (i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.




**Note 3: GROUND AVAILABILITY**

- (i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
- (ii) The following action should be taken to ascertain ground availability:
  - (a) public plan search; (b) register search; (c) ground inspection.

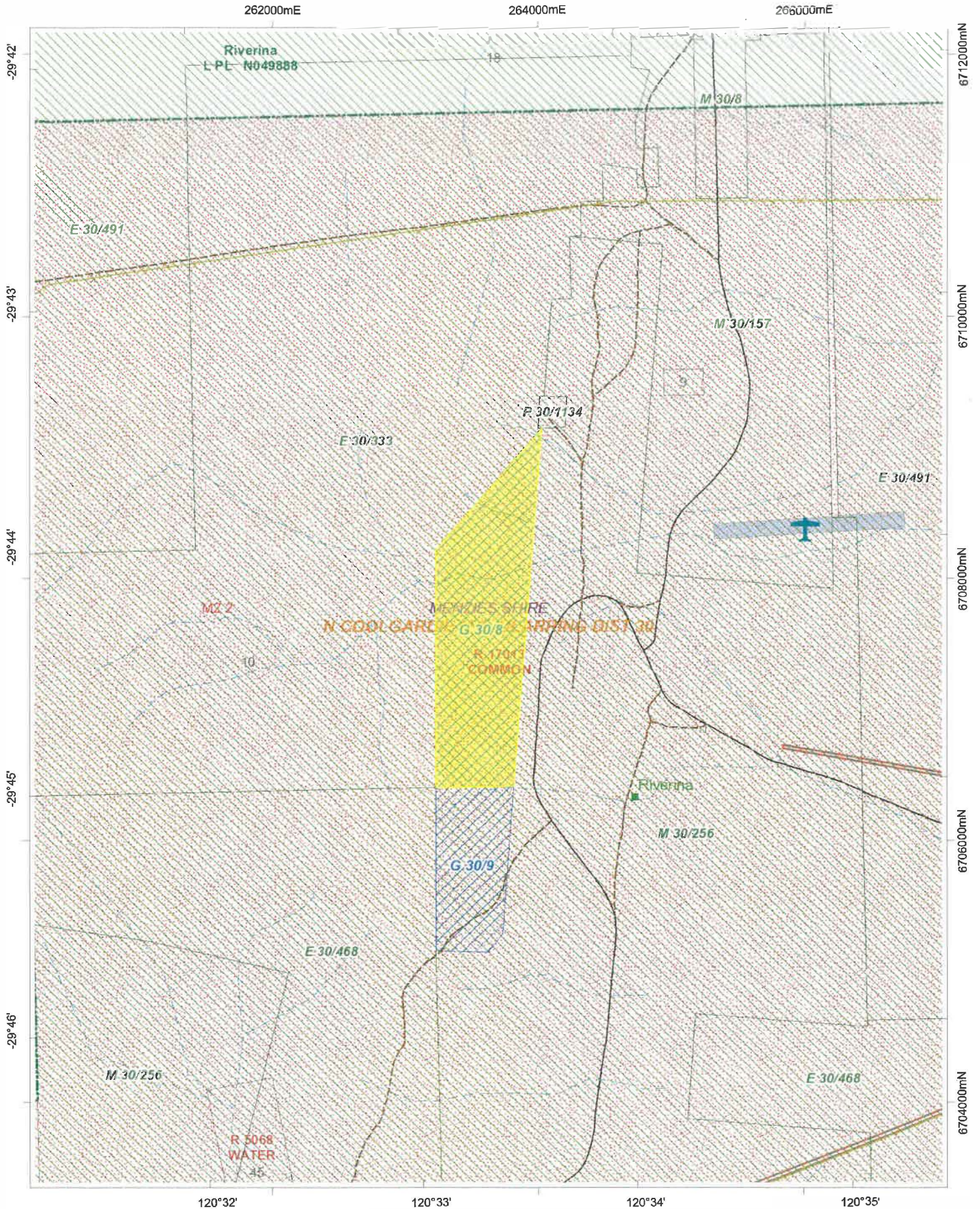
**Note 4: ALL APPLICATIONS OVER PRIVATE LAND**

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.



-  Pending Application
-  Live Tenement
-  Application over Live Tenement

QuickAppraisalPlan



This plan has been compiled from various data sources received from a number of agencies and with information supplied by applicants for mining tenements. No responsibility is accepted for any error or omission. The Commonwealth of Australia (c) 2002, through Geoscience Australia and the Department of Defence, maintains copyright over those parts of the topographic data it has provided for display in TENGRAPH. Users wishing to use the data in its unaltered form should contact Geoscience Australia at www.ga.gov.au. Confirmation of the extent and composition of any Native Title Claims should be sought from the Native Title Services Landgate. Enclosed Pastoral Lease land and Pm 1994 mining confined to Nharluwanga Wejerril and Ngarawungga LUA Native Title determination boundary.

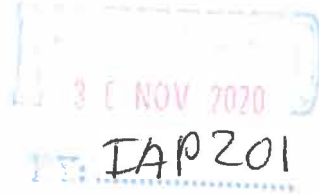
Murrin Murrin Operations Pty Ltd  
ABN 43 076 717 505  
Level 3, 30 The Esplanade, Perth WA 6000  
PO Box Z5523, St George's Terrace, Perth WA 6831  
Tel: 61 8 9212 8400  
Fax: 61 8 9212 8401  
Email: [tenement.minara@glencore.com.au](mailto:tenement.minara@glencore.com.au)



ICR1816

20 November 2020

Mr Richard Brookes  
Acting Chief Executive Officer  
Shire of Menzies  
PO Box 4  
MENZIES WA 6436



**Via Registered Post – RPP44 63700 51000 83693 12606**

Dear Mr Brookes

---

### NOTICE OF APPLICATION – MISCELLANEOUS LICENCE 39/302

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The abovementioned application lodged by Murrin Murrin Operations Pty Ltd on 19 November 2020 falls within the Shire of Menzies.

A copy of the abovementioned application and a map of the area are enclosed.

For further enquiries, please contact this office on (08) 9212 8459 or by email to [tenement.minara@glencore.com.au](mailto:tenement.minara@glencore.com.au).

Kind regards

*Tracy Fowler*

**Tracy Fowler | Administration Geologist  
Minara Resources Pty Ltd | Murrin Murrin Operations Pty Ltd  
Email: [tracy.fowler@glencore.com.au](mailto:tracy.fowler@glencore.com.au)**

*Enc. Form 21 & Tengraph map*

Form 21

WESTERN AUSTRALIA  
Mining Act 1978  
(Secs. 41, 58, 70C, 74, 86, 91, Reg. 64)

**APPLICATION FOR MINING TENEMENT**

(a) Type of tenement	(a) Miscellaneous Licence		No. L 39/302
(b) Time & Date marked out (where applicable)	(b) a.m./p.m. / /	(c) MT MARGARET	
(c) Mineral Field			
For each applicant:	(d) and (e)		(f) Shares
(d) Full Name and ACN/ABN	MURRIN MURRIN OPERATIONS PTY LTD (ACN: 076 717 505) PO BOX Z5523, ST GEORGES TERRACE, PERTH, WA, 6831		100
(e) Address			
(f) No. of shares			(g) Total 100
(g) Total No. of shares			
DESCRIPTION OF GROUND APPLIED FOR: (For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)	(h) Linden (i) MGA Coordinates Zone 51, 446112.20 mE 6756994.76 mN (j) Thence 446272.62 mE 6757468.13 mN 455649.38 mE 6754290.43 mN 455507.20 mE 6753810.88 mN Thence back to datum Purposes: a bore , a bore field , a communications facility , a pipeline , a road , a search for groundwater and taking water.		
(h) Locality			
(i) Datum Peg			
(j) Boundaries			
(k) Area (ha or km <sup>2</sup> )	(k) 495.33000 HA		
(l) Signature of applicant or agent (if agent state full name and address)	(l) Tracy Fowler PO BOX Z5523, PERTH ST GEORGES TCE, WA, 6831		Date: 19/11/2020

**OFFICIAL USE**

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 24th day of December 2020 (See Note 4).

Where an objection to this application is lodged the hearing will take place on a date to be set.

Received at	11:41:08	on 19 November	2020	with fees of
Application	\$551.00			
Rent	\$8,878.40			
TOTAL	\$9,429.40			
Receipt No:	58725145791			

**Mining Registrar**

**NOTES**

**Note 1: EXPLORATION LICENCE**

- (i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (h), (i), (j) and (k) above.
- (ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

**Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE**

- (i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

**Note 3: GROUND AVAILABILITY**

- (i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
- (ii) The following action should be taken to ascertain ground availability:
  - (a) public plan search; (b) register search; (c) ground inspection.

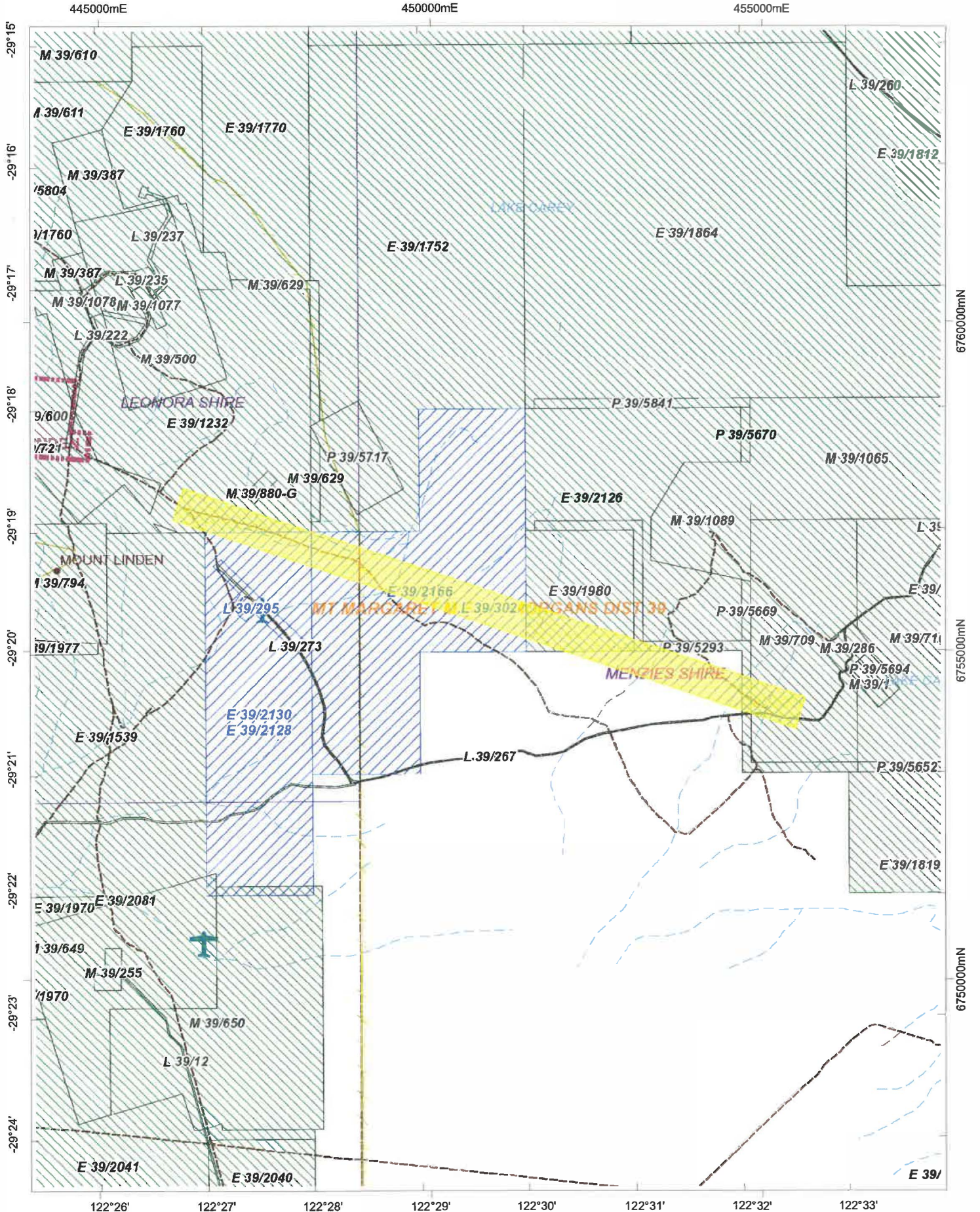
**Note 4: ALL APPLICATIONS OVER PRIVATE LAND**

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.



- Pending Application
- Live Tenement
- Application over Live Tenement

L 39/302 , Quick Appraisal Plan



This plan has been compiled from various data sources received from a number of agencies and with information supplied by applicants for mining tenements. No responsibility is accepted for any error or omission. The Commonwealth of Australia (c) 2002, through Geoscience Australia and the Department of Defence, maintains copyright over those parts of the topographic data it has provided for display in TENGRAPH. Users wishing to use the data in its unaltered form should contact Geoscience Australia at [www.ga.gov.au](http://www.ga.gov.au). Confirmation of the extent and composition of any Native Title Claims should be sought from the Native Title Services Landgate, Enclosed Pastoral Lease land and the 1994 mining confined to [www.wa.gov.au](http://www.wa.gov.au) and Nganinenge LUR Native Title determination boundary.

Scale: 1:72,224



13 November 2020

Shire of Menzies  
PO Box 4  
MENZIES WA 6436



Attention: Chief Executive Officer

**Registered Post:**  
**RPP44 63800 09400 22295 73606**

Dear Sir/Madam,

**RE: APPLICATION FOR MISCELLANEOUS LICENCE 29/143**

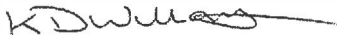
On behalf of our client, Dreadnought (Kimberley) Pty Ltd, an application has been made for the above mentioned Miscellaneous Licence 29/143.

In accordance to requirements set out in the West Australian Mining Act, notification must be forwarded to the appropriate local government authority affected by the application.

As the land affected lies within your shire, please find attached a copy of the application and a plan showing the area of the application.

Should you have any queries, please do not hesitate to contact our office.

Yours faithfully,



Kara Williams  
*McMahon Mining Title Services Pty Ltd*

Form 21

WESTERN AUSTRALIA  
Mining Act 1978  
(Secs. 41, 58, 70C, 74, 86, 91, Reg. 64)

**APPLICATION FOR MINING TENEMENT**

(a) Type of tenement	(a) Miscellaneous Licence		No. L 29/143
(b) Time & Date marked out (where applicable)	(b) a.m./p.m. / /		(c) NORTH COOLGARDIE
(c) Mineral Field			
For each applicant:	(d) and (e) DREADNOUGHT (KIMBERLEY) PTY LTD (ACN: 600 086 780) C/- MCMAHON MINING TITLE SERVICES PTY LTD, PO BOX 592, MAYLANDS, WA, 6931		(f) Shares 100
(d) Full Name and ACN/ABN			
(e) Address			
(f) No. of shares			
(g) Total No. of shares			(g) Total 100
DESCRIPTION OF GROUND APPLIED FOR: (For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)	(h) Walling Rock		
(h) Locality	(i) All coordinates situated in GDA 94 Zone 51 Datum situated at 6708307.344N, 226220.370E		
(i) Datum Peg	(j) thence to 6708307.337N, 226211.560E thence to 6708308.105N, 226202.783E thence to 6708309.643N, 226194.109E thence to 6708311.938N, 226185.603E thence to 6708314.973N, 226177.332E thence to 6708318.724N, 226169.361E thence to 6708323.162N, 226161.750E thence to 6708328.253N, 226154.560E thence to 6708333.957N, 226147.846E thence to 6708340.229N, 226141.660E thence to 6708347.022N, 226136.049E thence to 6708354.282N, 226131.059E thence to 6708361.953N, 226126.727E thence to 6708369.976N, 226123.087E thence to 6708378.288N, 226120.167E thence to 6708386.825N, 226117.990E thence to 6708395.520N, 226116.573E thence to 6708404.306N, 226115.926E thence to 6708413.115N, 226116.056E thence to 6709789.968N, 226197.047E thence to 6720440.719N, 223743.612E thence to 6757690.152N, 215297.274E thence to 6757698.578N, 215295.739E thence to 6757707.104N, 215294.931E thence to 6757715.668N, 215294.856E thence to 6757724.208N, 215295.513E thence to 6757732.659N, 215296.899E thence to 6757740.961N, 215299.003E thence to 6757749.053N, 215301.810E thence to 6757756.875N, 215305.299E thence to 6757764.369N, 215309.444E thence to 6757771.482N, 215314.216E thence to 6757778.159N, 215319.578E thence to 6757784.354N, 215325.492E thence to 6757790.020N, 215331.915E thence to 6757795.116N, 215338.799E thence to 6757799.603N, 215346.093E thence to 6757803.451N, 215353.745E thence to 6757806.629N, 215361.698E thence to 6757809.115N, 215369.894E thence to 6757911.742N, 215768.999E thence to 6768851.080N, 213250.625E thence to 6768859.853N, 213249.013E thence to 6768868.734N, 213248.190E thence to 6768877.654N, 213248.161E thence to 6768886.541N, 213248.928E thence to 6768895.324N, 213250.483E thence to 6768903.933N, 213252.815E thence to 6768912.301N, 213255.904E thence to 6768920.360N, 213259.727E thence to 6768928.046N, 213264.253E thence to 6768935.298N, 213269.446E thence to 6770267.658N, 214316.354E thence to 6770505.847N, 214464.734E thence to 6780723.445N, 210174.652E thence to 6780731.629N, 210171.629E thence to 6780740.044N, 210169.330E thence to 6780748.628N, 210167.774E		
(j) Boundaries			



thence to 6780757.315N, 210166.972E  
thence to 6780766.039N, 210166.930E  
thence to 6780774.733N, 210167.648E  
thence to 6780783.332N, 210169.122E  
thence to 6780791.769N, 210171.339E  
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thence to 6780815.481N, 210182.257E  
thence to 6780822.652N, 210187.227E  
thence to 6780829.361N, 210192.802E  
thence to 6780835.560N, 210198.941E  
thence to 6780841.199N, 210205.597E  
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thence to 6780850.636N, 210220.253E  
thence to 6780854.361N, 210228.141E  
thence to 6780857.384N, 210236.325E  
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thence to 6780859.891N, 210288.028E  
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thence to 6770519.080N, 214674.462E  
thence to 6770510.545N, 214676.020E  
thence to 6770501.907N, 214676.832E  
thence to 6770493.232N, 214676.893E  
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thence to 6757742.322N, 215913.225E  
thence to 6757639.616N, 215513.810E  
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thence to 6708367.936N, 226307.834E

thence to 6708360.157N, 226304.104E  
 thence to 6708352.727N, 226299.716E  
 thence to 6708345.704N, 226294.705E  
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 thence to 6708333.081N, 226282.965E  
 thence to 6708327.575N, 226276.323E  
 thence to 6708322.662N, 226269.230E  
 thence to 6708318.378N, 226261.741E  
 thence to 6708314.756N, 226253.911E  
 thence to 6708311.822N, 226245.797E  
 thence to 6708309.599N, 226237.461E  
 thence to 6708308.102N, 226228.964E  
 back to datum

Purposes: a bore , a pipeline , a road , a search for groundwater and taking water.

(k) Area (ha or km<sup>2</sup>)

(k) 1,514.00000 HA

(l) Signature of applicant or agent (if agent state full name and address)

(l) *Kara Williams*  
 PO BOX 592, MAYLANDS, WA, 6931

Date: 04/11/2020

**OFFICIAL USE**

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 10th day of December 2020 (See Note 4).

Where an objection to this application is lodged the hearing will take place on a date to be set.

Received at	08:30:00	on	5 November	2020	with fees of
Application	\$551.00				
Rent	\$27,100.60				
TOTAL	\$27,651.60				
Receipt No:	58326515586				

**V Wright**  
**Mining Registrar**

**NOTES**

**Note 1: EXPLORATION LICENCE**

- (i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (h), (i), (j) and (k) above.
- (ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

**Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE**

- (i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

**Note 3: GROUND AVAILABILITY**

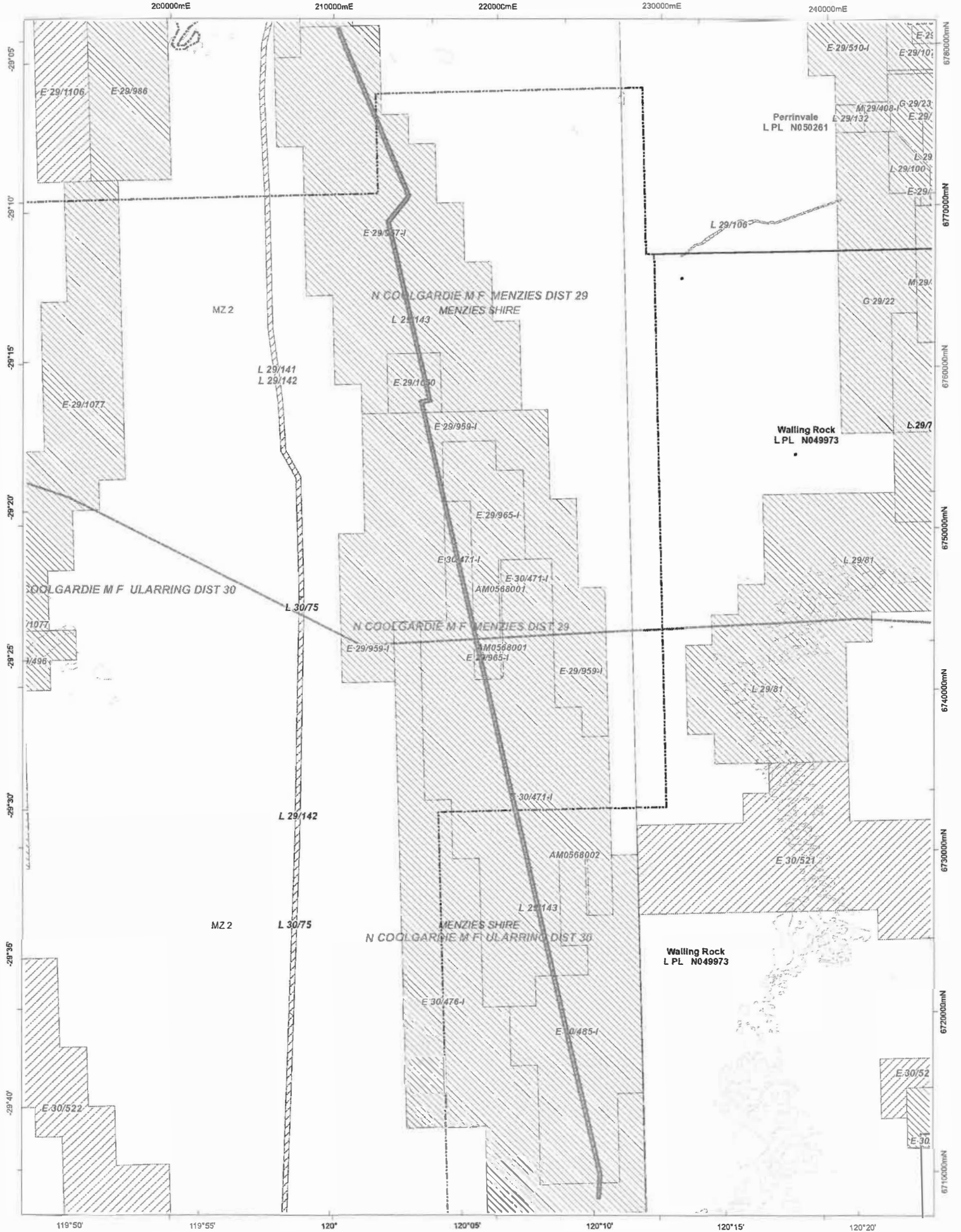
- (i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
- (ii) The following action should be taken to ascertain ground availability:  
 (a) public plan search; (b) register search; (c) ground inspection.

**Note 4: ALL APPLICATIONS OVER PRIVATE LAND**

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.



- Pending Application
- Live Tenement
- Application over Live Tenement



This plan has been compiled from various data sources as provided to or derived from a number of agencies and with information supplied by applicants for mining tenements. Its responsibility is accepted for any error or omission. The Government of Western Australia (GO WA), through Geoscience Australia and the Department of Mines, Industry Regulation and Safety, does not warrant the accuracy of the topographic data shown on this plan. It is the user's responsibility to ensure the accuracy and completeness of any mining title claims made by the holder. This plan is not to be used for legal purposes. For more information, contact the Department of Mines, Industry Regulation and Safety. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior written permission of the publisher.

3 December 2020

BY REGISTERED POST #44 63800 09400 22893 90601

RECEIVED  
09 DEC 2020  
BY: IAP207

The Chief Executive Officer  
Shire of Menzies  
PO Box 4

MENZIES WA 6436

Dear Sir/Madam

**APPLICATION FOR MISCELLANEOUS LICENCE 30/85 "SEARCH FOR WATER"**

Kalgoorlie Nickel Pty Ltd ("**Applicant**"), a wholly owned subsidiary of Ardea Resources Limited, wishes to advise that on 1 December 2020 Miscellaneous Licence 30/85 was applied for located within the North Coolgardie Mineral Field.

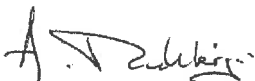
This notice is to inform you that the area of the Miscellaneous Licence application falls within the Shire of Menzies local government area.

Please find enclosed a copy of the Form 21 application together with a map detailing the location of the licence.

This notice is served pursuant to the *Mining Act 1978* and *Mining Regulations 1981*.

If you have any queries in relation to this application or require further information, please do not hesitate to contact me on (08) 6244 5136.

Yours faithfully



Alex Mukherji (Ms)  
Manager Land Access  
Ardea Resources Limited

Encls.

Form 21

WESTERN AUSTRALIA  
Mining Act 1978  
(Secs. 41, 58, 70C, 74, 86, 91, Reg. 64)

**APPLICATION FOR MINING TENEMENT**

(a) Type of tenement	(a) Miscellaneous Licence	No. L 30/85
(b) Time & Date marked out (where applicable)	(b) a.m./p.m. / /	(c) NORTH COOLGARDIE
(c) Mineral Field		
For each applicant:		
(d) Full Name and ACN/ABN	(d) and (e) KALGOORLIE NICKEL PTY LTD (ACN: 137 889 199) C/- MCMAHON MINING TITLE SERVICES PTY LTD, PO BOX 592, MAYLANDS, WA, 6931	(f) Shares 100
(e) Address		
(f) No. of shares		
(g) Total No. of shares		(g) Total 100
DESCRIPTION OF GROUND APPLIED FOR: (For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)	(h) Wangine (i) GDA 94 Z51 6663790mN 283757mE (j) 6667659mN 283718mE 6667662mN 292778mE 6666244mN 292780mE 6666244mN 293203mE 6663796mN 294176mE Purposes: a search for groundwater.	
(h) Locality		
(i) Datum Peg		
(j) Boundaries		
(k) Area (ha or km <sup>2</sup> )	(k) 3,726.00000 HA	

(l) Signature of applicant or agent (if agent state full name and address) *(l) Alex Mukherji* Date: 01/12/2020

**OFFICIAL USE**

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 5th day of January 2021 (See Note 4).

Where an objection to this application is lodged the hearing will take place on a date to be set.

Received at	15:04:59	on	1 December	2020	with fees of
Application	\$551.00				
Rent	\$2,049.30				
TOTAL	\$2,600.30				
Receipt No:	59052964270				

**Mining Registrar**

**NOTES**

**Note 1: EXPLORATION LICENCE**

- (i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (h), (i), (j) and (k) above.
- (ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

**Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE**

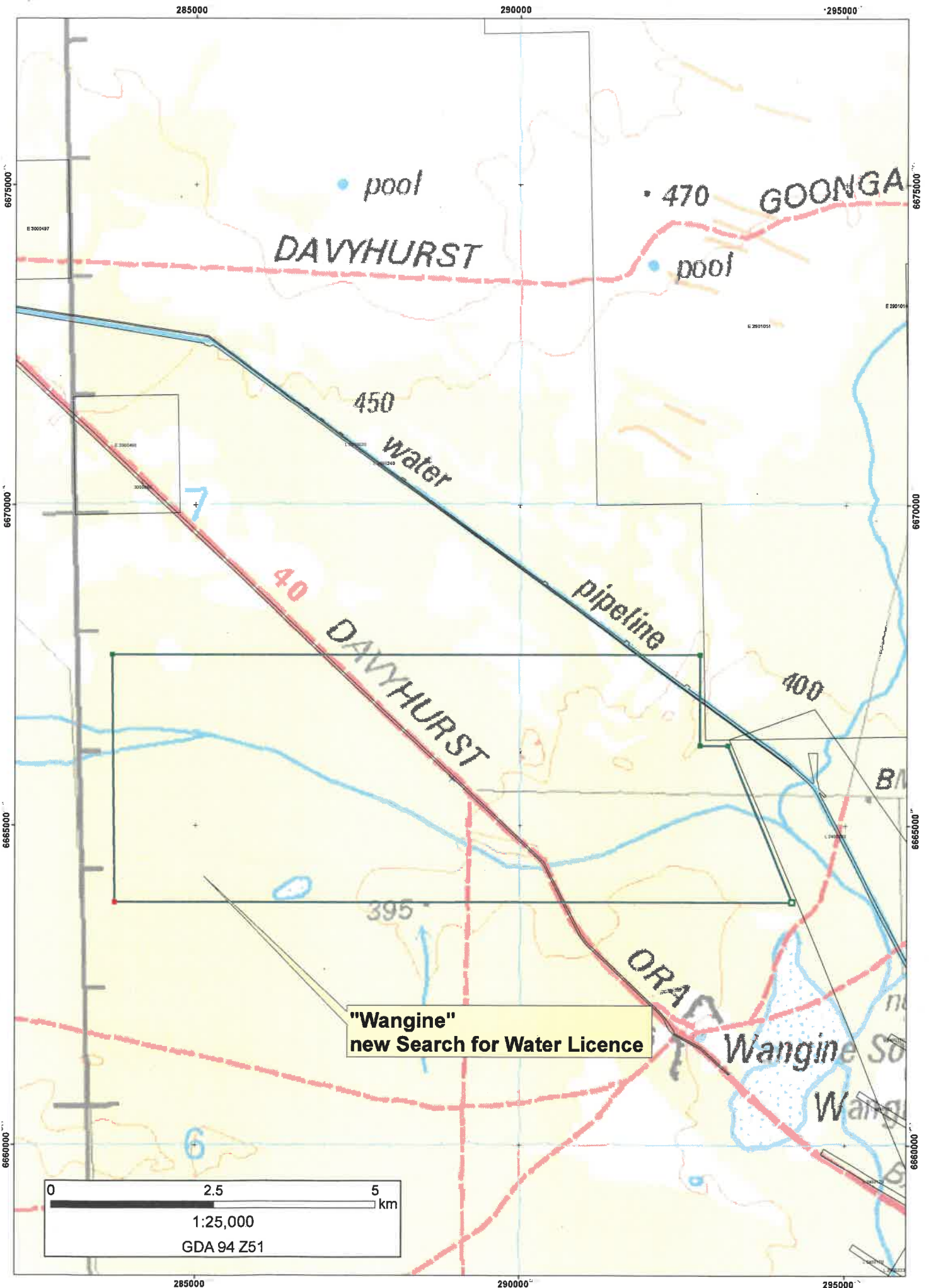
- (i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

**Note 3: GROUND AVAILABILITY**

- (i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
- (ii) The following action should be taken to ascertain ground availability:
  - (a) public plan search; (b) register search; (c) ground inspection.

**Note 4: ALL APPLICATIONS OVER PRIVATE LAND**

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.





Government of **Western Australia**  
Department of **Mines, Industry Regulation and Safety**

Our ref M29/154/Reserve 46874  
Enquiries Virginia Wright  
(08) 9021 9401  
mineraltitles.kalgoorlie@dmirs.wa.gov.au

Chief Executive Officer  
Shire of Menzies  
PO Box 4  
MENZIES WA 6436

Dear Sir/Madam,

**CONSENT TO MINE REQUEST AFFECTING MINING LEASE 29/154  
HELD BY MENZIES OPERATIONAL AND MINING PTY LTD  
AND AFFECTING RECREATION RESERVE 46874 (FORMERLY RACECOURSE  
RESERVE 5168)**

The *Mining Act 1978* (Sections 23 to 26) provides that mining may be carried out on certain classes of reserved land with the written consent of the Hon Minister for Mines and Petroleum. Prior consultation with the responsible Minister and vested authority is required, and their recommendations considered before consent is given.

Mining Lease 29/154 was granted on 18 November 1992 and Consent to Mine in respect to Racecourse Reserve 5168 was given on 18 December 1997. Racecourse Reserve 5168 has since changed purpose and become Recreation Reserve 46874 which is vested in the Shire of Menzies.

Kingswest Resources Limited, as agent for the holder, has indicated that it would like to undertake an exploration program in the area contained within the Recreation Reserve 46874.

Given the change of purpose of the reserved land, the Minister for Mines and Petroleum has therefore directed that I commence the consultation process and obtain your Council's comments and recommendation with regard to the impact of the tenement on the reserve listed above.

Your reply in due course would be appreciated please.

Yours sincerely

Virginia Wright

Regional Mining Registrar  
RESOURCE TENURE DIVISION

9 December 2020

003432.Virginia.WRIGHT

cnr Hunter and Broadwood Streets (Locked Bag 405)  
Kalgoorlie Western Australia 6430  
Telephone +61 8 9021 9499 Facsimile +61 8 9091 2428





<b>12.5.2</b>	<b>Shire Housing Lease</b>
<b>LOCATION</b>	<b>14a &amp; b Walsh Street Menzies</b>
<b>APPLICANT</b>	<b>Housing Authority</b>
<b>DOCUMENT REF</b>	<b>COU.912.1/NAM337</b>
<b>DATE OF REPORT</b>	<b>10<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Offer of lease renewal</b>

**SUMMARY:**

For the Council to give consideration to leasing units 14a & 14b to the Housing Authority

**BACKGROUND:**

The Housing Authority currently leases 2 residential 2x1 units located at 14a & 14b Walsh Street. The units are usually occupied by teachers. The Housing Authority has requested that the Council give consideration to leasing the premises to the Housing Authority for a further 2 years with an option for 1 additional year.

**COMMENT:**

The Shire currently has 2 dwellings currently not utilised

- 23 Onslow Street (new dwelling - almost complete)
- 37 Reid Street (CEO house – unoccupied)

With the resignation of the works supervisor there will be a requirement for an additional dwelling for the payroll officer.

Rather than relocating the payroll officer, it is suggested that the house at 37 Reid Street be offered to the prospective works manager and that will leave the new dwelling at 23 Onslow Street available for a new DCEO or finance officer if that is the direction that the Shire intends to take.

Unfortunately the situation with staffing / contractors is variable and fluid however the existing units at 14a & 14b appear to be in excess of the Shires requirements at this stage unless there is proposed to be a rationalisation of staff housing.

**CONSULTATION:**

Council Briefing Session

**STATUTORY AUTHORITY:**

Not Applicable

**POLICY IMPLICATIONS:**

- Council Policies Housing
- 9.1 Shire Accommodation- Rental Charges
- 9.2 Shire Housing – Tenancy Conditions
- 9.3 Shire Housing - Inspections

**FINANCIAL IMPLICATIONS:**

The proposed rental for each unit is \$444.90 per week which equates to an annual income of \$46,269.60

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Leasing Shire dwellings limits the flexibility of the Shire of ensuring sufficient and appropriate housing is available for Shire employees	Medium	Ensure that the Shire has sufficient and appropriate dwellings available to meet the Shires housing needs

**STRATEGIC IMPLICATIONS:**

There are no themes in the Community strategic plan that relate to a matter of this nature.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies advise the Housing Authority that the Shire is prepared to lease units 14b Walsh Street Menzies in accordance with the offer of lease renewal.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2058</b>
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<b>Moved</b>	<b>Cr I Baird</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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That the Council of the Shire of Menzies advise the Housing Authority that the Shire is prepared to lease units 14b Walsh Street Menzies in accordance with the offer of lease renewal. The shire would be prepared to enter into an arrangement with the housing authority to construct new dwellings to be leased on a 5 year basis.

<b>Carried</b>	<b>4/0</b>
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**Reason for Change to Officer Recommendation:**

**To provide additional housing stock to ensure that the Shire has sufficient housing stocks for staff**

**4 February 2021**

Shire of Menzies  
PO Box 4  
MENZIES, WA, 6436

Dear Richard,

**RE: OFFER OF LEASE RENEWAL – 14A Walsh Street, Menzies**

The Housing Authority (acting through the Government Regional Officers' Housing Program) has leased from you the above premises (**Leased Premises**) pursuant to a residential tenancy agreement which expires on **19.01.21**

The Housing Authority makes an offer to renew this arrangement and enter into a new residential tenancy agreement with you for the Leased Premises:

- (a) for a further term of **2** years with an option of **1** year;
- (b) commencing immediately after the current residential tenancy agreement expires;
- (c) at the weekly rent of **\$444.90**; and
- (d) otherwise on the terms and conditions set out in the residential tenancy agreement attached to this letter.

(the **Offer**)

The Offer is subject to, and conditional upon, the following conditions first being agreed and/or satisfied and, failing which, the Offer will lapse or be incapable of acceptance:

- (a) the Housing Authority obtaining all necessary internal approvals to enter into the new residential tenancy agreement with you within 14 days of the Offer;
- (b) you ensuring that the following upgrades are completed in the Leased Premises:
  - (i) the installation of new, or replacement of existing, smoke alarm/s to ensure they comply with the smoke alarms listed at [http://www.housing.wa.gov.au/HousingDocuments/Nominated\\_Smoke\\_Alarms\\_List.pdf](http://www.housing.wa.gov.au/HousingDocuments/Nominated_Smoke_Alarms_List.pdf) within 28 days of signing the new residential tenancy agreement (or such later date as negotiated and agreed between the parties). For the avoidance of doubt, should a smoke alarm which is not an Approved Smoke Alarm already be installed in the premises, the lessor agrees to arrange for the immediate removal of that smoke alarm and the installation of an Approved Smoke Alarm within the above specified time frame. If the lessor fails to install the Approved Smoke Alarm within 28 days of the date on which the tenancy agreement is signed (or such later date as negotiated and agreed between the parties) then the tenant may (at the cost and expense of the lessor) install the Approved Smoke Alarm and offset its costs of doing so from the rent payable by it hereunder.
- (c) An electrical compliance certificate (to confirm all hard-wired smoke alarms and safety switches have been installed and are functioning correctly and, **for the smoke alarm, includes at a minimum, manufacturer, installation date, expiry date and model number**) is to be obtained by the lessor at the lease commencement and thereafter on

every 12-month anniversary of the date on which the previous electrical compliance certificate was obtained.

- (d) All air-conditioning units at the premises must have been serviced at lease commencement, or within the 12-month period prior to lease commencement, and thereafter on every 12-month anniversary of the date on which the previous service occurred. A copy of the receipt evidencing the first service will be provided to the tenant on lease commencement and receipt for each subsequent service will be provided to the tenant within 14 days of such service.

If you wish to accept the Offer, please sign and return by both email and post a copy of this letter to the Housing Authority within 14 days of the date of the Offer.

Once the Housing Authority obtains the necessary internal approvals it will prepare and provide to you a copy of the formal lease on the agreed terms and conditions set out in this letter. You are required to execute and unconditionally deliver the formal lease to the Housing Authority within 14 days of it being provided to you.

If you have any queries in relation to anything set out in the Offer or this letter, please do not hesitate to contact the Housing Authority on 9093 5200.

Yours faithfully  
**Vivienne Higgins**  
Leasing Officer | Housing Authority  
P 9093 5221 E [vivienne.higgins@communities.wa.gov.au](mailto:vivienne.higgins@communities.wa.gov.au)

I/We, \_\_\_\_\_  
(insert name/s)

hereby accept the Offer made by the Housing Authority in this letter to take a lease of the Leased Premises on the terms and conditions set out in this letter and acknowledge that, in doing so, a binding lease will be created between me/us and the Housing Authority

<p>Signature: _____</p> <p>Name: _____</p> <p>Date: ____ / ____ / ____</p>	<p>Signature: _____</p> <p>Name: _____</p> <p>Date: ____ / ____ / ____</p>
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**4 February 2021**

Shire of Menzies  
PO Box 4  
MENZIES, WA, 6436

Dear Richard,

**RE: OFFER OF LEASE RENEWAL – 14B Walsh Street, Menzies**

The Housing Authority (acting through the Government Regional Officers' Housing Program) has leased from you the above premises (**Leased Premises**) pursuant to a residential tenancy agreement which expires on **19.01.21**

The Housing Authority makes an offer to renew this arrangement and enter into a new residential tenancy agreement with you for the Leased Premises:

- (a) for a further term of **2** years with an option of **1** year;
- (b) commencing immediately after the current residential tenancy agreement expires;
- (c) at the weekly rent of **\$444.90**; and
- (d) otherwise on the terms and conditions set out in the residential tenancy agreement attached to this letter.

(the **Offer**)

The Offer is subject to, and conditional upon, the following conditions first being agreed and/or satisfied and, failing which, the Offer will lapse or be incapable of acceptance:

- (a) the Housing Authority obtaining all necessary internal approvals to enter into the new residential tenancy agreement with you within 14 days of the Offer;
- (b) you ensuring that the following upgrades are completed in the Leased Premises:
  - (i) the installation of new, or replacement of existing, smoke alarm/s to ensure they comply with the smoke alarms listed at [http://www.housing.wa.gov.au/HousingDocuments/Nominated\\_Smoke\\_Alarms\\_List.pdf](http://www.housing.wa.gov.au/HousingDocuments/Nominated_Smoke_Alarms_List.pdf) within 28 days of signing the new residential tenancy agreement (or such later date as negotiated and agreed between the parties). For the avoidance of doubt, should a smoke alarm which is not an Approved Smoke Alarm already be installed in the premises, the lessor agrees to arrange for the immediate removal of that smoke alarm and the installation of an Approved Smoke Alarm within the above specified time frame. If the lessor fails to install the Approved Smoke Alarm within 28 days of the date on which the tenancy agreement is signed (or such later date as negotiated and agreed between the parties) then the tenant may (at the cost and expense of the lessor) install the Approved Smoke Alarm and offset its costs of doing so from the rent payable by it hereunder.
- (c) An electrical compliance certificate (to confirm all hard-wired smoke alarms and safety switches have been installed and are functioning correctly and, **for the smoke alarm, includes at a minimum, manufacturer, installation date, expiry date and model number**) is to be obtained by the lessor at the lease commencement and thereafter on

every 12-month anniversary of the date on which the previous electrical compliance certificate was obtained.

- (d) All air-conditioning units at the premises must have been serviced at lease commencement, or within the 12-month period prior to lease commencement, and thereafter on every 12-month anniversary of the date on which the previous service occurred. A copy of the receipt evidencing the first service will be provided to the tenant on lease commencement and receipt for each subsequent service will be provided to the tenant within 14 days of such service.

If you wish to accept the Offer, please sign and return by both email and post a copy of this letter to the Housing Authority within 14 days of the date of the Offer.

Once the Housing Authority obtains the necessary internal approvals it will prepare and provide to you a copy of the formal lease on the agreed terms and conditions set out in this letter. You are required to execute and unconditionally deliver the formal lease to the Housing Authority within 14 days of it being provided to you.

If you have any queries in relation to anything set out in the Offer or this letter, please do not hesitate to contact the Housing Authority on 9093 5200.

Yours faithfully  
**Vivienne Higgins**  
Leasing Officer | Housing Authority  
P 9093 5221 E [vivienne.higgins@communities.wa.gov.au](mailto:vivienne.higgins@communities.wa.gov.au)

I/We, \_\_\_\_\_  
(insert name/s)

hereby accept the Offer made by the Housing Authority in this letter to take a lease of the Leased Premises on the terms and conditions set out in this letter and acknowledge that, in doing so, a binding lease will be created between me/us and the Housing Authority

<p>Signature: _____</p> <p>Name: _____</p> <p>Date: ____ / ____ / ____</p>	<p>Signature: _____</p> <p>Name: _____</p> <p>Date: ____ / ____ / ____</p>
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<b>12.5.3</b>	<b>CRC Consignment Agreement</b>
<b>LOCATION</b>	<b>Community Resource Centre</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COR.860.1/NAM340</b>
<b>DATE OF REPORT</b>	<b>11<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Draft consignment agreement</b>

**SUMMARY:**

For the Council to acknowledge an agreement relating to sales of items at the CRC by consignment

**BACKGROUND:**

The Shire of Menzies Community Resource Centre sells original paintings, bush medicine, artefacts and other agreed items supplied by the Tjuntjuntjara Women's and Family Centre and local artists at the Menzies community resource centre.

There is currently no agreement in place in relation to the agreed responsibilities of each party

**COMMENT:**

The ACEO and CRC Manager have developed a consignment agreement to outline each parties' obligations and responsibilities to minimise the possibility of any future conflict or disagreement. A copy is attached

**CONSULTATION:**

Council briefing session

**STATUTORY AUTHORITY:**

N/A

**POLICY IMPLICATIONS:**

N/A

**FINANCIAL IMPLICATIONS:**

The income from sales is directed to offset CRC operations

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
The sale of paintings and products by consignment from a third party.	Low	Develop an agreement to outline the responsibilities of each party.

**STRATEGIC IMPLICATIONS:**

There are no themes in the Community Strategic Plan that deal with a matter of this nature.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the report entitled “CRC Consignment Agreement” be received.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2059</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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That the report entitled “CRC Consignment Agreement” be received.

<b>Carried</b>	<b>4/0</b>
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## CONSIGNMENT AGREEMENT

12.5.8 COR.860.1/NAM340

### Purpose of Agreement:

To enter into an agreement between the Tjuntjuntjara Women's and Family Centre, Annie Baird and Pamela Hogan and the Shire of Menzies to outline the terms for the sale of items on consignment through the Shire of Menzies Community Resource Centre.

### Terms of Agreement:

1. The Shire of Menzies Community Resource Centre agree to sell original paintings, bush medicine, artefacts and other agreed items supplied by the Tjuntjuntjara Women's and Family Centre and local artists at the Menzies community resource centre.
2. The Tjuntjuntjara Women's and Family Centre will ensure that the paintings and other items for sale are marked with the sale amount. The items sale amount is to include the consignment commission of 10% or \$5 which ever is the greater.
3. The Shire will forward payment for any items sold under consignment less the consignment commission of 10% or \$5 whichever is the greater to an account nominated by the Tjuntjuntjara Women's and Family Centre
4. The Shire of Menzies and staff are not liable for any errors or mistakes in pricing or the sale price of the items.
5. The Shire of Menzies and staff are not responsible for any lost, stolen or damaged items.
6. This agreement will stay in force until either party gives the other party 7 days written notice of termination of the agreement.
7. At the termination of the agreement, it is the responsibility of the Tjuntjuntjara Women's and Family Centre or its representatives to collect, within a month of the date of termination of the agreement, or at a time agreed with the CEO any remaining items not sold.

\_\_\_\_\_  
Date \_\_\_\_\_  
Richard Brookes  
A/CEO  
Shire of Menzies

\_\_\_\_\_  
Date: \_\_\_\_\_  
Moray Ralph  
CEO  
TjunTjunTjara

<b>12.5.4</b>	<b>Use of Church Othniel</b>
<b>LOCATION</b>	<b>Lot8 (50) Shenton Street Menzies</b>
<b>APPLICANT</b>	<b>Othniel Outreach Program</b>
<b>DOCUMENT REF</b>	<b>COU.825.1 &amp; A8033</b>
<b>DATE OF REPORT</b>	<b>11<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Letter of request</b>

**SUMMARY:**

For the Council to consider a request from Othniel to Use the church at 50 Shenton Street as part of their outreach program

**BACKGROUND:**

The Shire has received a letter from Joseph C Joseph on behalf of Othniel to use the church located at Lot 8 (50) Shenton street as part of their outreach programme. A copy of their letter is attached.

The church building was given to the Shire by the Catholic church and is currently unutilised.

**COMMENT:**

The church grounds have recently been upgraded and fenced. The building is connected to the water supply however the power is not connected and there are no ablution facilities. It would be inappropriate for the Shire to allow one of its buildings to be utilised by the community or a community group until such time as adequate facilities are provided.

**CONSULTATION:**

Council briefing session & Works supervisor.

**STATUTORY AUTHORITY:**

N/A

**POLICY IMPLICATIONS:**

11.1 Council Facilities – Alcohol consumption  
4.4 Donations Sponsorship and Contributions

**FINANCIAL IMPLICATIONS:**

There is no reference to the church in the Shires schedule of fees and charges

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Using the church building for community purposes without utilities being connected nor ablution facilities	Low	Develop a usage agreement for Shire buildings to outline the terms and conditions of use. Make budget provisions for the installation of power and ablution facilities.

**STRATEGIC IMPLICATIONS:**

There are no themes within the Community strategic plan that deal with matters of this nature

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies advise Othniel that the Shire is not prepared to allow the use of the church hall at 50 Shenton Street until such time that power is connected and appropriate ablution facilities are installed.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2060</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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That the Council of the Shire of Menzies advise Othniel that the Shire is not prepared to allow the use of the church hall at 50 Shenton Street until such time that power is connected and appropriate ablution facilities are installed.

<b>Carried</b>	<b>4/0</b>
----------------	------------

**Joseph C Joseph**  
10, Austral Street, Williams Town, WA 6430  
0 431 665 477

5 December, 2020

**Mr Richard Brookes**  
Chief Executive Officer  
124 Shenton Street, PO Box 4, MENZIES WA 6436

Dear Sir,

**RE: Cultural and Life Application Training Programme for the Menzies.**

We refer to our brief discussion regarding the above mentioned.

I, Joseph Joseph, a project engineer, has been involved in community development projects in more than ten (10) nations as part of Othniel outreach programme, a non-profit organization.

In Australia, I am actively involved with aboriginal community, closely in contact with elders in Kalgoorlie, Morapoi, Wiluna and Newman.

It is my utmost desire to help them live responsible Christian lives for their future job and self-employment. Hence, I am looking forward for a systematic community gathering in Menzies once a week in a good, serene venue, with good music for Christian fellowship.

Othniel is an international non-profitable organization working for the poor and underprivileged in the community ([www.othniel.org](http://www.othniel.org)). We have a team of committed volunteers across the globe who are willing to travel to the ends of the world to reach the people in need. We have organized cultural and life application training programme in many countries.

I have studied the situation of the communities in your Shire and believes that Othniel has just the right cultural and training program for you. Our programs can be tailored – fit in your budget and time frame and can be conducted regularly.

As explained to you, we can utilize the church building for our programme. With the support and permission from your management, we can deliver positive results to your communities and help the local community within your Shire to have greater confidence and success in seeking employment and adopt a more positive attitude to living.

We are also seeking your Shire's support to defray the operating costs for people attending the training which may include in-house food and training materials, travelling and ideally camping around the training grounds. Training can be conducted intensely by weekly live-in engagements to develop respective individual life goals, inner healing and career development. Othniel's life application and culture programme are proven and have always been credited with success and positive results. I look forward to your Shire's support to use the church building and compounds including budget allocations (costs basis) for our non- profit programme conducted for your Shire on a volunteer basis.

We look forward to exploring this opportunity, as Christmas is a time we can take opportunity of the festive season.

Yours sincerely,

Joseph c. Joseph

Attached:

Letter from Othniel

Police Check

## Nationally Coordinated Criminal History Check Certificate

**CHERIATHUNDATHIL JOSEPH, JOSEPH**

### Certificate Verification

To verify this certificate, go to <https://ww1.cvcheck.com/go/c9ZBd87> and enter this No: 2592319

NSS001

### Check Results Report



Report Run Date/Time: 22/10/2020 12:00 AM

Sensitive: Personal

### IMPORTANT

#### LIMITATIONS ON ACCURACY AND USE OF THIS INFORMATION

1. This nationally coordinated criminal history check provides a point in time check about the applicant for an authorised nationally coordinated criminal history check category and purpose. Information obtained through this check should not be used for any other purpose.
2. The accuracy and quality of information provided in this nationally coordinated criminal history check depends on accurate identification of the applicant which is based on information, including aliases, about the applicant provided in the application and the comprehensiveness of police records.
3. While every care has been taken by the Australian Criminal Intelligence Commission ('ACIC') to conduct a search of police information held by it and Australian police agencies that relates to the applicant, this nationally coordinated criminal history check may not include all police information about the applicant. Reasons for certain information being excluded from the nationally coordinated criminal history check include the operation of laws that prevent disclosure of certain information, or that the applicant's record is not identified by the search process across the agencies' relevant information holdings.
4. This nationally coordinated criminal history Check may contain any of the following information about an applicant:
  - a. charges;
  - b. court convictions;
  - c. findings of guilt with no conviction;
  - d. court appearances;
  - e. good behaviour bonds or other court orders;
  - f. pending matters awaiting court hearing;
  - g. traffic offence history; ('Disclosable Court Outcome').
5. If this nationally coordinated criminal history check contains a Disclosable Court Outcome, the entity submitting the application is required to:
  - a. notify the applicant of the nationally coordinated criminal history check; and
  - b. provide the applicant with a reasonable opportunity to respond to, or validate the information, in the nationally coordinated criminal history check.
6. To the extent permitted by law, neither the ACIC nor Australian police agencies accept responsibility or liability for any omission or error in the nationally coordinated criminal history check.

#### NATIONALLY COORDINATED CRIMINAL HISTORY CHECK PROCESS

The information in this nationally coordinated criminal history check has been obtained according to the following process:

- (a) the ACIC searches its data holdings for potential matches with the name(s) of the applicant;
- (b) the ACIC and the relevant Australian police agencies compare name matches with police information held in Australian police records;
- (c) the relevant Australian police agency identifies any police information held in its police records and releases the information subject to relevant spent convictions, non-disclosure legislation or information release policies; and
- (d) the ACIC provides resulting information to the entity submitting the application.

Organisation: CV Check Ltd

Office:

#### Check Details

Organisation Reference Number: 1030243\_10131353

Submitted	Batch ID	Status	Result	Match Date	Release Date
13/10/2020		CLOSE	No Disclosable Court Outcomes	13/10/2020	22/10/2020

Type Standard AA  
Category Employ/Probity/Licence  
Purpose Working With Commercial Transport, No contact with Vulnerable

#### Subject Details

Name(s) Primary CHERIATHUNDATHIL JOSEPH, JOSEPH  
Additional Identifier CVC2592319  
Birth Date 04/08/1973  
Gender Male  
Birth Place Trivandrum, India  
Address(s) Residential 10 Austral Street, Williamstown, WA, 6430, Australia  
Previous 42 Holmes Street, Shelley, WA, 6148, Australia  
Previous 68a Gulefi Road, Balcatta, WA, 6021, Australia



Purok Kalabasa Carajay Gunob ,  
Lapu - Lapu City ,  
6015 Cebu ,  
Philippines .

Reg No - CN201818797

Ref: 19D J77

Date 09<sup>th</sup> July 2019

To whom it may concern,

Othniel is an international humanitarian non-profitable organization committed to work for the poor and needy in the society. Othniel is set up for the relief of poverty, advancement of education and quality of life.

This document serves to authenticate Mr. CHERIATHUNDATHIL JOSEPH, JOSEPH to travel and represent OTHNIEL all over the world as the need arises.

Mr. Joseph is part of Othniel charity trust and holds the position as Project Manager. He is authorized to take decisions in regard to projects in various nations, realizing requirements associated with widows, orphans, aged and prison visits, binding to the rules and regulations of the local authority. He is entitled to travel across nations representing Othniel charity trust to execute their decisions and projects in compliance to the local rules of that nation.

Yours sincerely,

Ms. Madelene Daug Cabigon

Director

## Rayleen Stoker

---

**From:** Richard Brookes  
**Sent:** Monday, 7 December 2020 9:51 AM  
**To:** Rayleen Stoker  
**Subject:** FW: church - joe  
**Attachments:** joe church.pdf; othniel joseph.pdf; cv check.pdf

Regards

**Richard Brookes**  
Acting Chief Executive Officer  
**Shire of Menzies**

**Address:** Lot 124 Shenton Street Menzies WA 6436  
**Postal Address:** PO Box 4 Menzies WA 6436  
**Phone:** (08) 9024 2041  
**Mob:** 0409 114 509  
**Email:** [ceo@menzies.wa.gov.au](mailto:ceo@menzies.wa.gov.au)  
**Website:** [www.menzies.wa.gov.au](http://www.menzies.wa.gov.au)

*This e-mail message, including any attached files, is private and may contain information that is confidential. Only the intended recipient may access or use it. If you are not the intended recipient please delete this e-mail and notify the sender promptly. The views of this sender may not represent those of the Shire of Menzies. The Shire uses virus-scanning software but exclude all liability for viruses or similar defects in any attachment.*

**From:** joe joseph <josephcjoseph@gmail.com>  
**Sent:** Saturday, 5 December 2020 6:27 PM  
**To:** Richard Brookes <ceo@menzies.wa.gov.au>  
**Subject:** church - joe

Hi,

As per the conversation we had in your office please find attached the request letter seeking permission and authorization to use the Church ( green building ) for the purpose of Christian fellowship.

Thanking you for the reply in advance.

Warm regards

Joe  
0431665477



<b>12.5.5</b>	<b>Ceremony Dress Code</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COM.969.1/NAM343</b>
<b>DATE OF REPORT</b>	<b>2<sup>nd</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

**SUMMARY:**

For the Council to give consideration of an appropriate dress code for attendance at ceremonies.

**BACKGROUND:**

The Council considered a report relating to the adoption of dress standard or code at its OC Meeting held in October 2020 whereat the Council resolved:  
*That the matter lay on the table for further consideration.*

**COMMENT:**

The Commonwealth Department of Home Affairs has determined that in order to give the Citizenship Ceremony the respect it deserves, that each Council in Australia is to establish a dress code for attendees at ceremonies.  
The department has again contacted the Shire for a response relating to a dress code.

**CONSULTATION:**

The Department of Home Affairs advises:

The ceremony is an important event where you make a commitment to Australia. You and your guests should be dressed in formal or smart casual clothing, and groomed to reflect its significance.

If the ceremony is being held outdoors, you may want to take a hat and some sunscreen.

Your invitation to the ceremony may include additional information regarding the standard of dress required for the ceremony.

**STATUTORY AUTHORITY:**

N/A

**POLICY IMPLICATIONS:**

There are no Council policies relating to a matter of this nature

**FINANCIAL IMPLICATIONS:**

There are no financial implications for the Shire in relation to this matter.

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Appropriate attire is to be worn at citizenship ceremonies	Low	To adopt an appropriate dress code for ceremonies

**STRATEGIC IMPLICATIONS:**

There are no strategic implications for the Shire in relation to this matter.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies advise the Department of Home Affairs that the dress standards at citizenship ceremonies are to be smart casual and/or culturally appropriate clothing as determined at the discretion of the Shire President.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2061</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr I Baird</b>
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That the Council of the Shire of Menzies advise the Department of Home Affairs that the dress standards at citizenship ceremonies are to be smart casual and/or culturally appropriate clothing as determined at the discretion of the Shire President.

<b>Carried</b>	<b>3/1</b>
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<b>12.5.6</b>	<b>Policy Review Tenancy Conditions</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>PER.863.1/NAM347</b>
<b>DATE OF REPORT</b>	<b>4<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Shire Housing Policy – Tenancy Conditions</b>

**SUMMARY:**

For the Council to review and amend the Shire Housing Policy – Tenancy Conditions in line with current legislation

**BACKGROUND:**

The Shire has a number of policies that relate to staff attraction and retention that are generic across the organisation

The Shire Housing Policy – Tenancy Conditions was last reviewed in August 2018

**COMMENT:**

A review of the Shire Housing Policy – Tenancy Conditions identified a discrepancy between the policy and provisions of the Residential Tenancy Act 1987

The Policy Statement part 2 f) states: Unless stipulated in their employment contract, a security bond of \$500 is to be paid, and held in accordance with the Residential Tenancy Act

The Act states in part

- (1) A person shall not —
  - (a) require the payment of, or receive, more than one security bond in relation to any residential tenancy agreement; or
  - (b) require the payment of, or receive, a security bond of an amount exceeding in the aggregate —
    - (i) 4 weeks' rent under the residential tenancy agreement in relation to which it is required or received; and
    - (ii) if the tenant is permitted to keep on the premises any pet capable of carrying parasites that can affect humans — a prescribed amount to meet the cost of any fumigation of the premises that may be required on the termination of the tenancy.

The maximum amount of rent charged for staff housing under the current schedule of fees and charges is \$70 per week. Four (4) weeks rent x \$70 is \$280 which is considerably less than the amount prescribed in the policy.

It is recommended that Council policy 9.2 Shire Housing – Tenancy conditions be amended by replacing policy statement clause 2 f) with:

2 f) Unless stipulated in their employment contract, a security bond is to be paid and held in accordance with the Residential Tenancies Act 1987

**CONSULTATION:**

N/A

**STATUTORY AUTHORITY:**

Residential Tenancy Act 1987

**POLICY IMPLICATIONS:**

Policy 9.2 Shire Housing – Tenancy Conditions

**FINANCIAL IMPLICATIONS:**

The bonds applied are kept in a Shire trust fund to be reimbursed or used to satisfy tenancy conditions at the end of a tenancy.

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Council policy not in line with legislative requirements	Low	Review and amend Council policies to ensure compliance with legislative requirements

**STRATEGIC IMPLICATIONS:**

There are no specific themes within the Community Strategic Plan that deal with a matter of this nature.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies amend policy 9.2 Shire Housing – Tenancy Conditions by replacing policy statement clause 2 f) with:

- 2 f) Unless stipulated in their employment contract, a security bond is to be paid and held in accordance with the Residential Tenancies Act 1987

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2062</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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That the Council of the Shire of Menzies amend policy 9.2 Shire Housing – Tenancy Conditions by replacing policy statement clause 2 f) with:

- 2 f) Unless stipulated in their employment contract, a security bond is to be paid and held in accordance with the Residential Tenancies Act 1987

<b>Carried</b>	<b>4/0</b>
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## 9.2 Shire Housing – Tenancy Conditions

### Introduction

### Objective

History	Formerly –	Delegation 6, 29
	Replaced –	29 November 2012
	Amended –	November 2014
	Adopted	25 June 2015
	Amended	25 February 2016
	Adopted	30 August 2018

### Policy Statement

1. Guiding Principles –
  - a) All tenancies of Shire owned/administered accommodation are subject to the requirements of the Residential Tenancies Act, and the agreement shall provide for the termination of the tenancy on termination of employment with the Shire.
  - b) Inspection as per Tenancy Act provisions may be made by Chief Executive Officer or nominated representative
  - c) Security and pet bonds may be paid by payroll deduction over not more than 3 full pays.
  - d) Shared occupancy with a non-relative may be approved by Chief Executive Officer with or without conditions
  
2. General Conditions, to be included as part of the Tenancy Agreement –
  - a) It is a condition of tenancy that the tenant who signs the lease agreement holds a permanent full-time position with the Shire of Menzies –
    - The Chief Executive Officer is not obligated to enter into a new agreement with an alternative member of the household
    - Termination of employment automatically terminates the Tenancy Agreement
  - b) Persons other than the direct family of the person renting Shire accommodation (direct family being their spouse/partner or children), are permitted to stay in the house for a maximum of two weeks after which Chief Executive Officer's approval is required.
  - c) Smoking inside the accommodation or within 5m of open doors or windows is prohibited
  - d) Dogs are not permitted inside the accommodation, without written consent of the Chief Executive Officer.
  - e) Power, gas, telephone etc, are the responsibility of the tenant, unless otherwise provided for by employment conditions etc.
  - f) Unless stipulated in their employment contract, a security bond of \$500.00 is to be paid, and held in accordance with the Residential Tenancies Act.
  - g) Where the tenants propose to keep pets, a pet bond of \$200.00 is required
  - h) Upon vacating the residence, it is required that the tenant will have thoroughly cleaned the premises, including professional carpet cleaning if appropriate, that there is no damage beyond normal wear and tear, and that utilities etc will be paid. Should cleaning or repairs etc beyond what is reasonable be required, deduction will be made from the bond/s prior to refund to the tenant. Should the bonds not be sufficient to cover the costs, the Chief Executive Officer may issue an invoice to the tenant and recover the cost as a sundry debtor. Examples include –
    - Washing walls, carpet cleaning etc to remove the smell of smoking or pet hair/fur, or if premises left in an untidy or unclean state etc
    - Repairs of damage beyond normal wear and tear, such as holes in the walls, broken windows etc.
    - Unpaid water, power, telephone accounts etc.

3. Temporary accommodation of former or non-employees –

Employee housing will not generally be available to non-employees, but may be agreed by the Chief Executive Officer in appropriate circumstances, such as –

- where a terminating employee wishes for members of their family to complete their own employment, school year etc,
- as short-term accommodation for contractors providing services to the Shire,

provided that –

- the residence is not currently required for employees, and is to be vacated within two weeks if subsequently needed,
- the period of occupancy as a non-employee is strictly limited,
- the period of occupancy is at prevailing market rental, and
- is not subject to staff subsidies.

– *End of Policy*

<b>12.5.7</b>	<b>Public Interest Disclosure Procedures</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COR.875.1/nam348</b>
<b>DATE OF REPORT</b>	<b>25<sup>th</sup> November 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Public Interest Disclosure Procedures</b>

**SUMMARY:**

For the Council to acknowledge and adopt the Public Interest Disclosure Procedures.

**BACKGROUND:**

The Public Interest Disclosure Act requires that public sector authorities prepare and publish internal procedures in relation to the authority's obligations under the Act. The internal procedures must be consistent with the guidelines published by the Public Sector Commissioner.

**COMMENT:**

The Shire of Menzies is considered a public authority under the Act and as such, needs to comply with the Act

A search through Shire records did not reveal any recent acknowledgement of the appointment of a PID officer or an appropriate procedure

A draft procedure consistent with the guidelines has been prepared and is attached for the Councils consideration.

**CONSULTATION:**

Internal staff, Public Sector Commission.

**STATUTORY AUTHORITY:**

*Public Interest Disclosure Act 2003*

*Public Interest Disclosure Regulations 2003*

**POLICY IMPLICATIONS:**

There are no Council policies that deal with a matter of this nature.

**FINANCIAL IMPLICATIONS:**

There are no financial implications relating to the preparation or implementation of procedures.

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
The Shire has no public interest disclosure or appointed PID officer as required by legislation	High	Prepare a public interest disclosure procedure and appoint a PID officer

**STRATEGIC IMPLICATIONS:**

There are no strategic implications identified in the Strategic Community Plan.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies:

1. adopt the attached Public Interest Disclosure Procedure; and
2. appoint the Chief Executive Officer as the public interest disclosure (PID) officer for the Shire of Menzies.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2063</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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That the Council of the Shire of Menzies:

1. adopt the attached Public Interest Disclosure Procedure; and
2. appoint the Chief Executive Officer as the public interest disclosure (PID) officer for the Shire of Menzies.

<b>Carried</b>	<b>4/0</b>
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## A. Organisational commitment for reporting public interest information

The Shire of Menzies does not tolerate corrupt or other improper conduct.

The Shire of Menzies is committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act). The PID Act recognises the value and importance of reporting as a means to identify and address wrongdoing.

We strongly support disclosures being made by employees about corrupt or other improper conduct. We also strongly support contractors and members of the community making disclosures about corrupt or improper conduct.

The Shire of Menzies does not tolerate any of its employees, contractors or subcontractors taking reprisal action against anyone who makes or proposes to make a public interest disclosure.

The Shire of Menzies will take all reasonable steps to protect employees from any detrimental action in reprisal for the making of a public interest disclosure.

The commitment to effectively manage public interest disclosures extends to a proper authority of Shire of Menzies. The persons responsible for receiving disclosures of public interest information designated under s. 23(1)(a) of the PID Act will abide by the *PID Code of conduct and integrity* in performing their duties.

The Shire of Menzies is also committed to responding to the disclosure thoroughly and impartially. We will treat all people in the disclosure process fairly, including those who may be the subject of a disclosure.

The Shire of Menzies will provide as much information as possible to people considering making a public interest disclosure. These internal procedures are accessible to all employees and contractors. Copies are available from the designated person appointed as the proper authority (Public Interest Disclosure (PID) Officer) and will be kept at the Shire of Menzies Offices Lot 124 Shenton Road Menzies and on the Shire website.

General information about public interest disclosures and how Shire of Menzies will manage a disclosure is available for external clients and members of the community on our website [www.menzies.wa.gov.au](http://www.menzies.wa.gov.au)

While these procedures focus on public interest disclosures, we are committed to dealing with all reports of suspected wrongdoing. We encourage people to report, if they witness any such behaviour. The Shire of Menzies will consider each matter under the appropriate reporting pathway and make every attempt to protect staff members making reports from any reprisals.

## B. Purpose of the internal procedures

Our Chief Executive Officer must prepare and publish these internal procedures under s. 23(1)(e) of the PID Act.

These procedures outline how we will meet our obligations under the PID Act. They cover the roles and responsibilities of the Chief Executive Officer, the person designated as the proper authority in accordance with s. 23(1)(a) and s. 5(3)(h) referred to in this document as the PID Officer, the discloser and the subject of the disclosure.

The procedures are to be read in conjunction with the PID Act, *Public Interest Disclosure Regulations 2003* and *Don't be afraid to speak up*.

## C. Scope and application of internal procedures

These procedures apply to all people involved in the public interest disclosure process, including our Chief Executive Officer, PID Officer, employees of the Shire of Menzies and/or any person making a public interest disclosure and any subject(s) of a disclosure.

These procedures should be read in conjunction with:

*Public Interest Disclosure Act 2003*

*Public Interest Disclosure Regulations 2003*

Shire of Menzies Policy Manual &

Shire of Menzies Code of Conduct

The behaviour of all employees involved in the public interest disclosure process must accord with our Code of conduct at all times. A breach of the Code of conduct may result in disciplinary action.

#### D. Overview of roles and responsibilities of parties involved in the disclosure process at Shire of Menzies

Person / role	Responsibilities
Principal executive officer (s. 23) (in Shire of Menzies, the Chief Executive Officer):	<p>Designates the occupant of a specified position (a PID Officer) to receive public interest disclosures related to Shire of Menzies (s. 23(1)(a)).</p> <p>Provides protection from detrimental action or the threat of detrimental action for any employee of Shire of Menzies who makes a public interest disclosure (s. 23(1)(b)).</p> <p>Ensures Shire of Menzies complies with the PID Act and the code of conduct and integrity established by the Public Sector Commissioner (ss. 23(1)(c) and (d)).</p> <p>Prepares and publishes internal procedures, consistent with those prepared by the Public Sector Commission, detailing how Shire of Menzies will meet its obligations under the PID Act (s. 23(1)(e)).</p> <p>Provides information (s. 23(1)(f)) to the Public Sector Commissioner on the:</p> <ul style="list-style-type: none"><li>○ number of disclosures received by Shire of Menzies</li><li>○ results of any investigations conducted as a result of the disclosures</li><li>○ action, if any taken, as a result of each disclosure</li><li>○ any matters as prescribed.</li></ul> <p>May have a role in enabling an investigation to be undertaken or taking disciplinary action against individuals under functions and powers separately from the PID Act.</p>
Person / role The Proper Authority (s. 5(3), s. 7 and s. 18) or PID Officer(s 23(1)(a)):	<p>Responsibilities</p> <p>As is designated by ss. 5(3)(a-g) or by the Chief Executive Officer of Shire of Menzies, under s. 23(1)(a) the PID Officer is to receive disclosures related to the Shire of Menzies.</p> <p>Provides information to potential disclosers about their rights and responsibilities consistent with the Code of conduct and integrity established under s. 20(1).</p> <p>Receives and manages public interest disclosures in accordance with the PID Act (s. 5(3)).</p> <p>Notifies the discloser within three months of the disclosure being made about what action is planned in dealing with the disclosure (s. 10(1)).</p> <p>Where appropriate, investigates, or causes an investigation of, the matters in the disclosures (s. 8(1)).</p> <p>Where appropriate, provides information to subjects of a disclosure about their rights, responsibilities, duties and potential offences (s. 9(2), s. 14, s. 15, s. 16 and s. 24).</p> <p>Where appropriate, takes such action as is necessary and reasonable, within their functions and powers in accordance with s. 9.</p> <p>Maintains confidentiality of the identity of the discloser and subject(s) of disclosures, in accordance with the requirements of the PID Act (s. 11 and s. 16).</p> <p>Provides progress reports where requested and a final report to the discloser in accordance with s. 10.</p> <p>Creates and maintains proper and secure records in relation to the disclosures in accordance with the Code of conduct and integrity established under s. 20(1) and the <i>State Records Act 2000</i>.</p> <p>Completes a PID Register for each disclosure lodged (s. 23(1)(f)).</p> <p>Acts in accordance with the rules of natural justice (s. 9(2) and s. 16(1)(b)).</p> <p>Acts in accordance with the code of conduct and integrity established by the Public Sector Commissioner (s. 20(1)) and any authority-specific code of conduct established separately from the PID Act.</p>

Person / role	Responsibilities
The discloser:	<p>Makes a public interest disclosure to a proper authority or our PID Officer if the matter relates to Shire of Menzies (s. 5(1)).</p> <p>Believes on reasonable grounds the information in their disclosure is, or may be, true (s. 5(2)).</p> <p>Does not disclose information subject to legal professional privilege (s. 5(6)).</p> <p>Does not knowingly and recklessly make a false or misleading disclosure (s. 24(1)).</p> <p>Maintains confidentiality of the information disclosed and the identity of the person(s) to whom the information relates, in accordance with the requirements of the PID Act (s. 16 and s. 17(1)(b)).</p> <p>Assists any person investigating the matter to which the disclosure relates by supplying the person with any information requested (s. 17(1)(a)).</p>
The subject of the disclosure (person about whom disclosure is made):	<p>Is afforded the opportunity to make a submission, either orally or in writing, in relation to the matter before preventative or disciplinary action is taken (s. 9(2)).</p> <p>Maintains confidentiality of the identity of the discloser, in accordance with the requirements of the PID Act (s. 16(1)).</p> <p>Is to be treated in accordance with the rules of natural justice (s. 16(1)(b)).</p> <p>Does not take or threaten to take detrimental action (defined in s. 3) against a person because they have made or intend to make a disclosure (s. 14(1)).</p> <p>Does not incite another person to take detrimental action against another because they have made or intend to make a disclosure (s. 14(2)).</p> <p>Does not commit an act of victimisation by taking or threatening to take detrimental action against the person making or intending to make a disclosure (s. 15(1)).</p>
An investigating officer:	<p>May investigate matters of public interest information on behalf of a proper authority of Shire of Menzies, in accordance with the terms of reference given to them.</p> <p>Maintains confidentiality of the identity of the disclosure and any persons subject to the disclosure, in accordance with s. 16.</p> <p>Makes, and keeps secure, comprehensive records of any investigation undertaken.</p>

## E. Managing public interest disclosures

The following procedures describe how Shire of Menzies will manage the public interest disclosure process.

### Overarching requirements of the *Public Interest Disclosure Act 2003*

The PID Act has some overarching requirements for handling disclosures. These requirements separate the public interest disclosure process from other reporting or complaint handling processes. The PID Act does not, however, displace the notification or reporting requirements of the *Corruption, Crime and Misconduct Act 2003*, which are paramount. The following section outlines how we will meet these requirements, as well as expectations of you, as a discloser, and any subject(s) of your disclosure.

#### What is 'public interest information'?

The PID Act only applies to disclosures of public interest information (defined in s. 3). Public interest information means information that:

- relates to the performance of a public function by a public authority, public officer or public sector contractor (either before or after the commencement of the PID Act) and
- shows or tends to show that a public authority, a public officer, or a public sector contractor is, has been or proposes to be involved in
  - improper conduct or
  - an act or omission that constitutes an offence under a written (State) law or
  - substantial unauthorised or irregular use of, or substantial mismanagement of, public resources or
  - an act done or omission that involves a substantial and specific risk of

- injury to public health or
- prejudice to public safety or
- harm to the environment or

a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971 by the Parliamentary Commissioner (Ombudsman Western Australia).

### **Confidentiality**

Maintaining confidentiality is an important part of managing a disclosure. The confidentiality requirements of the PID Act (s. 16) not only protects the discloser, but also any other people affected by the disclosure.

The confidentiality requirements do not apply to all information in a disclosure, although, we are committed to maintaining confidentiality around:

- any information that may identify the discloser or any person who may be the subject of a disclosure, including the fact a disclosure has been made
- information relating to a disclosure that, if known, may cause detriment.

Throughout the disclosure process and after its completion, the PID Act provides for the disclosers identity and the identity of any persons, that is, any subject of the disclosure to be kept confidential, except in certain circumstances. Disclosing information which might identify, or tend to identify the disclosers s. 16(1)) or any person, that is, the subject(s) (s. 16(3)) of your disclosure, except in accordance with the PID Act, is an offence punishable with a penalty of a \$24 000 fine or imprisonment for two years.

### **Confidentiality regarding the discloser**

Maintaining confidentiality is an important part of protecting the discloser, from any detrimental action in reprisal for making or intending to make a disclosure.

If the discloser consents to having their identity revealed to assist us in dealing with the disclosure, our PID Officer will record this using the Consent to disclosure of identifying information form.

Sometimes we may need to identify the discloser, without the discloser's consent s. 16(1)(b)-(f) but only where:

- it is necessary to do so having regard to the rules of natural justice or
- it is necessary to do so to enable the matter to be investigated effectively or
- we are ordered by a court or any other person or body having authority to hear, receive or examine evidence or
- we are required by ss.152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

Before we identify the discloser for any of the reasons above, our PID Officer will take all reasonable steps to inform the discloser that this will happen and the reasons why. Our PID Officer will use the Notification of disclosure of identifying information form to do this.

If we need to provide information about the identity of the discloser to another person for the reasons above, our PID Officer will inform the other person that further disclosure to a third person may put them at risk of committing an offence.

Our PID Officer will also consider whether it is necessary to inform any external investigator about the identity of the discloser. Where it is necessary to provide this identifying information, our PID Officer will notify as described above.

### **Confidentiality regarding the person, that is, the subject of the disclosure**

The subject of a disclosure may consent to having their identity revealed to assist with the disclosure process s. 16(3)(a). Our PID Officer will use the Consent to disclosure of identifying information form to record this.

Additionally, we may need to reveal identifying information about the subject(s) of a disclosure without their consent, ss. 16(3)(b)-(g) where:

- it is necessary to do so to enable the matter to be investigated effectively
- it is necessary to do so in the course of taking action under s. 9
- there are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property

- we are ordered by a court or any other person or body having authority to hear, receive or examine evidence or
- we are required by ss. 152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

There is no obligation to advise the subject of a disclosure that identifying information will be released.

### **Protections**

The PID Act provides a range of protections for disclosers (Part 3). It also requires that our Chief Executive Officer provides protection for any employees who make disclosures (s. 23(1(b))).

Don't be afraid to speak up contains general information about the protections provided by the PID Act. Our PID Officer will be able to expand on this information specific to Shire of Menzies.

We are committed to ensuring that no detrimental action, including workplace reprisals by managers or other employees, occurs as a result of a person making a disclosure. If any of the above does occur, the discloser can request that we take action to protect them. Tell the PID Officer who is handling the disclosure immediately.

The PID Act also provides that the discloser may lose the protections provided in s. 13 in some circumstances, including where they on-disclose information or fail, without reasonable excuse, to assist any person investigating the matters of the disclosure.

### **Notification requirements**

The Chief Executive Officer will ensure that we complete all reporting in accordance with the legislative and administrative requirements of the PID Act.

Provided it is not an anonymous disclosure, our PID Officer will provide the following reports:

- within three months of making a disclosure, the action taken, or propose to take, in relation to the disclosure (s. 10(1))
- when the disclosure process has concluded, the outcome of the investigation and the reasons for taking any action following the investigation (s. 10(4)).

Our PID Officer may also provide a progress report during any investigation, either on their initiative or upon your request (ss. 10(2) and (3)).

Our PID Officer has some limits on what they can include in their reports. Section 11 prevents provision of information that would be likely to adversely affect:

- any person's safety s(1)(a) or
- the investigation of an offence or possible offences s(1)(b) or
- confidentiality as to the existence or identity of any other person who made a public interest disclosure s(1)(c).

Our PID Officer is also prevented from giving any information they must not disclose under ss. 151, 152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

### **Record keeping**

During the investigation our PID Officer may make comprehensive and contemporaneous records of any discussions and interviews. These records along with any other documentation or files relating to the disclosure, whether paper or electronic, will be stored securely and only accessed by authorised persons.

## **F. How to make a public interest disclosure**

### **1. Before you make a disclosure**

We strongly encourage anyone thinking about making a public interest disclosure to seek advice from our PID Officer ('proper authority') before they do. A disclosure must be made to a proper authority for it to be covered by the PID Act.

A number of other requirements apply to the discloser, so it is important to understand the rights and responsibilities in the process. This information is outlined generally in [Don't be afraid to speak up](#), available from the Public Sector Commission website at [www.publicsector.wa.gov.au](http://www.publicsector.wa.gov.au) and the administration office of the Shire of Menzies at 124 Shenton Street Menzies.

At Shire of Menzies the following designated position is specified with the authority as the person responsible for receiving disclosures of public interest information in accordance with s. 23(1)(a). For the purposes of this procedure a PID Officer(s) is the proper authority designated under s. 5(3)(h) for dealing with information that falls within the sphere of responsibility for Shire of Menzies.

The name and contact details are:

Position	Name of PID Officer	Contact details
Chief Executive Officer	Chief Executive Officer	(08) 9024 2041

Initial discussions between the discloser and the PID Officer should be general in nature and should not discuss the specific details of the disclosure until the discloser understands their rights and responsibilities under the PID Act. Our PID Officer will also let the discloser know that they need to make the disclosure voluntarily and consciously – we will never force a person to make a disclosure. This is because they cannot withdraw the disclosure once it is made. Once we receive your disclosure, our PID Officer is obliged to take action and we may continue to look into the matters within your disclosure irrespective of your continued approval.

These initial discussions with our PID Officer may help in deciding whether to make a public interest disclosure and also enable the PID Officer to ascertain if the information would be covered by the PID Act. If the information appears not to be the type covered by the PID Act, our PID Officer will discuss other mechanisms through which issues may be made, for example, our general complaints or grievance resolution process.

Our PID Officer will be able to provide more detailed information about Shire of Menzies’s disclosure process and what people can expect from it.

You can also contact the Public Sector Commission Advisory Line on (08) 6552 8888 (or 1800 676 607 for country callers) for general information about the disclosure process.

### **What is ‘sphere of responsibility’?**

Under s. 5(3)(h) the PID Officer for an authority can receive information relating to a matter which falls within the ‘sphere of responsibility’ for their public authority. ‘Sphere of responsibility’ is not defined in the PID Act but may include:

- matters that relate to Shire of Menzies or
- a public officer or public sector contractor of Shire of Menzies or
- a matter or person that the Shire of Menzies has a function or power to investigate.

### **Sphere of responsibility**

The proper authority to which you need to make the disclosure depends on the type of disclosure information. Where the information is outside of our PID Officer’s sphere of responsibility, it may need to be made to another proper authority for it to be considered as a public interest disclosure and for the discloser to receive the protections of the PID Act. A list of proper authorities and the information they can receive is covered in *Don’t be afraid to speak up*.

## **2. Making the disclosure**

A discloser needs to clearly identify that they are making a public interest disclosure. For the purposes of accountability and certainty, persons wishing to make a disclosure of public interest information under the PID Act are encouraged to do so in writing. As we expect that most disclosures will be made in writing the Shire of Menzies has developed a form which can be used for the purpose of making such a disclosure. There is no requirement to use the form. The form will help to define the details of the disclosure. A discloser may fill out the form themselves or our PID Officer may complete the form if they are speaking with the discloser and then have them sign the form to acknowledge they are making a disclosure voluntarily and consciously.

We must accept anonymous disclosures, but if a discloser decides to make an anonymous disclosure they should understand that it may be more difficult for our PID Officer to investigate or take action about the disclosure. This is because they cannot come back to seek any further information. We are also not required to provide any reports about the progress or final outcome of the disclosure, if the discloser chooses to remain anonymous.

An anonymous disclosure may not prevent the discloser from being identified during an investigation. Additionally, if our PID Officer does not know who made the disclosure, it will be difficult for them to ensure the discloser is protected and to prevent any reprisal or detrimental action.

### **3. Determining whether your matter is an appropriate disclosure**

Once our PID Officer has received the disclosure they will assess whether it meets the requirements under the PID Act. It may be that our PID Officer undertakes initial inquiries and decides not to take the matter any further, as it does not constitute an appropriate public interest disclosure.

If the disclosure is not one to which the PID Act applies, our PID Officer will let the discloser know the reasons for their decision (unless you made an anonymous disclosure) and make proper and adequate records about it. Some matters raised within the disclosure may not be matters to which the PID Act applies and the PID Officer may discuss with the discloser other pathways to report these matters.

If the disclosure is one to which the PID Act applies, our PID Officer will ensure proper and adequate records are made and will communicate with the discloser further, unless it is an anonymous disclosure.

Our PID Officer will notify the discloser within three months about what we plan to do in dealing with the disclosure, unless it is an anonymous disclosure.

### **4. Determining whether your public interest disclosure will be investigated**

After assessing the disclosure as one to which the PID Act applies, our PID Officer will consider whether it will be investigated, guided by the requirements in s. 8. The reasons a PID Officer may not investigate the disclosure include:

- the matter is trivial
- the disclosure is vexatious or frivolous
- there is no reasonable prospect of obtaining sufficient evidence due to the time that has elapsed since the matter(s) occurred the matter is being or has been adequately or properly investigated by another proper authority, s. 5(3).

Our PID Officer will make proper and adequate records of their decision and reasons about whether to investigate or not.

### **5. Referring public interest matters**

Where our PID Officer assesses the disclosure as one to which the PID Act applies, but they do not have the functions or power to investigate one or more matters within the disclosure, they will refer the information to the appropriate authority for investigation as provided for under the PID Act. Alternatively, a discloser may also be able to make a disclosure directly to this new authority, if they wish to receive reports from them about the disclosure. For example, our PID Officer may need to refer an allegation of an offence supported by evidence to the Western Australia Police for investigation.

### **6. Investigating the disclosure**

Our PID Officer will investigate, or cause to be investigated, any matters in the disclosure within the sphere of responsibility. Our PID Officer may cause the disclosure to be investigated by engaging a suitably skilled staff member within the Shire of Menzies or an externally contracted investigator.

If causing the disclosure to be investigated, our PID Officer will ensure that the person undertaking the investigation understands the requirements of the PID Act, in particular the confidentiality requirements and protections for disclosers. Our PID Officer will only provide the name of the discloser and that of the subject of the disclosure to the investigator in accordance with s. 16 of the PID Act.

When investigating the disclosure, our PID Officer or investigator is limited by the functions and powers derived from our operating legislation. The PID Act does not provide for any additional investigative powers.

If you are an employee, you are expected to cooperate with any investigation into the disclosure to maintain the protections under the PID Act. A discloser is also expected to act in accordance with our Code of conduct at all times.

Employees who are the subject of the disclosure can clarify the process and what to expect with our PID Officer.



Our PID Officer may also decide to discontinue an investigation, in accordance with s. 8(2). If this happens, they will give the discloser reasons for their decision in accordance with s. 8(3), unless they made an anonymous disclosure. The PID Officer may also notify any subject(s) of the disclosure, if they discontinue the investigation.

To ensure the disclosure is adequately and properly investigated our PID Officer, or other investigator, will be guided by the procedures below.

### **Procedures for an investigation**

Develop the terms of reference for the investigation, clarifying the key issues in the disclosure ensuring the objectives of the investigation include

- collecting and collating information related to the disclosure
- considering the information collected
- drawing conclusions objectively and impartially

specifying a date by which the investigation should be completed and a report provided to the discloser about the final outcome, bearing in mind that the discloser may be able to disclose to a journalist if

- the PID Officer does not notify the discloser within three months of them making their disclosure about how they plan to deal with the disclosure
- the PID Officer discontinues an investigation
- the PID Officer does not complete the investigation within six months
- the PID Officer does not provide a final report to the discloser about the outcome and any action taken, including the reasons for that action informing the subject of the disclosure about their rights and obligations under the PID Act, the PID Officer's code of conduct and integrity, any agency code of conduct and the law maintaining procedural fairness for the person who is the subject of the disclosure the investigator making contemporaneous notes of discussions and interviews and, where practicable and appropriate, recording discussions and interviews on audio or videotape (ensuring people are made aware they are being recorded) ensuring strict security to maintain the confidentiality requirements of the PID Act.

### **What are your responsibilities if you are the subject of a disclosure?**

A subject of a disclosure is a person of interest about whom an allegation of a public interest disclosure has been made.

We will treat the person fairly and impartially throughout the process, and inform them of their rights and obligations.

We will generally keep the parties involved informed during any investigation, although we cannot release any information to the person that may prejudice our investigation. As an employee it is expected that they will act in accordance with our Code of conduct at all times.

The PID Act provides the person with some rights and obligations as a person subject to a disclosure. Firstly, the subject has a right to have their identity kept confidential under s. 16(3), unless one of the following conditions apply: you consent to your identity being disclosed

- it is necessary to enable the matter to be investigated effectively
- it is necessary to do so in taking action within s. 9
- there are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property
- is made in accordance with a court order or other body having authority to hear evidence
- it is made in accordance with ss. 152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

We will also provide appropriate natural justice. This means that, before we take any disciplinary or other action against the person under s. 9, we will give you the opportunity to:

- be informed of the substance of the allegations and
- make a submission either verbally or in writing in relation to the matter.

If you are the subject of a disclosure, you must not identify or tend to identify the identity of the discloser or a person who they think might be the discloser, as they also have rights to confidentiality under the PID Act. It is an offence under s. 16 to identify or tend to identify any person who has made a disclosure under the PID Act.

Also, you must not engage in reprisal action, threaten anyone with reprisal action or have someone else conduct this action on your behalf because someone has made, or intends to make, a disclosure. It is still an offence to conduct this action against any person you believe has made the disclosure even if they were not the individual who actually made the disclosure. This is an offence under s. 14(1) of the PID Act.

## **7. Taking action**

Our PID Officer will take action where they form the opinion that a person may be, may have been or may in the future be involved in conduct which may be the subject of a public interest disclosure. Usually, our PID Officer will form this opinion at the conclusion of an investigation, although there may be instances where they need to take immediate action and the PID Act enables them to do this.

Action our PID Officer may take under s. 9 includes, but is not limited to:

- preventing the matter disclosed from continuing or occurring
- referring the matter to the Western Australia Police or other appropriate body or
- taking disciplinary action against a person responsible for the matter.

The options above are not mutually exclusive. Our PID Officer may take more than one action depending on the circumstances. For example, our PID Officer may seek to terminate the employment of an employee caught stealing and refer the matter to the Western Australia Police.

In taking action our PID Officer and/or Shire of Menzies is limited by the powers and functions derived from our operating legislation. The PID Act does not provide for any additional powers to take action. We are also guided by what is necessary and reasonable in the circumstances.

Before taking any action we will give the person against whom the action is to be taken (the subject of the disclosure) an opportunity to respond, either verbally or in writing, to ensure procedural fairness.

### **Confidentiality and record keeping when taking action**

We will maintain confidentiality in accordance with the PID Act when taking action.

Our PID Officer will keep appropriate records about any action taken, as well as recording a summary of this action in the public interest disclosure register.

## **8. After the public interest disclosure process has been finalised**

The PID Act places no further obligations on Shire of Menzies or our PID Officers after the disclosure process is complete. The confidentiality requirements of the PID Act, however, continue to apply to you and all other people involved with the disclosure.

The PID Act does not provide for you to appeal the outcome of the disclosure process. You may be able to make another disclosure to another proper authority, if the information relates to their functions or sphere of responsibility (s. 5). See [Don't be afraid to speak up](#) for the correct proper authority for your disclosure.

However, this 'new' proper authority may be able to decline to investigate the disclosure under s. 8, if they consider the matter(s) has already been properly or adequately investigated (as a public interest disclosure).

## **9. Making a disclosure to a journalist**

The PID Act provides for certain circumstances where a discloser may be able to make a protected disclosure to a journalist s. 7A(d). These circumstances apply where the discloser has first made a disclosure to the PID Officer or another proper authority named in the PID Act (outlined in s. 5 or Don't be afraid to speak up).

Importantly, the PID Act states that to attract the privileges and protections of the PID Act when disclosing to a journalist, the discloser must disclose information that is substantially the same as what was disclosed in the original disclosure and the PID Officer that received the original disclosure:

- did not notify the discloser within three months of making the disclosure about actions they propose to take or have already taken or
- refused to investigate, or discontinued the investigation of, a matter raised in the disclosure or
- did not complete an investigation within six months of the discloser making the disclosure or

- completed an investigation but did not recommend that action be taken or
- did not provide the discloser with a report stating the outcome of any investigation or any action proposed or taken and the reasons for those actions.

We are committed to ensuring that we provide the notifications required under the PID Act and that the discloser understands the reasons for our decisions and actions. If a discloser is considering making a disclosure to a journalist because they believe their circumstances meet one or more of the requirements outlined above, we would encourage the discloser to discuss this with the PID Officer prior to disclosure to a journalist.

It is also recommended that the discloser seek their own legal advice before taking any action in relation to matters that have been disclosed under the PID Act.

If a discloser makes an anonymous disclosure they may not be able to demonstrate they meet the above requirements and we are not obliged to provide the discloser with any notifications about what happens to the disclosure.



Our ref: PSC20106077  
12 November 2020

Mr Richard Brookes  
A/Chief Executive Officer  
Shire of Menzies  
P O Box 4  
MENZIES WA 6436

RECEIVED  
23 NOV 2020  
BY: ICK1797

Dear Mr Brookes

### REQUIREMENTS REGARDING THE PUBLIC INTEREST DISCLOSURE ACT 2003

Thank you for your response to the Public Sector Commission's *Integrity and Conduct Annual Collection (ICAC) Survey*. This collection is undertaken as part of the Commission's role to prevent misconduct and to monitor compliance in relation to ethical codes and public interest disclosures.

The *ICAC* survey contained questions on the *Public Interest Disclosure Act, 2003 (PID Act)*. This Act allows people to make disclosures about wrongdoing in public authorities and provides certain protections when they do. Public authorities include the State public sector, local governments, government trading enterprises, public universities and some government boards and committees.

As a principal executive officer for the purposes of the PID Act, you have several obligations under section 23 of that Act including:

- To designate the occupant of a specified position with the authority as the person responsible for receiving public interest disclosures (PID officer) and;
- To prepare and publish internal procedures relating to your authority's obligations under the PID Act consistent with the guidelines published by the Public Sector Commissioner

Your authority's response to the survey indicated that you do not have internal procedures relating to your authority's obligations under section 23 (1) (e) and 23 (2) of the Act.

In order to fulfil your obligations please ensure that you put in place internal procedures. The Public Sector Commission has published guidelines for public authorities to use, adapt as their own, and publish both internally and externally. This will ensure compliance with the PID Act. The following link may be of assistance:

<https://www.wa.gov.au/organisation/public-sector-commission/public-interest-disclosure-information-principal-executive-officers>

It would be appreciated if you could ensure the above is completed by Thursday, 17 December 2020.

If you have any questions, please contact Sarah Dunstan, Principal Consultant, Strategic Initiatives and Liaison on 6552 8508 or [SIL@psc.wa.gov.au](mailto:SIL@psc.wa.gov.au).

Yours sincerely



DAN VOLARIC  
EXECUTIVE DIRECTOR INTEGRITY AND RISK

<b>12.5.8</b>	<b>Road Condition Report &amp; Strategy</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COU.874.1/NAM349</b>
<b>DATE OF REPORT</b>	<b>2<sup>nd</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

**SUMMARY:**

For the Council to consider undertaking a road condition report and road strategy within the Shire

**BACKGROUND:**

The Shire of Menzies has a road network of approximately 2300 km, most of which is unsealed. The immediate condition of each road is not well documented, and the Shire has no specific road upgrade and maintenance program that gives the Shire guidance or direction in developing a long term strategy for consideration during the budget preparation process.

**COMMENT:**

Whilst it is the prerogative of elected members to put their priorities forward, it is the Councils obligation to ensure that funding is distributed on a needs basis to ensure that the overall priorities of the Community are met.

To enable a long term strategy to be developed it is necessary to have good base line data that can be used to prioritise where budgets are to be allocated in the future. ie long term planning

This base line data can:

1. best be achieved by an independent engineering consultant that can identify and report on existing road conditions;
2. identify where there may be safety issues and concerns; and
3. be developed into a long term works program with a priority determined by current road conditions, existing road use, future road use, road need and available funding.

A long term road works program will give the Council a better opportunity to:

- undertake road management agreements;
- identify funding shortfalls;
- identify rating requirements;
- undertake rationalisation of infrastructure
- maintain a level of sustainability;

**CONSULTATION:**

Works Supervisor

**STATUTORY AUTHORITY:**

N/A

## POLICY IMPLICATIONS:

4.11 Rating Strategy  
12.4 Road Train Permits

## FINANCIAL IMPLICATIONS:

The development of a long term works program will assist the Council during the preparation of the annual budget.

The cost of an independent civil engineering contractor to undertake a road condition report and long term road improvement strategy would cost in the vicinity of \$50,000.

## RISK ASSESSMENT:

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
The Shire has no overall road condition report or strategy for road improvement	High	Undertake a road condition report for the Shire Develop a long-term road improvement strategy

## STRATEGIC IMPLICATIONS:

Community Strategic Plan 2020-2030

Objective Sustainable local economy encouraged  
1.5 Safe and Useable Road Network:  
Provide all seasons access to major roads where practicable  
Strategy 1.5.1 Provide all seasons access to major roads

## VOTING REQUIREMENTS:

Simple Majority

## OFFICER RECOMMENDATION:

That the Council of the Shire of Menzies include the engagement of an independent civil engineering contractor to undertake a road condition report and long term road improvement strategy in the capital works program for consideration during the preparation of the 2021/22 budget

## COUNCIL DECISION:

<b>Council Resolution Number</b>	<b>2064</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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*That the Council of the Shire of Menzies include the engagement of an independent civil engineering contractor to undertake a road condition report and long term road improvement strategy in the capital works program for consideration during the preparation of the 2021/22 budget*

<b>Carried</b>	<b>4/0</b>
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<b>12.5.9</b>	<b>Road Sign Audit</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COU.874.1NAM350</b>
<b>DATE OF REPORT</b>	<b>30<sup>th</sup> November 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

**SUMMARY:**

For the Council to consider undertaking an audit of roadside signage within the Shire of Menzies.

**BACKGROUND:**

The Shire is responsible for road safety signage on the Shires local road network.

There are generally 3 types of road signs: regulatory, warning, and guide signs.

- Regulatory signs inform drivers of traffic laws and regulations.
- Warning signs let drivers know that road changes are coming up on the drive. These can be permanent or temporary traffic hazards and obstacles
- Guide and information signs give directions and information for scenic tourist routes and destinations such as rest stops and fuel stations. They also provide additional traffic information to guide driving.

These signs are designed and installed to assist with the prevention of accidents and provide road users with direction and a warning of road conditions.

**COMMENT:**

The Shire is in receipt of a number of complaints relating to missing and misdirected signage in the Shire. This has allegedly led to a number of tourists & visitors to the Shire becoming lost or disoriented and travelling significantly more kilometres than originally planned.

This situation is not unique to Menzies and discussions with other goldfields CEO's would indicate the same issues.

If the Council is to promote safety and encourage tourism within the Shire, it is suggested that safety and directional signage be improved to be well placed and clear

The Shire has approximately 2,300 kilometres of road network with numerous regulatory, warning and guidance signs.

A sign audit of the whole Shire is a significant undertaking and possibly outside the time constraints and expertise (without training) of existing staff.

It is recommended that the Shire engage a contractor to undertake an audit of all the Shire road signs to identify and report on all signage and in particular those signs that are missing, damaged, faded, stolen or need replacing.

Armed with this information, the Shire would be in an excellent position to develop and undertake a gradual program (budget dependant) of the necessary sign maintenance, upgrading and replacement that is required

**CONSULTATION:**

Works Supervisor

**STATUTORY AUTHORITY:**



Road Traffic Act 1974

**POLICY IMPLICATIONS:**

There are no Council policies that deal with a matter of this nature

**FINANCIAL IMPLICATIONS:**

It is estimated that a full sign audit in the Shire would cost approximately \$8,000 - \$12,000

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Poorly maintained and inappropriate signage within the Shire	Medium	Undertake a sign audit to identify poor signage. Annual budget allocation to maintain and replace poor signage

**STRATEGIC IMPLICATIONS:**

There are no specific themes within the Community Strategic Plan that deal with a matter of this nature

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies include the engagement of a contractor to undertake a sign audit of all signs within the Shire in the capital works program for consideration during the preparation of the 2021/22 budget

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2065</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr I Baird</b>
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That the Council of the Shire of Menzies include the engagement of a contractor to undertake a sign audit of all signs within the Shire in the capital works program for consideration during the preparation of the 2021/22 budget

<b>Carried</b>	<b>4/0</b>
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<b>12.5.10</b>	<b>Letter ICAN Australia</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>ICAN AUStalia</b>
<b>DOCUMENT REF</b>	<b>COM.942.1/NAM351</b>
<b>DATE OF REPORT</b>	<b>11<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Attached letter</b>

**SUMMARY:**

For the Council to consider a matter from ICAN Australia

**BACKGROUND:**

The Shire has received a letter from ICAN Australia relating to a campaign to abolish nuclear weapons

**COMMENT:**

The letter from ICAN Australia seeks the Council support by adopting a motion in support of the treaty on the prohibition of nuclear weapons.

**CONSULTATION:**

Council information workshop

**STATUTORY AUTHORITY:**

N/A

**POLICY IMPLICATIONS:**

There are no Council policies relating to a matter of this nature

**FINANCIAL IMPLICATIONS:**

There are no current financial implication for the Shire

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>

**STRATEGIC IMPLICATIONS:**

There are no themes in the Community Strategic Plan that relate to a matter of this nature

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the report entitled “Letter ICAN Australia” be received

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2066</b>
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<b>Moved</b>	<b>Cr I Baird</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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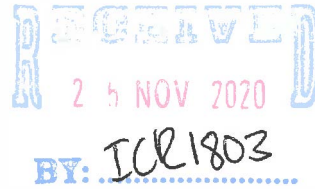
That the report entitled “Letter ICAN Australia” be received

<b>Carried</b>	<b>3/1</b>
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November 10<sup>th</sup>, 2020

12.5.17 RELATED



Attn: Mayor and Councillors  
Shire of Menzies  
PO Box 4  
MENZIES WA 6436

Dear Mayor and Councillors at Shire of Menzies,

History was made last month as the Treaty on the Prohibition of Nuclear Weapons achieved a momentous tipping point on the pathway to permanent international law.

On October 24, the Treaty on the Prohibition of Nuclear Weapons received its 50th ratification, triggering its entry into force 90 days later. Nuclear weapons will be banned under international law on January 22, 2021.

The nuclear ban treaty prohibits nations from developing, testing, producing, manufacturing, transferring, possessing, stockpiling, using or threatening to use nuclear weapons, or allowing nuclear weapons to be stationed on their territory.

**Australia has not yet joined the Treaty.** In just a few months, Australia will be out of step with international law, and an outlier in our Pacific region where most of our neighbours, including New Zealand, have completed the ratification process.

**The International Campaign to Abolish Nuclear Weapons 'Cities Appeal' is the best way local governments across Australia can show their support for nuclear disarmament.**

Fremantle Mayor Dr Brad Pettitt, our region's representative in the international Mayors for Peace Network, has called on Australian councils to take action and participate in the nuclear weapons debate of our time. He notes that; *"This is a crucial issue for cities and towns because nuclear weapons, by their very nature, target civilians, our homes and workplaces. As local government bodies, we have a duty to protect our constituents from the escalating threat of nuclear war."*

In August 2020, after receiving submissions from local councils across the nation, the Australian Local Government Association wrote to the Senator the Hon. Marise Payne Minister for Foreign Affairs with a message: *Councils urge the Australian Government to sign and ratify the United Nations Treaty on the Prohibition of Nuclear Weapons.*

Thirty-one Australian councils including Sydney, Melbourne, Fremantle, Port Adelaide, Newcastle and Hobart have endorsed the Cities Appeal, and encouraged our federal government to sign and ratify this landmark treaty.

The 'Cities Appeal' has also been supported by Washington DC, Hiroshima, Berlin, Geneva and Los Angeles and hundreds of cities and towns worldwide.

**We now invite your council to endorse the ICAN Cities Appeal in celebration of the Treaty on the Prohibition of Nuclear Weapons' impending entry-into-force.**

The treaty's entry-into-force will cement the illegality of nuclear weapons in international law. This change will influence the behaviour of states, even those which don't join the treaty, interrupt the flow of funds to nuclear arms producers, stimulate debate and increase pressure on nuclear weapons states to disarm.

Wherever they are, cities and towns can be champions in addressing the world's most urgent existential challenges. A suggested council motion in support of the Treaty on the Prohibition of Nuclear Weapons could read as follows:

1. *The 2017 United Nations Treaty on the Prohibition of Nuclear Weapons is the first treaty to comprehensively outlaw nuclear weapons and provide a pathway for their elimination. The. Having received its 50th ratification in October 2020, the treaty will enter into force on 22 January 2021. All national governments are invited to sign and ratify the treaty.*
2. *Entry into force is an important milestone on the path to a nuclear weapon-free world. It will make concrete the standard that nuclear weapons are illegal and illegitimate for all states. It will mark the moment that the treaty becomes a permanent part of international law.*
3. *To commemorate this achievement of global diplomacy, our council endorses the International Campaign to Abolish Nuclear Weapons 'Cities Appeal', which reads:*
4. *Our city/town is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment.*
5. *Therefore, we warmly welcome the entry into force of the UN Treaty on the Prohibition of Nuclear Weapons on 22 January 2021, and we call on our national government to sign and ratify it without delay.*

Your support for this motion will be a small but meaningful step towards Australia's ratification of the treaty, which in turn will contribute to the stigmatisation, prohibition and elimination of nuclear weapons.

### **The entry-into-force of this treaty is the beginning of the end of nuclear weapons.**

Supporters of the nuclear ban treaty in Australia include the Australian Red Cross and the Australian Medical Association, both of whom see this as a fundamentally humanitarian issue, beyond party politics.

Australia has joined the treaties prohibiting other inhumane and indiscriminate weapons including biological weapons, chemical weapons, landmines and cluster munitions. Nuclear weapons do not enhance security, and the global tide is turning against them. It is only a matter of time before Australia plays its part and joins the treaty.

I look forward to your council pledging its support for Australia joining the Treaty and joining the cities and towns in support of a more peaceful world.

Kind Regards



Jemila Rushton  
International Campaign to Abolish Nuclear Weapons, Australia

*Once passed, the Mayor or elected official can send an email to [jemila@icanw.org](mailto:jemila@icanw.org) indicating that the council endorses the International Campaign to Abolish Nuclear Weapons (ICAN) Cities Appeal. It is recommended that council writes to inform the Foreign Minister and local federal representatives that the council has endorsed the ICAN Cities Appeal.*

<b>12.5.11</b>	<b>MAC Children's Xmas Party</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Menzies Aboriginal Corporation</b>
<b>DOCUMENT REF</b>	<b>FIN.846.1/NAM352</b>
<b>DATE OF REPORT</b>	<b>11<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

### **SUMMARY:**

For the Council to consider a donation to the Menzies Aboriginal Corporation for the Annual Menzies Children's Christmas Tree Party

### **BACKGROUND:**

The Shire has received an invoice from the Menzies Aboriginal Corporation for \$1500 as a donation to the Annual Menzies Children's Christmas Tree Party.

There is no indication of a previous request for a donation to be included in the 2020/21 budget.

There does not appear to be any amount identified in the 2020/21 budget.

Records indicate that the last time an amount was allocated for this purpose was in 2017.

### **COMMENT:**

The Annual Menzies Children's Christmas Tree Party event which is scheduled for the 16<sup>th</sup> December 20 appears to be one that is worthwhile and given consideration of support.

Notwithstanding the support, the process by which these type of donations are granted needs some revision to ensure clarity and a transparency.

From a risk and compliance perspective the advice is:

Generally speaking, from a compliance and risk perspective, there should be processes in place to manage requests for support for community events. These processes will normally serve a function for any sponsorship or requests for community support to be appropriately authorised, validated in advance and provided for within the approved budget.

A suggested process is as follows:

- March – write to community organisations advising that the Shire is preparing its budget for the next financial year and seeks advise on projects, donations or assistance that the Shire may wish to consider for inclusion in the budget.
- May to June– the Council give consideration to the list of projects, donations, assistance etc and prioritise these with other Shire projects for inclusion in the budget.
- include a small provision for items or requests that may be received during the year. (within budget constraints)
- June to July – adopt the budget

### **CONSULTATION:**

Council briefing session, Moore Australia

**STATUTORY AUTHORITY:**

Local Government Act 1995 and financial regulations

**POLICY IMPLICATIONS:**

Council Policy 4.4 Donations Sponsorship & Contributions

**FINANCIAL IMPLICATIONS:**

The Shire has a budget allocation for:

MEMBERS – Donations to Community Groups - \$5,000 of which \$0 has been spent

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Lack of processes to manage requests for donations, sponsorship and contributions to community groups and events Poor budgeting to deal with requests for donations, sponsorship and contributions	High	Develop and undertake a process to consider and budget for requests from the community in relation to donations, sponsorship and contributions

**STRATEGIC IMPLICATIONS:**

There are no specific themes in the Community Strategic Plan that deal with a matter of this nature.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies:

1. make a donation to the Menzies Aboriginal Corporation of \$1,500 to assist with the Annual Menzies Children's Christmas Tree Party.
2. develop a process to engage with the Community in relation to requests for Shire assistance.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2067</b>
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<b>Moved</b>	<b>K Mader</b>	<b>Seconded</b>	<b>J Dwyer</b>
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That the Council of the Shire of Menzies:

1. make a donation to the Menzies Aboriginal Corporation of \$1,500 to assist with the Annual Menzies Children's Christmas Tree Party.
2. develop a process to engage with the Community in relation to requests for Shire assistance.

<b>Carried</b>	<b>4/0</b>
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## Menzies Aboriginal Corporation

43 - 45 Walsh Street  
Menzies, 6436

**Tax Invoice**

Tax Date	Invoice No.
26/11/2020	601

Invoice To
Shire of Menzies PO Box 4 Menzies WA 6436

RECEIVED  
25 NOV 2020  
BY: IS207306

P.O. Number	Terms	Project
	14	

Description	Qty	Price	TAX	TAX AMT	Amount
Donation towards the Annual Menzies Children's Christmas Tree Party - Wednesday 16th December, 2020	1	1,500.00	GST	136.36	1,500.00

<b>Tax Summary</b> GST 136.36;	<b>Subtotal</b>	\$1,363.64
	<b>Tax</b>	\$136.36
	<b>Total</b>	\$1,500.00

BSB 066514 Acc/No 00905349
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Company Business Number	90 997 296 120
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*Menzies Aboriginal Corporation*

*Christmas Tree Party*

*All Welcome*

*Wednesday 16th December 2020*

*Family Fun Activities at*

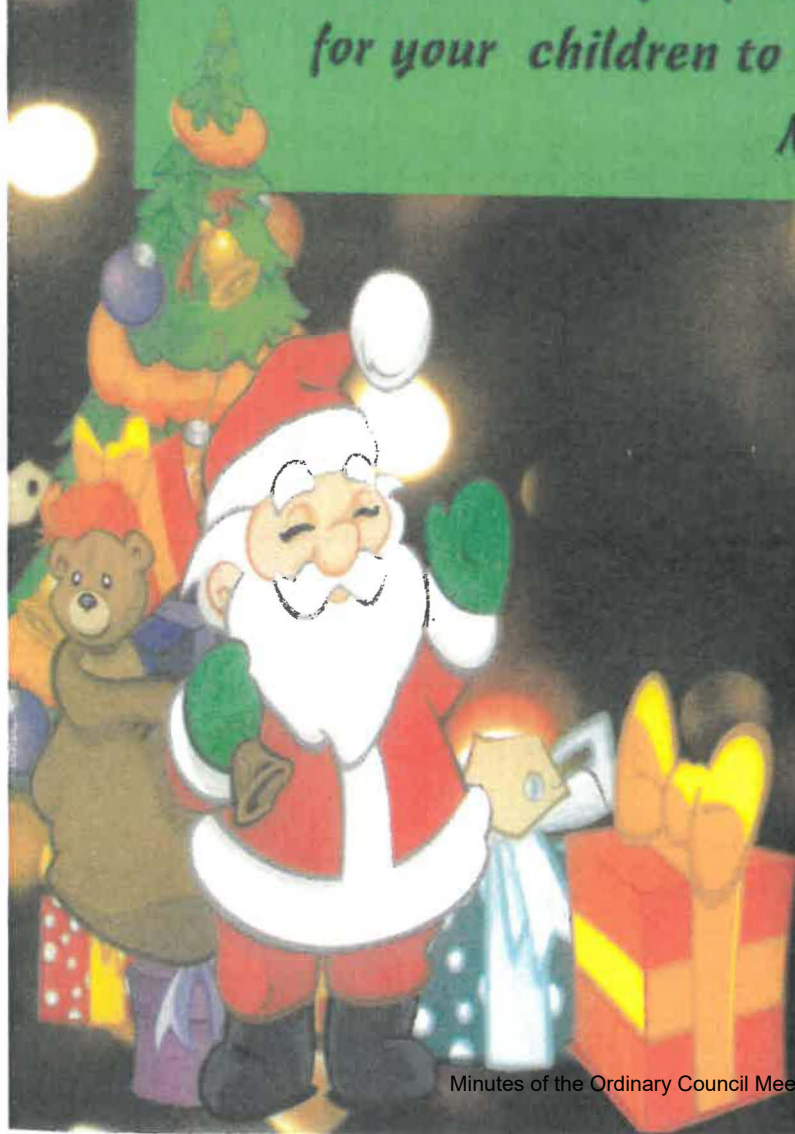
*Ngalipaku Youth Centre from*

*3.30pm - 4.30pm*

*Christmas tree party and dinner at the*

*MAC Centre from 6.30pm - 9pm*

*Parents please bring a present to the value of \$30  
for your children to be placed under tree at  
MAC.*



<b>12.5.12</b>	<b>Policy Review Superannuation</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COR.879.1/NAM353</b>
<b>DATE OF REPORT</b>	<b>9<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Impartiality</b>
<b>ATTACHMENT</b>	<b>current policy relating to superannuation</b>

The ACEO has declared an impartiality interest as a superannuation contribution is included in his contract however not affected by the proposed policy changes.

#### **SUMMARY:**

For the Council to consider amending policy 5.7 Superannuation for clarification.

#### **BACKGROUND:**

A superannuation policy has been included in the Councils policy manual since 2012 and the current version was adopted in August 2018.

The statutory requirements for superannuation is the superannuation guarantee where the Shire must contribute 9.5% to employees superannuation (currently under review by the Federal Government).

The current Council policy outlines the Shire's additional voluntary contributions.

#### **COMMENT:**

The existing superannuation policy has no introduction nor objectives and one of the provisions relating to percentage contribution is open to interpretation.

During the preparation of the works managers position description, reference was made to the Councils policy relating to superannuation. The policy is somewhat unclear as to the intent of the Shires contribution associated with the employee's contribution.

The current policy states (in part)

- a) where the employee makes voluntary contributions, either by deduction from pay after tax or by salary sacrifice –
  - the Shire will make an additional contribution subject to an employee making their own contribution, either as salary sacrifice or after tax,
  - to maximum employee contribution of 5% of salary/wages
    - i.e. an employee may contribute in excess of 5% of salary/wages, but the Shire contribution will be limited to the maximum of 17% including the Superannuation Guarantee Levy.

There is no clarity on what percentage the Council will voluntarily contribute based on the employee's contribution

It would appear that most staff contribute 5% to personal super to gain the 7.5% maximum Shire contribution.

To maintain current conditions, ensure clarity and equity it is suggested that the 17% maximum (Shire contribution) is used as the base line. From that, the policy can be worded to ensure that.

1. The employee needs to contribute a % of their salary/wages to receive a Shire contribution;
2. The Shire's contribution is linked to the employees contribution;

3. The 17% overall maximum contribution is not exceeded; and
4. The employee can undertake further additional contributions without affecting the Shires contribution.

The proposed change would not impact on existing employed staff. Contracted staff would be paid superannuation in line with their individual contracts.

Notwithstanding the conditions in current staff contracts, it is recommended that in the future, that all staff (including senior staff) have conditions in line with Council policies. This makes the administration of these issues much easier, less time consuming, minimises the likelihood of mistakes and is much more transparent.

#### **CONSULTATION:**

Shire staff

#### **STATUTORY AUTHORITY:**

Local Government Act 1995  
 Superannuation Guarantee (Administration) Act 1992  
 Superannuation Act 1976

#### **POLICY IMPLICATIONS:**

Policy 5.7 Superannuation

#### **FINANCIAL IMPLICATIONS:**

The Council superannuation policy needs to be clear and unambiguous to ensure that the appropriate payroll payments and deductions are made.

#### **RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Council policies need to be clear and concise to ensure that there is no possibility of misinterpretation	Medium	Review Council policies on a regular basis. Ensure that policies are clear and concise.

#### **STRATEGIC IMPLICATIONS:**

There are no themes in the Community Strategic plan that refer to a matter of this nature.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies adopt the amended Council policy 5.7 Superannuation as attached.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2068</b>
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<b>Moved</b>	<b>Cr K Mader</b>	<b>Seconded</b>	<b>Cr I Baird</b>
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That the Council of the Shire of Menzies adopt the amended Council policy 5.7 Superannuation as attached.

<b>Carried</b>	<b>4/0</b>
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## 5.7 Superannuation

Introduction

Objective

History	Former Policy	pt 5.12
	Replaced	29 November 2012
	Reviewed	26 September 2013
	Reviewed	25 June 2015
	Adopted	30 August 2018

### Policy Statement

1. The Shire will contribute towards an employee's personal superannuation as follows:
  - a) the Superannuation Guarantee Levy, plus
  - b) where an employee makes voluntary contributions, either by:
    - (i) deduction from pay after tax; or
    - (ii) by salary sacrifice,the Shire will make an additional contribution equal to 1.5 times the employees contribution to a maximum employee contribution of 5% of salary or wages.
  - c) notwithstanding the employees personal contribution, the Shires contribution will be limited to a maximum of 17% of salary or wages including the Superannuation Guarantee Levy.
  
2. Where the Superannuation Guarantee Levy increases, the additional matching percentage contribution by the Shire is to decrease an equal amount, maintaining a maximum Shire contribution of 17%.

– *End of Policy*

### COMMENT

Superannuation contributions are governed by the Superannuation Guarantee (Administration) Act 1992.

DRAFT  
NEW POLICY

**5.7 Superannuation****Introduction****Objective**

<b>History</b>	<b>Former Policy</b>	pt 5.12
	<b>Replaced</b>	29 November 2012
	<b>Reviewed</b>	26 September 2013
	<b>Reviewed</b>	25 June 2015
	<b>Adopted</b>	30 August 2018

**Policy Statement**

1. The Shire will contribute towards an employee's personal superannuation as follows—
  - a) the Superannuation Guarantee Levy,
  - b) where the employee makes voluntary contributions, either by deduction from pay after tax or by salary sacrifice—
    - the Shire will make an additional contribution subject to an employee making their own contribution, either as salary sacrifice or after tax,
    - to maximum employee contribution of 5% of salary/wages
      - i.e. an employee may contribute in excess of 5% of salary/wages, but the Shire contribution will be limited to the maximum of 17% including the Superannuation Guarantee Levy.
2. Where the Superannuation Guarantee minimum increases, the additional matching percentage is to decrease an equal amount, maintaining a Council standard unmatched contribution of 17%.

– End of Policy

**COMMENT:**

Superannuation contributions are governed by the Superannuation Guarantee (Administration) Act 1992.

*Existing Policy  
OKD*

<b>12.5.13</b>	<b>Policy Review Shire Housing – Rental Charges.</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>PER.863.1/NAM354</b>
<b>DATE OF REPORT</b>	<b>3<sup>rd</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Impartiality Interest</b>
<b>ATTACHMENT</b>	<b>Shire Accommodation Policy – Rental Charges</b>

The ACEO has declared an impartiality interest as the report in part relates to staff housing which is included in his contract

#### **SUMMARY:**

For the Council to consider an amendment to the Councils policy 9.1 Shire Accommodation – Rental Charges.

#### **BACKGROUND:**

The Shire has a number of policies that relate to staff attraction and retention that are generic across the organisation

The Shire engages a number of staff with different levels of knowledge and experience to undertake the variety of roles within the organisation.

The Shire has a variety of housing options available.

The Shire engages staff with different conditions of employment.

#### **COMMENT:**

The Shire has experienced a significant level of staff turnover over the past couple of years and it appears that a level of consistency in relation to staff conditions of employment has not been maintained.

This is attributed in the main to a lack of internal processes in place, lack of corporate knowledge, poor staff training and insufficient policy direction.

The schedule of fees and charges includes Staff Housing Rental, however the fees outlined only include 2 categories

Category 1 – separate house – 3 bed 2 bath

Category 2 – duplex house – 2 bed 1 bath

These categories do not take into account any other categories of houses which the Shire uses for staff housing i.e.

Category X – separate house – 4 bed 2 bath (37 Reid)

Category Y – separate chalet/house – 2 bed 1 bath (29b Shenton)

Category Z – furnished or partly furnished chalet/house (29a Shenton)

It appears that some officers have been appointed with short term contracts or letters of employment that include different conditions in relation to the provision of housing. Some of these conditions include a provision for no rent and do not clarify payments of utilities etc

In order to clarify and maintain a level of consistency in relation to the provision of staff housing it is recommended that Policy 9.1 be amended as follows:



### Policy Statement

1. *Rental charges for each category of accommodation are to be reviewed annually, and the charges included in the schedule of fees and charges as adopted by the Council as part of the annual budget.*
2. *Housing and pet bonds for all accommodation are to be in accordance with the Residential Tenancies Act 1987.*
3. *Water, rubbish removal and other charges on Shire owned accommodation are incorporated in the overall rental structure, rather than levied on the tenant as a separate item.*
4. *Utilities such as power, gas and communications (telephone & internet) are the responsibility of the tenant.*

5. *Categories of Staff Accommodation*

<i>Category 1</i>	<i>Dwelling</i>	<i>4 bed 2 bath</i>
<i>Category 2</i>	<i>Dwelling</i>	<i>3 bed 2 bath</i>
<i>Category 3</i>	<i>Dwelling, Unit or Chalet</i>	<i>2 bed 1 bath</i>
<i>Category A</i>	<i>Dwelling, Unit or Chalet</i>	<i>furnished or semi furnished</i>
<i>Category B</i>	<i>Dwelling, Unit or Chalet</i>	<i>pet bond</i>

5. *The Council may vary or waiver rental and utilities charges for staff accommodation as part of their negotiations in relation to an employment contract.*

### CONSULTATION:

Council Staff

### STATUTORY AUTHORITY:

Local Government Act 1995  
Residential Tenancies Act 1987

### POLICY IMPLICATIONS:

Council Policies

- 5.10 Employees - Housing Allowance
- 9.1 Staff Accommodation – Rental charges
- 9.2 Shire Housing – Tenancy Conditions
- 9.3 Shire Housing - Inspections

### FINANCIAL IMPLICATIONS:

A clear housing policy will minimise discrepancies in the accounting processes

### RISK ASSESSMENT:

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
A lack of clarification in Council policies relating to staff housing. Staff with similar levels of qualification and experience within the organisation receiving different treatment in relation to conditions of employment.	Medium	Develop and adopt clear and consistent Council policies in relation to conditions of employment.

**STRATEGIC IMPLICATIONS:**

There are no specific themes within the Community Strategic Plan that deal with a matter of this nature.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies amend Policy 9.1 Shire Accommodation – Rental Charges as outlined in the body of the report.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2069</b>
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<b>Moved</b>	<b>CR J Dwyer</b>	<b>Seconded</b>	<b>Cr I Baird</b>
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*That the Council of the Shire of Menzies amend Policy 9.1 Shire Accommodation – Rental Charges as outlined in the body of the report.*

<b>Carried</b>	<b>4/0</b>
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## 9.0 HOUSING

### 9.1 Shire Accommodation – Rental charges

#### Introduction

#### Objective

History	Formerly –	Delegation 6, 29
	Replaced –	29 November 2012
	Amended –	27 February 2014
	Adopted	25 June 2015
	Adopted	30 August 2018

#### Policy Statement

1. Rental charges for all accommodation is to be reviewed annually, and the charges adopted by Council in the annual Budget.
2. Housing bonds and pet bonds for all accommodation is to be reviewed at least annually.
3. Rubbish removal and other charges on Shire owned accommodation are incorporated in the overall rental structure, rather than levied on the tenant as a separate item.

– *End of Policy*

## 9.2 Shire Housing – Tenancy Conditions

### Introduction

### Objective

History	Formerly –	Delegation 6, 29
	Replaced –	29 November 2012
	Amended –	November 2014
	Adopted	25 June 2015
	Amended	25 February 2016
	Adopted	30 August 2018

### Policy Statement

1. Guiding Principles –
  - a) All tenancies of Shire owned/administered accommodation are subject to the requirements of the Residential Tenancies Act, and the agreement shall provide for the termination of the tenancy on termination of employment with the Shire.
  - b) Inspection as per Tenancy Act provisions may be made by Chief Executive Officer or nominated representative
  - c) Security and pet bonds may be paid by payroll deduction over not more than 3 full pays.
  - d) Shared occupancy with a non-relative may be approved by Chief Executive Officer with or without conditions
  
2. General Conditions, to be included as part of the Tenancy Agreement –
  - a) It is a condition of tenancy that the tenant who signs the lease agreement holds a permanent full-time position with the Shire of Menzies –
    - The Chief Executive Officer is not obligated to enter into a new agreement with an alternative member of the household
    - Termination of employment automatically terminates the Tenancy Agreement
  - b) Persons other than the direct family of the person renting Shire accommodation (direct family being their spouse/partner or children), are permitted to stay in the house for a maximum of two weeks after which Chief Executive Officer's approval is required.
  - c) Smoking inside the accommodation or within 5m of open doors or windows is prohibited
  - d) Dogs are not permitted inside the accommodation, without written consent of the Chief Executive Officer.
  - e) Power, gas, telephone etc, are the responsibility of the tenant, unless otherwise provided for by employment conditions etc.
  - f) Unless stipulated in their employment contract, a security bond of \$500.00 is to be paid, and held in accordance with the Residential Tenancies Act.
  - g) Where the tenants propose to keep pets, a pet bond of \$200.00 is required
  - h) Upon vacating the residence, it is required that the tenant will have thoroughly cleaned the premises, including professional carpet cleaning if appropriate, that there is no damage beyond normal wear and tear, and that utilities etc will be paid. Should cleaning or repairs etc beyond what is reasonable be required, deduction will be made from the bond/s prior to refund to the tenant. Should the bonds not be sufficient to cover the costs, the Chief Executive Officer may issue an invoice to the tenant and recover the cost as a sundry debtor. Examples include –
    - Washing walls, carpet cleaning etc to remove the smell of smoking or pet hair/fur, or if premises left in an untidy or unclean state etc
    - Repairs of damage beyond normal wear and tear, such as holes in the walls, broken windows etc.
    - Unpaid water, power, telephone accounts etc.

3. Temporary accommodation of former or non-employees –

Employee housing will not generally be available to non-employees, but may be agreed by the Chief Executive Officer in appropriate circumstances, such as –

- where a terminating employee wishes for members of their family to complete their own employment, school year etc,
- as short-term accommodation for contractors providing services to the Shire,

provided that –

- the residence is not currently required for employees, and is to be vacated within two weeks if subsequently needed,
- the period of occupancy as a non-employee is strictly limited,
- the period of occupancy is at prevailing market rental, and
- is not subject to staff subsidies.

– *End of Policy*

## SHIRE OF MENZIES HOUSING LIST

as at 10 December 2020

Number	ADDRESS	ROOMS	STUDY	RENT	OCCUPIER	Name
36	Mercer	3 x 2		\$ 49.50	Shire	Shire Officer
39	Mercer	3 x 2		nil	Shire	Shire Officer
40	Mercer	3 x 2		\$ 49.50	Shire	Shire Officer
41	Mercer	3 x 2		\$ 49.50	Shire	Shire Officer
23	Onslow	3 x 2			New Dwelling	Unoccupied
25	Onslow	3 x 2		Nil	Shire	Shire Officer
37	Reid	4 x 2	yes	nil	Shire	Shire Officer
29a	Shenton - Unit	2 x 1		\$ 80.00	Shire	Shire Officer
29b	Shenton - Unit	2 x 1		nil	Leased	DoH
57	Walsh	3 X 2		nil	Shire	Shire Officer
12a	Walsh - Unit	2 x 1		nil	Shire	Shire Officer
12b	Walsh - Unit	2 x 1		\$ 40.00	Shire	Shire Officer
14a	Walsh - Unit	2 x 1		\$ 444.90	Leased	Education dept
14b	Walsh - Unit	2 x 1		\$ 444.90	Leased	Education dept

**13 ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN**

Nil

**14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2070</b>
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<b>Moved</b>	<b>J Dwyer</b>	<b>Seconded</b>	<b>I Baird</b>
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That the Council consider the following reports as late items.

<b>Carried</b>	<b>4/0</b>
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<b>14.1.1</b>	<b>Lease Old Bucher Shop</b>
<b>LOCATION</b>	<b>Lot 1094 (53) Shenton Street Menzies</b>
<b>APPLICANT</b>	<b>Donna &amp; Thomas Cavazzi</b>
<b>DOCUMENT REF</b>	<b>CA.860.1/NAM358</b>
<b>DATE OF REPORT</b>	<b>13<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Business Plan</b>

### **SUMMARY:**

For the Council to give consideration to the proposal to establish a Diner & Takeaway at the Old Butchers Shop.

### **BACKGROUND:**

The Council considered a report in relation to an expression of interest – use of the old butcher shop at its OCM held in September 2020 whereat the Council resolved:

*That:*

1. *Expression of Interest be invited for the lease of the Old Butcher Shop building, situated on Lot 1094 Shenton Street, Menzies, for the purpose of a convenience store/restaurant.*
2. *Lease conditions to include:-*
  - 2.1 *Fit-out of the building, including toilets and commercial kitchen, be at the lessors cost and standard.*
  - 2.2 *The first twelve months of operation be rent free.*

The Shire advertised for expressions of interest to use the old butchers shop for commercial purposes. The Shire received one expression of interest.

The expression of interest was from Donna & Thomas Cavazzi for the purpose of establishing a Diner & Takeaway. A copy of the business plan is attached

### **COMMENT:**

The details included in the business plan is fairly limited and provides little more than an overview of the proposal. The requirements on the Shire are quite significant, not itemised nor costed.

The data and statistics provided with the overview indicate that they are similar to that from the Shire of Coolgardie ie 412,000 traffic movements per annum ie 47 per hour. (24/7). This is an issue that may need further investigation

Prior to the Shire undertaking further consideration of the proposal it is recommended that the proponent provide additional information in relation to the proposal:

1. How big a commercial kitchen is required? Length of preparation benches, splashbacks, shelving, storage, pantry, sinks, counters, exhaust fans etc
2. What type of commercial grade cooking appliances are required? gas, electric, number of rings/elements, grills, griddles, microwaves, steamers, deep fryers, etc
3. What type and how many fridges, freezers, cool room, display cabinets, bain-marie? etc

The type of equipment above comes in all types, styles, sizes and prices, new and second hand.



Whilst it is understood that the Shire wishes to encourage new business and business opportunities in Menzies, the notion of providing infrastructure that meets the needs of each business is difficult and the Shire will need some direction in this regard.

The applicant also made mention of the rental of the old police station for accommodation. An inspection of the property revealed that there are no shower or laundry facilities. A report relating to the costs of installing facilities in the old police station to accommodate the use of the building for rental purposes is to be prepared for council consideration under separate cover.

**CONSULTATION:**

It is understood that the proponents discussed the proposal with a local small business development organisation who assisted with the business overview.

**STATUTORY AUTHORITY:**

Local Government Act 1995

**POLICY IMPLICATIONS:**

There are no Council policies that relate to a matter of this nature

**FINANCIAL IMPLICATIONS:**

There does not appear to be any reference to upgrading the old butcher’s shop in the capital expenditure for the 2020/21 budget

**RISK ASSESSMENT:**

Risk Statement	Level of Risk	Risk Mitigation Strategy
Providing infrastructure for a commercial enterprise on Shire property	Medium	Provide infrastructure that is commensurate with the use of the building. Provide infrastructure that can be utilised for a variety of purposes Do not overcapitalise on providing infrastructure

**STRATEGIC IMPLICATIONS:**

The Community Strategic Plan identifies the following theme Sustainable local economy encouraged. Strategy 1.6.1 – Facilitate commercial and service industry growth.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies in relation to the redevelopment of the old butcher shop on lot 1094 (53) Shenton Street;

1. advise the proponent to liaise with Shire staff with regard to the type and extent of commercial kitchen & business requirements;
2. request the CEO to prepare a report on the costs associated with the redevelopment of the old butcher shop;
3. include an allocation to accommodate the redevelopment of the old butcher shop for consideration during the preparation of the 2021/22 budget; and
4. request the CEO to prepare a report on the costs associated with the redevelopment of the old police station to enable the building to be used for residential purposes.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2071</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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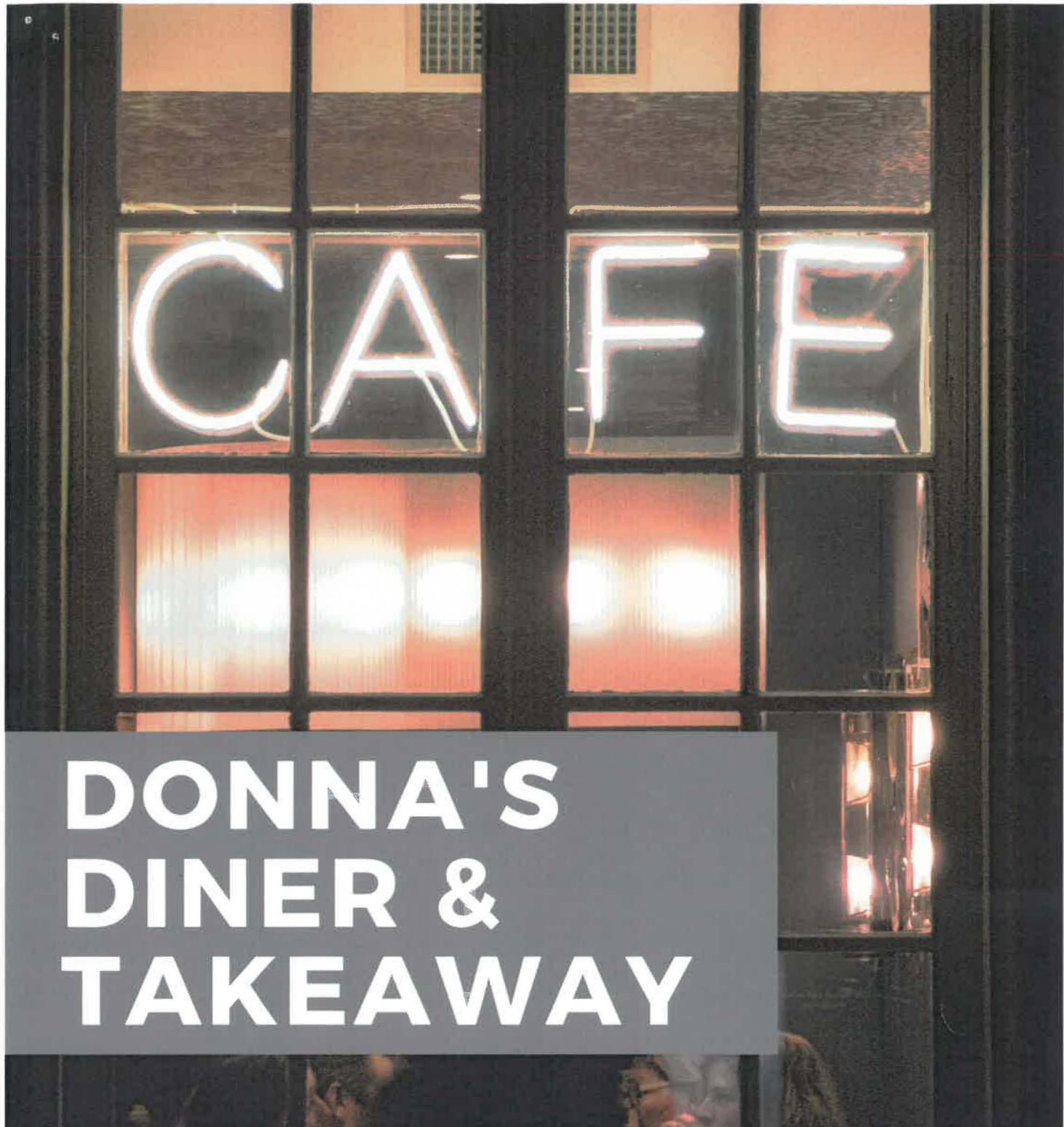
*That the Council of the Shire of Menzies in relation to the redevelopment of the old butcher shop on lot 1094 (53) Shenton Street;*

- 1. advise the proponent to liaise with Shire staff with regard to the type and extent of commercial kitchen & business requirements;*
- 2. request the CEO to prepare a report on the costs associated with the redevelopment of the old butcher shop;*
- 3. include an allocation to accommodate the redevelopment of the old butcher shop for consideration during the preparation of the 2021/22 budget; and*
- 4. request the CEO to prepare a report on the costs associated with the redevelopment of the old police station to enable the building to be used for residential purposes.*

<b>Carried</b>	<b>4/0</b>
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**From:** Darren Cavazzi <mousecavazzi69@gmail.com>  
**Sent:** Friday, 11 December 2020 2:21 PM  
**To:** Richard Brookes  
**Subject:** Ref Cafe

I Donna Cavazzi have submitted a business plan to open a cafe up in Menzies at the site of the old butchers, which the shire have put out the expression of interest and am looking forward to it to be heard at the next meeting. I would also like to rent the old police station as I will need accommodation to be able to run a business in Menzies, the station is suitable as I have inspected but will need a shower block installed. Kind regards Donna.



# DONNA'S DINER & TAKEAWAY

**PREPARED BY**

*Donna & Thomas  
Cavazzi*

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*In an overview*

# DONNA'S DINER & TAKEAWAY

Donna Cavazzi is proposing the business of 'Donna's Diner and Takeaway' to the Shire of Menzies Council.

Donna's Diner and Takeaway will open to the Menzies community five days per week from Tuesday to Saturday during the hours of 7am to 7pm subject to demand. The business will trade yearly with the exception of public holidays.

Donna's Diner and Takeaway proposes to offer general cafe style dining and takeaway with fresh sandwiches and rolls, hot meals, healthy options with large portion sizes to suit the average traveler and hungry belly. We will have an assortment of cold packaged drinks, fresh coffee's and milkshakes with the option of a healthy fruit juice or smoothie. Catering will also be available and a select menu and price list will be available once we are operational.

Donna's Diner and Takeaway will be managed by Donna Cavazzi with the assistance and support of family and friends whom reside in the Menzies Shire. As Donna grows the business there will be opportunity for local training and employment especially for indigenous youth.

*last year's*

# NUMBERS & STATISTICS

All data has been taken from the Shire of Coolgardie with the expectation that traffic numbers and opportunities would be that of a similar nature.

## 412K

*Traffic movements  
(per annum)*

## 20%

*Industry Growth*



Donna's Diner & Takeaway will be fitted out by the Shire of Menzies with a commercial kitchen, commercial grade cooking appliances, cool room, commercial freezer, air-conditioning, plumbing and bathroom facilities, basic cafe furniture, display counter with beverage and drink fridges. Donna will fund the remaining required items such as dinnerware, coffee machine and all consumables.

Any further questions can be directed to:

Donna on 0429 236 451.

<b>14.1.2</b>	<b>Strategic Community Plan 2020 – 2030 Major Review</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COR.857.1 &amp; COR.882.1</b>
<b>DATE OF REPORT</b>	<b>16<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

**SUMMARY:**

To advise the Council on the progress of the Strategic Community Plan Review

**BACKGROUND:**

Members will be aware that the Shire has been undertaking a review of the Strategic Community Plan.

There was considerable community consultation undertaken during November (last month) when Jessica Spark from Moore Australia visited the Shire and made a number of presentations and undertook community workshops.

**COMMENT:**

The Shire has received a copy of the Draft Shire of Menzies Strategic Community Plan 2020-2030 Major Review. (circulated by email to Councillors on Tuesday)

An advertisement requesting Community feedback on the draft report has been prepared and will be in the Saturday 19<sup>th</sup> edition of the Kalgoorlie Miner. An advert in the Menzies Matter will be placed in the next edition and a copy of the draft plan has also been included on the Shire website. The plan and any submissions received will be presented to the Council for consideration at its next ordinary meeting to be held in February 2021.

**CONSULTATION:**

Council & Community consultation (November 2020), Moore Australia - Jessica Sparks

**STATUTORY AUTHORITY:**

All local governments are currently required to produce a plan for the future under S5.56 (1) of the Local Government Act 1995. Regulations have been made under S5.56(2) of the Act to briefly outline the minimum requirements to achieve this.

The minimum requirement to meet the intent of the plan for the future is the development of a Strategic Community Plan, a Corporate Business Plan and a review process.

**POLICY IMPLICATIONS:**

There are no Shire policies that relate to a matter of this nature

**FINANCIAL IMPLICATIONS:**

A review of the Strategic Community Plan was part of an agreement with Moore Australia to undertake compliance, risk management, strategic planning & other regulatory reviews. This

agreement appears to have been signed in 2018 however not included in the amounts carried forward in the budget.

Discussions with the Shires financial consultant would indicate that this issue needs to be addressed as part of the budget review process.

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
The Strategic Community Plan is the Shires of Menzies plan for the future and guides the Council decision making process	High	Give the community opportunity to comment on the future direction of the Shire Undertake sufficient community consultation to ensure the strategic plans continued relevancy.

**STRATEGIC IMPLICATIONS:**

The Strategic Community Plan outlines the community’s vision, aspirations and objectives for the future of the Shire and the review ensures its continuing relevancy

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That the report entitled “Strategic Community Plan 2020 – 2030 Major Review” be received.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2072</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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*That the report entitled “Strategic Community Plan 2020 – 2030 Major Review” be received.*

<b>Carried</b>	<b>4/0</b>
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**The Shire of Menzies invites comment from the Menzies on the Draft Community Strategic Plan 2020-2030**

Following Community consultation in November 2020 a draft Community Strategic Plan has been developed and may be downloaded at <https://www.menzies.wa.gov.au/>

The draft Community Strategic Plan 2020-2030 will be presented to the Council for consideration in February 2021. To be part of the process please send your **comments relating to the plan to the Shire by the 29<sup>th</sup> January 2021**. Email to [ea@menzies.wa.gov.au](mailto:ea@menzies.wa.gov.au) or posted to Shire of Menzies at 24 Shenton Street, or PO Box 4 Menzies WA 6436.

Acting Chief Executive Officer

Richard Brookes

<b>14.1.3</b>	<b>Local Roads and Community Infrastructure Program Phase 2</b>
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>COR.882.1</b>
<b>DATE OF REPORT</b>	<b>16<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

#### **SUMMARY:**

For the Council to consider projects for inclusion under the Local Roads and Infrastructure Program Phase 2

#### **BACKGROUND:**

Members will be aware that the Federal government “allocated” \$547,445 to the Shire of Menzies under phase 1. The Shire identified the following projects under that allocation:

- Tjuntjuntjara Playground Equipment \$97,445
- Seal Evanston / Menzies Road \$450,000

#### **COMMENT:**

Phase 2 of the LRCI Program will run from 14 December 2020 to 30 June 2022. Project construction can commence once Work Schedules are approved by the Department with projects required to be physically completed by 31 December 2021.

The extension of the LRCI Program is a temporary, targeted stimulus measure responding to the economic impacts of the COVID-19 pandemic. The LRCI Program assists a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement.

As with the first funding round for the LRCI Program, Eligible Funding Recipients can select a broad range of projects to fund so that communities can continue to be provided with the infrastructure they require. It is expected that Eligible Funding Recipients will use local businesses and workforces to deliver projects wherever possible to ensure stimulus funding flows into local communities.

This grant opportunity will open on 14 December 2020 and close on 31 July 2021. The First Instalment of the Phase 2 Allocation will be paid after the Eligible Funding Recipient’s Work Schedule has been approved, and not before 1 January 2021.

#### **3.1 Phase 2 – ‘use it or lose it’ principle**

If:

- an Eligible Funding Recipient has not applied for the full amount of their Phase 2 Allocation in a draft Work Schedule by 31 July 2021; or
- savings related to Eligible Projects have not been reallocated under an Eligible Funding Recipient’s Phase 2 Allocation before 31 December 2021,

the Commonwealth has the right to not pay the amount of the Phase 2 Allocation not applied for or reallocated by the Eligible Funding Recipient.

Eligible Funding Recipients are to have in place an executed Grant Agreement in relation to their ‘Nominal Funding Allocation’ under Phase 1 of the LRCI Program before receiving their letter of offer and Grant Agreement for Phase 2 (see 4.3 below).

**4.3 Eligibility linked to Phase 1**

Eligible Funding Recipients will need to have in place an executed Grant Agreement in relation to their ‘Nominal Funding Allocation’ under Phase 1 of the LRCI Program before receiving their letter of offer and Grant Agreement for Phase 2.

If the Eligible Funding Recipient does not have in place an executed Grant Agreement under Phase 1, the Eligible Grant Recipient will not be eligible to receive any amount of the Phase 2 Allocation.

**CONSULTATION:**

N/A

**STATUTORY AUTHORITY:**

N/A

**POLICY IMPLICATIONS:**

N/A

**FINANCIAL IMPLICATIONS:**

The Federal government allocations under phase 1 (\$547,445) & phase 2 (\$378,633) are not included in the budget and these changes will need to be incorporated into the budget during the budget review process.

**RISK ASSESSMENT:**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
The Shire of Menzies has not identified projects or is not in a position to undertake projects as funding opportunities become available. Funding opportunities may not taken up when they become available. The Shire of Menzies is reactive rather than proactive to funding opportunities.	High	Identify projects that meet the objectives of the strategic community plan. Prioritise projects so that they can be undertaken when funding becomes available.

**STRATEGIC IMPLICATIONS:**

Any allocation of funds to projects should be in accordance with the outcomes identified in the Strategic Community Plan

**VOTING REQUIREMENTS:**

**Simple Majority**

**OFFICER RECOMMENDATION:**

That the Council of the Shire of Menzies:

- 1. identify a number of projects that may be undertaken as a result of the Local Roads and Infrastructure Program Phase 2;
- 2. establish a working group of Councillors to identify a “list” of projects that meet the objectives of the Strategic Community Plan; and
- 3. prioritise the list of projects that can be considered during the annual budget preparation process or when funding opportunities become available.

**COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2073</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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That the Council of the Shire of Menzies:

- 1. identify a number of projects that may be undertaken as a result of the Local Roads and Infrastructure Program Phase 2;
- 2. establish a working group of Councillors to identify a “list” of projects that meet the objectives of the Strategic Community Plan; and
- 3. prioritise the list of projects that can be considered during the annual budget preparation process or when funding opportunities become available.

<b>Carried</b>	<b>4/0</b>
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## VOTING REQUIREMENTS:

### Simple Majority

## OFFICER RECOMMENDATION:

That the Council of the Shire of Menzies:

1. identify a number of projects that may be undertaken as a result of the Local Roads and Infrastructure Program Phase 2;
2. establish a working group of Councillors to identify a “list” of projects that meet the objectives of the Strategic Community Plan; and
3. prioritise the list of projects that can be considered during the annual budget preparation process or when funding opportunities become available.

## COUNCIL DECISION:

<b>Council Resolution Number</b>	<b>2073</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr K Mader</b>
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That the Council of the Shire of Menzies:

1. identify a number of projects that may be undertaken as a result of the Local Roads and Infrastructure Program Phase 2;
2. establish a working group of Councillors to identify a “list” of projects that meet the objectives of the Strategic Community Plan; and
3. prioritise the list of projects that can be considered during the annual budget preparation process or when funding opportunities become available.

<b>Carried</b>	<b>4/0</b>
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**Confidential**

<b>24 14.1.4 REPORT WORKS SUPERVISOR</b>	
<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>PER.863.1/NAM355</b>
<b>DATE OF REPORT</b>	<b>10<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Ricard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Job description</b>

**That Council move behind closed doors to discuss Works Supervisor Report**

## COUNCIL DECISION:

<b>Council Resolution Number</b>	<b>2074</b>
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<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr I Baird</b>
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***That Council move behind closed doors to discuss Works Supervisor Report***

**25 14.1.5 REPORT APPOINTMENT OF CEO**

<b>LOCATION</b>	<b>Shire of Menzies</b>
<b>APPLICANT</b>	<b>Internal</b>
<b>DOCUMENT REF</b>	<b>PER.863.1</b>
<b>DATE OF REPORT</b>	<b>16<sup>th</sup> December 2020</b>
<b>AUTHOR</b>	<b>ACEO Richard Brookes</b>
<b>DISCLOSURE OF INTEREST</b>	<b>Nil</b>
<b>ATTACHMENT</b>	<b>Nil</b>

As the report is of a confidential nature and relates to a staff issue it is recommended that the meeting proceed behind closed doors

<b>Council Resolution Number</b>		<b>2075</b>	
<b>Moved</b>	<b>Cr J Dwyer</b>	<b>Seconded</b>	<b>Cr I Baird</b>

**That the Council move from behind closed doors**

<b>Carried</b>	<b>4/0</b>
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#### **14.1.4 Report Works Supervisor**

##### **COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2076</b>
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<b>Moved</b>	<b>Cr K Mader</b>	<b>Seconded</b>	<b>Cr I Baird</b>
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**That the Council of the Shire of Menzies receive the report entitled "Works Manager"**

<b>Carried</b>	<b>4/0</b>
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#### **14.1.5 Appointment of CEO**

##### **COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>2077</b>
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<b>Moved</b>	<b>J Dwyer</b>	<b>Seconded</b>	<b>I Baird</b>
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**That the Council of the Shire of Menzies:**

- 3. authorise the Shire President to sign the negotiated contract of employment with the Chief Executive Officer on behalf of the Council.**
- 4. Authorise the affixing of the common seal onto the Contract.**

<b>Carried</b>
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<b>4/0</b>
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**15. NEXT MEETING**

The next Ordinary Meeting of Council will be held on Thursday, 28 January 2021 commencing at 1pm.

**CLOSURE OF MEETING**

**16.**

There being no further business, the meeting closed 5.16pm