



SHIRE OF MENZIES

Agenda

NOTICE OF MEETING

An Ordinary Meeting of the Council will be held in the Council Chambers, 124 Shenton Street, Menzies on Wednesday 20 May 2026 commencing at 1.00PM.

A handwritten signature in blue ink, appearing to read "Rob Stewart".

Rob Stewart
Acting Chief Executive Officer

DISCLAIMER

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Menzies during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Menzies. The Shire of Menzies warns that anyone who has an application lodged with the Shire of Menzies must obtain and only should rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Menzies in respect of the application.

DISCLOSURES OF INTEREST

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

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

RECORDING OF MEETINGS

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

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

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

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1 DECLARATION OF OPENING

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

2 ANNOUNCEMENT OF VISITORS

Representatives from RSM Australia and Office of the Auditor General

3 RECORD OF ATTENDANCE

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

Staff Mr R Stewart, Acting Chief Executive Officer
 Ms K Van Kuyl, Chief Financial Officer
 Mr G Marland, Works Manager
 Mr S McGay, Community Development Manager
 Ms M Yulo-Uy, Executive Officer (Minutes)

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

6 APPLICATIONS FOR LEAVE OF ABSENCE

Cr A Tucker – from 20 February 2026 to 21 May 2026 (Previously approved, pursuant to Council Resolution 001/26)

7 DISCLOSURES OF INTEREST

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

- 16.1 Appointment of Acting (Temporary) Chief Executive Officer
- 16.2 Behavioural Complaint

9 CONFIRMATION/RECEIVAL OF MINUTES

9.1 Confirmation of Minutes *(Provided under Separate Cover)*

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 16 April 2026 be confirmed as a true and correct record.

COUNCIL DECISION:

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

Presentation of Audit Planning Memorandum by RSM Australia and Office of the Auditor General (OAG).

Presentation by the Principal of Menzies Community School.

11 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION

To be tabled

12 REPORTS OF COMMITTEES

12.1 Tourism and Economic Development Advisory Committee - Minutes

12.1	Tourism and Economic Development Advisory Committee - Minutes
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	NAM1658
DATE OF REPORT	11 May 2026
AUTHOR	Community Development Manager, Sean McGay
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Rob Stewart
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Tourism and Economic Development Advisory Committee – Minutes of the Meeting

SUMMARY:

The Tourism and Economic Development Advisory Committee met on 16 April 2026 in accordance with Council directives and the Local Government Act 1995. The minutes of the meeting are attached to this agenda item.

BACKGROUND:

The Tourism and Economic Development Advisory Committee had previously met in November 2024. With changes in administrative leadership and local government regulations around committees, a meeting was not held sooner.

The current presiding member is Cr Paul Warner, with the two other members being Cr Kristie-Lee Tucker and Cr Sudhir Sudhir.

The Committee was first established in 2023.

COMMENT:

At the meeting on 16 April 2026, a number of items were discussed, mostly relating to tourism and community development.

An update on projects was provided by the Community Development Manager. The CEO attended and also provided updates to projects.

A number of items discussed were resolved to be brought to the Council for discussion.

The committee recommends that the Council receive the minutes of the meeting.

CONSULTATION:

Australia's Golden Outback
External contractors and consultants
Internal staff

STATUTORY AUTHORITY:

Local Government Act 1995
Western Australian Tourism Commission Act 1983

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

RISK ASSESSMENT:

Nil

STRATEGIC IMPLICATIONS:

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

1. An engaged and inclusive community.

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

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

1.3 Provide, maintain and improve community facilities.

2. A healthy and safe community.

2.3 Support community health and wellbeing initiatives.

3. An innovative, diverse and prosperous economy.

3.1 Support and facilitate opportunities for new business development.

3.2 Continue to work with industry and stakeholders for the economic development of the district.

3.3 Advocate for reliable essential utility services to the district.

4. An attractive destination for visitors.

4.1 Promote our natural attractions and heritage sites as part of a regional approach.

4.2 Maintain and enhance our local attractions.

4.3 Continue to provide and maintain visitor support services.

5. A well maintained, attractive built environment servicing the needs of the community.

5.1 Maintain the integrity of our cultural and heritage assets and places.

5.2 Maintain and enhance our roads, built infrastructure, parks and reserves.

7. A strategically focused Council, leading our community.

7.1 Provide strategic leadership and governance.

7.2 Effectively represent, promote and advocate for the community and district.

7.3 Encourage and support community engagement and collaboration.

8. An efficient and effective organisation.

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the minutes of the meeting of the Tourism and Economic Development Advisory Committee on 16 April 2026 be received.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13 REPORTS OF OFFICERS

13.1 Finance Reports

13.1.1	2025/2026 Financial Audit Planning Memorandum
LOCATION	Not Applicable
APPLICANT	Internal
DOCUMENT REF	NAM1650
DATE OF REPORT	11 May 2026
AUTHOR	Chief Financial Officer, Kristy Van Kuyl
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Rob Stewart
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

To receive the Financial Audit Planning Memorandum for the year ended 30 June 2026 by RSM Australia.

BACKGROUND:

RSM Australia has been engaged by the Office of the Auditor General (OAG) Western Australia to perform the Shire of Menzies financial report for the year ending 30 June 2026.

COMMENT:

The Interim Audit fieldwork is commencing at the Shire of Menzies by RSM Australia in the week beginning Monday 15 June 2026 and concluding on Friday 19 June 2026.

In addition, RSM Australia will separately be engaged as an independent auditor to conduct the completion of the following grant acquittals for the Shire of Menzies for the year ending 30 June 2026.

- Local Road and Community Infrastructure (LRCI) phase 2
- Local Road and Community Infrastructure (LRCI) phase 4
- Road to Recovery (RTR) FY25/26

CONSULTATION:

RSM Australia

STATUTORY AUTHORITY:

Local Government Act 1995
Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS:

There are no policy implications resulting from the recommendation of this report.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from the recommendation of this report.

RISK ASSESSMENT:

Nil

STRATEGIC IMPLICATIONS:

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

Outcome

8. An efficient and effective organisation.

Strategy

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

Activity:

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the Financial Audit Planning Memorandum for the year ended 30 June 2026 by RSM Australia, as attached, be received.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.1.2	List of Monthly Payments - April 2026
LOCATION	Not Applicable
APPLICANT	Internal
DOCUMENT REF	NAM1651
DATE OF REPORT	11 April 2026
AUTHOR	Finance Team Leader, Tien Tran
RESPONSIBLE OFFICER	Chief Financial Officer, Kristy Van Kuyl
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	1. List of Payments - April 2026 [13.1.2.1 - 8 pages]

SUMMARY:

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

BACKGROUND:

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

COMMENT:

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

CONSULTATION:

Nil

STATUTORY AUTHORITY:

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

POLICY IMPLICATIONS:

Policy 4.7 – Creditors Preparation for Payment

FINANCIAL IMPLICATIONS:

A total of \$542,881.98 has been withdrawn from the Municipal Bank Account.

RISK ASSESSMENT:

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

STRATEGIC IMPLICATIONS:

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

Outcome

8. An efficient and effective organisation.

Strategy

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

Activity

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the list of payments for the month of April 2026 totalling \$542,881.98 being:

1. Cheque payments from the Municipal Fund totalling \$200.00
2. Electronic Funds Transfer from EFT11148 to EFT11224, payments from Municipal Fund totalling \$314,759.28
3. Direct Debit payments from the Municipal Fund totalling \$97,340.13
4. Payroll payments from the Municipal Fund totalling \$125,135.64
5. Credit Card payments for the Statement Month of April 2026 from the Municipal Fund totalling \$4,067.32
6. Fuel Card payments from the Municipal Fund totalling \$1,263.57
7. Cabcharge payment from the Municipal Fund totalling \$116.04

be received.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.1.3	Finance Report - April 2026
LOCATION	Not Applicable
APPLICANT	Internal
DOCUMENT REF	NAM1652
DATE OF REPORT	11 May 2026
AUTHOR	Chief Financial Officer, Kristy Van Kuyl
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Rob Stewart
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	<ol style="list-style-type: none"> 1. Statement of Financial Activity - April 2026 [13.1.3.1 - 29 pages] 2. Financial Information Statement - April 2026 [13.1.3.2 - 8 pages]

SUMMARY:

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

BACKGROUND:

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

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

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

COMMENT:

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

CONSULTATION:

No external consultation occurred during the preparation of this report

STATUTORY AUTHORITY:

Local Government (Financial Management) Regulations (1996):

Regulation 34 requires the local government to prepare and provide a statement of financial activity as of the end of the relevant month.

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

POLICY IMPLICATIONS:

There is no policy related to the subject matter.

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

RISK ASSESSMENT:

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

STRATEGIC IMPLICATIONS:

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

Outcome

8. An efficient and effective organisation.

Strategy

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

Activity:

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

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

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.2 Administration Reports

13.2.1	2026 National General Assembly of Local Government (NGA)
LOCATION	Not Applicable
APPLICANT	Internal
DOCUMENT REF	NAM1653
DATE OF REPORT	6 May 2026
AUTHOR	Executive Officer, Maureen Yulo-Uy
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Rob Stewart
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

The 2026 National General Assembly (NGA) of Local Government will be held from Tuesday 23 June to Thursday 25 June 2026 in Canberra.

At the March 2026 Ordinary Meeting, the Council authorised attendance by three councillors. This report recommends that the Shire President and Acting CEO also be included as attendees.

BACKGROUND:

The NGA is the largest annual gathering of local government leaders in Australia. Since 1994, council representatives have met in Canberra for the NGA to advocate for improved federal funding, policy reforms and effective partnerships.

This event regularly attracts over 1,000 delegates from across Australia and internationally. It provides opportunities for mayors, shire presidents and councillors to network, discuss issues facing communities and contribute to policy motions that affect local governments across Australia.

Local Governments can also submit motions for discussion, thereby directly influencing national policy decisions.

COMMENT:

Attendance at the NGA is considered beneficial, as it presents a unique opportunity to engage in discussions about the future of local government and advocate for the interests of the Shire of Menzies. The opportunity to network with peers, influence federal policy, and gain insights into emerging challenges and solutions will contribute to the professional development of councillors and the Shire's strategic objectives.

CONSULTATION:

No external consultation has occurred in relation to the preparation of this report. However, all councillors were requested to advise the Administration whether they wished to attend.

STATUTORY AUTHORITY:

Local Government Act 1995:

Section 5.90A(2) provides that a local government must prepare a policy that deals with matters relating to the attendance of Council Members and the CEO at events

POLICY IMPLICATIONS:

Policy 1.10 Elected Members Ongoing Professional Development

This policy recognises attendance at national and state conferences, such as the NGA, as part of ongoing professional development for Councillors.

Further, Councillors attending the NGA will be required to submit a written report to the CEO on the key takeaways and benefits of their attendance.

FINANCIAL IMPLICATIONS:

The 2025–2026 Budget allocates \$35,000.00 for the professional development of councillors, which includes funding for travel and accommodation expenses.

RISK ASSESSMENT:

Non-attendance presents a low risk.

STRATEGIC IMPLICATIONS:

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

8. An efficient and effective organisation.

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Shire President Cr Paul Warner and Rob Stewart, Acting CEO, be authorised to attend the 2026 National General Assembly of Local Government and the costs of registration, accommodation, meals and transport be charged to 'Members Travel and Accommodation, Members Conference and Other Governance - Conference, Travel and Accommodation' accounts.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.2.2	Chief Executive Officer Recruitment
LOCATION	Not Applicable
APPLICANT	Internal
DOCUMENT REF	NAM1654
DATE OF REPORT	06 May 2026
AUTHOR	Acting Chief Executive Officer, Rob Stewart
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Rob Stewart
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	<ol style="list-style-type: none"> 1. Attachment 1 - CEO Remuneration Package [13.2.2.1 - 3 pages] 2. Attachment 2 - CEO Job Description and Selection Criteria [13.2.2.2 - 6 pages] 3. Attachment 3 - Terms of Reference [13.2.2.3 - 2 pages]

SUMMARY:

The purpose of this report is to initiate the recruitment process to appoint a Chief Executive Officer (CEO).

BACKGROUND:

The Shire's previous permanent CEO left the organisation in October 2024.

At its Special Meeting held on 14 November 2024, the Council appointed Mr Peter Bentley as Acting CEO commencing on 18 November 2024. Subsequently, at its Ordinary Meeting held on 30 October 2025, the Council appointed Mr Rob Stewart as Acting CEO following the conclusion of Mr Peter Bentley's engagement.

The appointment of either an Acting CEO or substantive CEO is governed by the Local Government Act 1995 and the Local Government (Administration) Regulations 1996. The adoption of the recommendations in this report will ensure the Council meets its statutory obligations and manages the process professionally while ensuring Elected Members have a thorough understanding of their roles and responsibilities.

Further, a local government must recruit a CEO in accordance with the principles of merit, equity and transparency. A local government must not exercise nepotism, bias or patronage in exercising its powers. Additionally, a local government must not unlawfully discriminate against applicants.

Section 5.40 of the *Local Government Act 1995* lists these principles:

- a. employees are to be selected and promoted in accordance with the principles of merit and equity; and

- b. no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and
- c. employees are treated fairly and consistently; and
- d. there is to be no unlawful discrimination against employees or persons seeking employment by a local government on a ground referred to in the *Equal Opportunity Act 1984* or on any other ground; and
- e. employees are to be provided with safe and healthy working conditions in accordance with the *Occupational Safety and Health Act 1984*; and
- f. such other principles, not inconsistent with this Division, as may be prescribed.

Elected members are aware of litigation between the previous permanent Chief Executive Officer (CEO) and the Council. This ongoing matter has resulted in a reluctance to appoint a permanent CEO.

The legal advisor acting on the Council's behalf has indicated that while there is a very small chance that reinstatement of the previous CEO may occur, this should not prevent a permanent CEO from being appointed, provided that candidates are advised of this matter during the recruitment phase.

COMMENT:

In accordance with the Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination, the minimum standard for recruitment and selection will be met if:

- a. The Council has identified and agreed to the qualifications and selection criteria necessary to effectively undertake the role and duties of the CEO within that particular local government context.
- b. The Council has approved, by absolute majority, the Job Description Form (JDF) which clearly outlines the qualifications, selection criteria and responsibilities of the position. The JDF is made available to all applicants.
- c. The local government has established a selection panel to conduct the recruitment and selection process. The panel must include at least one independent person who is not a current elected member, human resources consultant, or staff member of the local government.
- d. The local government attracts applicants through a transparent, open and competitive process. The local government must advertise a vacancy for the position of CEO in the manner prescribed.
- e. The local government has assessed the knowledge, experience, qualifications and skills of all applicants against the selection criteria.
- f. The local government has verified the recommended applicant's work history, qualifications, referees and claims made in their job application.
- g. The appointment is merit-based, with the successful applicant assessed as clearly demonstrating how their knowledge, skills and experience meet the selection criteria.

Recruitment Consultant

A recruitment consultant with experience in the recruitment of senior executive positions for local government may be appointed to provide professional services related to the selection process.

The appointment of a recruitment consultant is not compulsory. The Council could also resolve to run the appointment process.

Should the Council resolve to appoint a recruitment consultant, the cost would be in the vicinity of \$20,000.00 to \$30,000.00 plus advertising, travel and potentially accommodation and out of pocket costs for the consultant and candidates.

The following Recruitment Consultants, with proven experience with the recruitment of CEOs in Local Government, have been contacted and are listed in alphabetical order.

- a. Beilby Downing Teal
- b. Fitz Gerald Strategies
- c. LO-GO Appointments
- d. Lydia Highfield
- e. Skill Hire

The proposals from the Recruitment Consultants noted in a, b, c, d and e had not been submitted at the time this report was prepared and will be tabled during the meeting.

CEO Job Description Form, Selection and Performance Criteria

The Council must be satisfied with the provisions of the employment contract prior to advertising the position. Therefore, the Job Description, selection criteria and performance criteria are to be endorsed by the Council prior to the position being advertised.

Selection Panel

In accordance with the Local Government (Administration) Regulations 1996, local governments are required to establish a selection panel to conduct and facilitate the recruitment and selection process.

Terms of Reference (TOR) for the selection panel have been developed that incorporate the standards for recruitment as defined in Schedule 2, Division 2 of the Local Government (Administration) Regulations 1996. These TOR are attached to this report.

The selection panel is responsible for the recruitment and selection process for the CEO, to make recommendations to the whole Council on the candidate (or candidates) suitable to be employed as CEO based on each applicant's knowledge, experience, qualifications and skills assessed against the adopted selection criteria for the position.

It is essential that prior to a person's appointment to the selection panel they are informed of the duties and responsibilities of their role and that of the panel. It is recommended that the attached Terms of Reference be adopted to assist with the facilitation of this process.

It is recommended that the selection panel consist of:

1. The Shire President, as this person has a key legislative relationship with the CEO under the Act;
2. The Deputy Shire President, as this person acts in the capacity of Shire President when required and also has a key legislative relationship with the CEO; and
3. One other Councillor
4. One independent person

As mentioned earlier, the selection panel comprises elected members and must also include at least one independent person who cannot be a current elected member, human resources consultant, or employee of the local government. The Selection Panel does not need to be appointed as a committee of the Council but could be appointed if so desired pursuant to Section 5.9(2) (d) of the Act.

CONSULTATION:

External consultation has occurred during the preparation of this report with potential recruitment consultants and a potential independent panel member.

STATUTORY AUTHORITY:

The Local Government Act 1995 and the Local Government (Administration) Regulations 1996 prescribe the requirements for the recruitment and selection of Local Government CEOs.

POLICY IMPLICATIONS:

Policy 5.16 CEO Recruitment and Selection, Performance Review and Termination

FINANCIAL IMPLICATIONS:

The remuneration package for the CEO is already an inclusion in the annual budget. However, provision will need to be made for the recruitment costs which, if a recruitment consultant is not engaged, will be advertising and relocation costs. Potentially overnight accommodation may be required if a candidate needs to travel long distances to attend an interview.

Further, the Salaries and Allowances Tribunal (Local Government CEOs and Elected Members) has determined increases in the remuneration of CEOs. A Band 4 Council

such as Menzies, from 1 July 2026, has a total reward package of \$168,758 - \$258,762. Also, the Isolation Allowance has risen to \$55,000.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Failure to manage Human Resources matters in accordance with legislative requirements	Medium	Policies and procedures developed to address gaps.

STRATEGIC IMPLICATIONS:

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

7. A strategically focused Council, leading our community.

7.1 Provide strategic leadership and governance.

8. An efficient and effective organisation.

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

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION 1:

That:

- a. The recruitment process to appoint a Chief Executive Officer be initiated;
- b. The process to recruit for the role of Chief Executive Officer be undertaken externally;
- c. The remuneration package, marked as Attachment 1, that offers salary, superannuation, motor vehicle, housing and other benefits as set by the Salaries and Allowances Tribunal (SAT), within the range of SAT level 4 banding, for the position of Chief Executive Officer with a contract term of three to five years be approved;
- d. Pursuant to Schedule 2 clauses 5(1) and 5(2) of the Local Government (Administration) Regulations 1996, approve the Job Description and Selection Criteria for the recruitment of a CEO as detailed in Attachment 2.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried by Absolute Majority	
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OFFICER RECOMMENDATION 2:

That a Chief Executive Officer Selection Panel be established as a committee of the Council pursuant to Section 5.9(2)(d) of the Local Government Act 1995 as follows:

- a. The Committee shall be known as the CEO Selection Committee and is formed to satisfy Clause 8 of Schedule 2 of the Local Government (Administration) Regulations 1996 relating to the establishment of a Selection Panel for the employment of a CEO
- b. The duties of the Committee shall be to recommend to the Council a person to be appointed as CEO of the Shire of Menzies pursuant to Section 5.36 of the Local Government Act 1996 and the Local Government (Administration) Regulations 1996
- c. The Committee’s Terms of Reference, marked as attachment 3, be endorsed
- d. The members of the Committee shall number four being Shire President Cr P Warner, Deputy Shire President Cr S Sudhir, Cr _____, and _____ as an Independent Person as defined by Clause 8(1) of Schedule 2 of the Local Government (Administration) Regulations 1996.
- e. Cr P Warner be appointed Presiding Member of the Committee
- f. The committee shall disband upon the signing by both parties of a suitable contract of employment with the selected candidate unless disbanded earlier (Absolute Majority Required)

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried by Absolute Majority	
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13.2.3	Nominations - Golden Quest Discovery Trail Association
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	NAM1655
DATE OF REPORT	4 May 2026
AUTHOR	Community Development Manager, Sean McGay
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Rob Stewart
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

Golden Quest Discovery Trail Association is requesting that the CEO and Community Development Manager become Board Members of the association.

BACKGROUND:

The Shire of Menzies is a member of and financially contributes to the Golden Quest Discovery Trail Association, which manages the Golden Quest Discovery Trail, a heritage trail that has operated for more than 20 years and covers five local government jurisdictions in the Goldfields.

COMMENT:

At the last Annual General Meeting of Golden Quest Discovery Trail Association on 8 April 2026, the CEO and Community Development Manager of Shire of Menzies were nominated as Board Members of the association. Both representatives of the Shire of Menzies were apologies for the meeting.

Laurinda Hill, Chairperson of the Golden Quest Discovery Trail Association wrote on 14 April asking if nominations will be accepted.

It is recommended that the Council accept these nominations.

CONSULTATION:

Golden Quest Discovery Trail Association
Internal staff

STATUTORY AUTHORITY:

Local Government Act (1995)
Associations Incorporation Act 2015

POLICY IMPLICATIONS:

Policy 1.5 - Legislative Compliance
Policy 1.8 - Official Communication

FINANCIAL IMPLICATIONS:

Nil

RISK ASSESSMENT:

Nil

STRATEGIC IMPLICATIONS:

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

1. An engaged and inclusive community.

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

3. An innovative, diverse and prosperous economy.

3.1 Support and facilitate opportunities for new business development.

3.2 Continue to work with industry and stakeholders for the economic development of the district.

4. An attractive destination for visitors.

4.1 Promote our natural attractions and heritage sites as part of a regional approach.

4.2 Maintain and enhance our local attractions.

4.3 Continue to provide and maintain visitor support services.

5. A well maintained, attractive built environment servicing the needs of the community.

5.1 Maintain the integrity of our cultural and heritage assets and places.

7. A strategically focused Council, leading our community.

7.1 Provide strategic leadership and governance.

7.2 Effectively represent, promote and advocate for the community and district.

8. An efficient and effective organisation.

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the nominations for CEO and Community Development Manager of the Shire of Menzies to be Board Members of Golden Quest Discovery Trail Association be endorsed.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.2.4	Progression of Lake Ballard Management Order
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	NAM1656
DATE OF REPORT	4 May 2026
AUTHOR	Community Development Manager, Sean McGay
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Rob Stewart
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

The management order for the State reserve over the *Inside Australia* installation at Lake Ballard and surrounding camping area is under Lake Ballard Association. The association always intended for the management order be transferred to the Shire of Menzies, though this never occurred.

The Shire of Menzies should take over the management order considering it has been managing the reserve exclusively for the past ten years.

BACKGROUND:

The *Inside Australia* installation at Lake Ballard and surrounding camping area sit on State reserve 49153, lots 3374468 and 3374470. The management order for this reserve has been under the Lake Ballard Association since 2007.

In February 2014, the Shire of Menzies Council, concerned about health and safety insurance issues around the installation and referring to the latest minutes of the Lake Ballard Association, considered accepting management over the reserves should the association proceed with this recommendation.

In September 2014, Council resolved to write to the Minister for Lands to seek his approval to grant the Shire of Menzies a management order for reserve 49153.

In January 2016, legal advice from McLeods Barristers & Solicitors recommended, in the absence of an official letter from Lake Ballard Association confirming their recommendation to transfer the management order of reserve 49153 to Shire of Menzies, to liaise with the Department of Lands, explaining the situation.

In March 2016, the Art Gallery of Western Australia wrote to the CEO of Shire of Menzies, recommending that should the management order transfer to Shire of Menzies, that the order last for only ten years.

In April 2016, Council resolved to include Art Gallery of Western Australia on the Lake Ballard Management Advisory Committee, acknowledging the gallery's jurisdiction over the sculptures of *Inside Australia*.

After January 2016, no further correspondence between McLeods and Shire of Menzies took place.

COMMENT:

The Tourism and Economic Development Advisory Committee, as per their meeting of 16 April 2026, is recommending that Shire of Menzies resume discussions with lawyers in order to transfer the management order for reserve 49153 to Shire of Menzies.

Further, over 2014-2016, all Council minutes reflected that a Lake Ballard Committee (or Lake Ballard Advisory Committee or Lake Ballard Management Advisory Committee) should be set up when the management order on reserve 49153 was transferred to Shire of Menzies.

Such committee was to have a variety of members, including traditional owners, the Art Gallery of Western Australia (among others), in order to provide advice to Shire of Menzies on the management of the reserve.

Along with the name and membership composition, the terms of reference of this committee often changed over the course of the two-year discussion.

It is recommended that Council seek advice about *Inside Australia* and surrounds from its internal Tourism and Economic Development Advisory Committee, Australia's Golden Outback and Art Gallery of Western Australia, rather than form a separate committee for such purpose.

Separately, the Council should acknowledge the Art Gallery of Western Australia's jurisdiction over the sculptures of *Inside Australia*.

CONSULTATION:

Tourism and Economic Development Advisory Committee
Australia's Golden Outback
Internal Staff

STATUTORY AUTHORITY:

Local Government Act 1995
Land Information Authority Act 2006
Western Australian Tourism Commission Act 1983

POLICY IMPLICATIONS:

Policy 1.5 - Legislative Compliance
Policy 1.7 - Enterprise Risk Management
Policy 3.3 - Legal Representation Costs Indemnification
Policy 6.1 - Work Health and Safety

FINANCIAL IMPLICATIONS:

Listed under Risk Assessment, below.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Workplace health and safety insurance will not pay out for staff accidents on site at Lake Ballard	Low	Transfer management order of reserve to Shire of Menzies
Department of Planning, Lands and Heritage may require retroactive permission on infrastructure already at Lake Ballard (e.g. toilets)	Low	Transfer management order of reserve to Shire of Menzies
Development of the Lake Ballard camping area by Shire of Menzies may not go ahead without the shire holding the management order	High	Transfer management order of reserve to Shire of Menzies

STRATEGIC IMPLICATIONS:

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

1. An engaged and inclusive community.
 - 1.3 Provide, maintain and improve community facilities.
3. An innovative, diverse and prosperous economy.
 - 3.1 Support and facilitate opportunities for new business development.
 - 3.2 Continue to work with industry and stakeholders for the economic development of the district.
4. An attractive destination for visitors.
 - 4.1 Promote our natural attractions and heritage sites as part of a regional approach.

4.2 Maintain and enhance our local attractions.

4.3 Continue to provide and maintain visitor support services.

5. A well maintained, attractive built environment servicing the needs of the community.

5.1 Maintain the integrity of our cultural and heritage assets and places.

5.2 Maintain and enhance our roads, built infrastructure, parks and reserves.

6. A natural environment for the benefit and enjoyment of current and future generations.

6.2 Promote reduced environmental impact within the Shire.

7. A strategically focused Council, leading our community.

7.1 Provide strategic leadership and governance.

7.2 Effectively represent, promote and advocate for the community and district.

8. An efficient and effective organisation.

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That:

1. Legal advice be sought on the transfer of the management order of State Reserve 49153 (lots 3374468 and 3374470) from Lake Ballard Association to the Shire of Menzies
2. The Art Gallery of Western Australia's jurisdiction over the sculptures that constitute the *Inside Australia* installation be acknowledged

3. Future development of Reserve 49153 be undertaken only after advice from the Art Gallery of Western Australia, Tourism and Economic Development Committee and Australia's Golden Outback.
4. A further report be prepared for the Council's consideration at its meeting scheduled for August 2026.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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13.2.5	Goldfields Tourism Development Partnership Extension Proposal
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	NAM1657
DATE OF REPORT	4 May 2026
AUTHOR	Community Development Manager, Sean McGay
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Rob Stewart
OFFICER DISCLOSURE OF INTEREST	Nil
ATTACHMENT	1. Goldfields Tourism Development Partnership Extension (4 years from 1 Jul 2026) [13.2.5.1 - 2 pages]

SUMMARY:

Australia's Golden Outback is proposing that the Shire of Menzies extend their Goldfields Tourism Development Partnership for a further four years.

BACKGROUND:

Australia's Golden Outback, peak regional tourism body covering the Shire of Menzies, has a dedicated Goldfields Tourism Development Manager who assists Goldfields local government agencies with tourism development.

Each local government agency provides an annual contribution of \$32,214.00 (excluding GST) to the operational costs of the position. The Shire of Menzies has done so since 2023.

The Goldfields Tourism Development Manager has been essential in providing expert advice on tourism development matters for the Shire of Menzies, reducing reliance on engaging costly outside professionals to assist.

Attached is the proposal from Australia's Golden Outback to extend the partnership for a further four years.

COMMENT:

The Tourism and Economic Development Advisory Committee of the Shire of Menzies recommends that the Council extend the partnership, as per their last meeting of 16 April 2026.

CONSULTATION:

Australia’s Golden Outback
Tourism and Economic Development Advisory Committee
Internal Staff
Various Goldfields local government agencies

STATUTORY AUTHORITY:

Local Government Act (1995)
Western Australian Tourism Commission Act 1983

POLICY IMPLICATIONS:

Policy 1.3 - Shire Logos

FINANCIAL IMPLICATIONS:

The Shire of Menzies would be committing \$32,214.00 (excluding GST) annually, for four years, to the operational costs of the position of Goldfields Tourism Development Manager through Australia’s Golden Outback.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Training and time for select Community Services staff to be upskilled in marketing and tourism	Medium	Contribute to the operational budget of the Goldfields Tourism Development Manager

STRATEGIC IMPLICATIONS:

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

- 1. An engaged and inclusive community.
 - 1.1. Facilitate, encourage and support community volunteers, groups, events and initiatives.
 - 1.2 Welcoming to all residents, strengthen community cohesiveness and participation.
 - 1.3 Provide, maintain and improve community facilities.
- 3. An innovative, diverse and prosperous economy.

3.1 Support and facilitate opportunities for new business development.

3.2 Continue to work with industry and stakeholders for the economic development of the district.

4. An attractive destination for visitors.

4.1 Promote our natural attractions and heritage sites as part of a regional approach.

4.2 Maintain and enhance our local attractions.

4.3 Continue to provide and maintain visitor support services.

5. A well maintained, attractive built environment servicing the needs of the community.

5.1 Maintain the integrity of our cultural and heritage assets and places.

5.2 Maintain and enhance our roads, built infrastructure, parks and reserves.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That:

1. The Goldfields Tourism Development Partnership Extension Proposal from the Australia's Golden Outback be supported, with a view to the CEO endorsing the forthcoming and associated agreement
2. The associated amount of \$32,214.00 (excluding GST) be included in the draft of the Shire of Menzies Annual Budget for Financial Year 2026/2027 for consideration.

COUNCIL DECISION:

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

Nil

15 NEW BUSINESS OF AN URGENT NATURE

16 BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS

Item 16.1 Appointment of Acting (Temporary) Chief Executive Officer

Item 16.2 Behavioural Complaint

These agenda items are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 and Regulation 4A(b) of the Local Government (Administration) Regulations 1996 which permits the meeting to be closed to the public, for business relating to the following:

- a matter relating to the recruitment or employment of the CEO or a senior employee
- a prescribed matter (a complaint that alleges a behavioural breach under the local government's adopted code of conduct)

OFFICER RECOMMENDATION:

That in accordance with Section 5.23(2) of the Local Government Act 1995 and Regulation 4A(b) of the Local Government (Administration) Regulations 1996, the meeting be closed to members of the public to consider Item 16.1 'Appointment of Acting (Temporary) Chief Executive Officer' and Item 16.2 'Behavioural Complaint'.

COUNCIL DECISION:

Council Resolution Number	
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Moved		Seconded	
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Carried	
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MEETING OPENED TO THE PUBLIC:

Council Resolution Number:	
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Moved:

Seconded:

That the meeting be opened to the members of the public.

Carried	
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17 NEXT MEETING

The next meeting is to be held on Thursday 18 June 2026 at the Council Chambers, 124 Shenton Street, Menzies commencing at 1.00pm.

18 CLOSURE OF MEETING

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