



SHIRE OF MENZIES

Agenda

**FOR THE ORDINARY MEETING OF COUNCIL
TO BE HELD ON**

26 March 2020

Commencing at 1.00pm

**26 March
2020**

Ordinary Meeting of Council

**SHIRE OF MENZIES
NOTICE OF ORDINARY MEETING OF COUNCIL**

Dear Council Member,

The next Ordinary Meeting of the Shire of Menzies will be held on 26 March 2020 in the Shire of Menzies Council Chambers commencing at 1pm.

Peter Money
Chief Executive Officer

19 March 2020

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
at Shire of Menzies Council Meetings 2019/2020**

Council Meeting Date	Leave of Absence	Apologies	Electronic Attendance	Absent
28 February 2019	-	Cr D Hansen	Cr I Baird	
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	-	Cr J Lee	-	-
30 April 2020				
28 May 2020				
25 June 2020				

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1 DECLARATION OF OPENING

The President declared the meeting open at _____pm.

2 ANNOUNCEMENT OF VISITORS

3 RECORD OF ATTENDANCE

Present

Councillors:

Cr G Dwyer Shire President

Cr J Dwyer

Cr J Lee Apology

Cr V Ashwin

Cr I Baird Deputy Shire President

Cr D Hansen

Cr K Mader

Staff:

Mr P Money Chief Executive Officer

Mrs A Bryant Contractor

Mrs H Cooper A/Executive Officer

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There were no questions from the public.

5 PUBLIC QUESTION TIME

Nil.

6 APPLICATIONS BY MEMBERS

Nil.

7 DECLARATIONS OF INTEREST

Nil.

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil.

9 CONFIRMATION / RECEIVAL OF MINUTES

9.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2020 *(Provided under Separate Cover)*

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

That the minutes of the Ordinary Meeting of Council held on Thursday 27 February 2020 be confirmed as a true and correct record.

Carried /

10 PETITIONS / DEPUTATIONS / PRESENTATIONS

11 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 PRESIDENTS REPORT FOR MONTH OF MARCH 2020

To be presented at the Ordinary Council Meeting 26 March 2020.

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

That the President's Report for the month of March 2020 be received.

Carried /

12.1

FINANCE AND ADMINISTRATION

12.1.1

Statement of Financial Activity for February 2020

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	N/A
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	26 February 2020
AUTHOR:	Ally Bryant Acting DCEO
ATTACHMENT:	12.5.1-1 Monthly Financial Report for the period ending 29 February 2020

SUMMARY:

Statutory Financial Reports are submitted to Council as a record of financial activity for the year to 29 February 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 estimates, 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:

Moore Stephens

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:

OP9 Budgets are inaccurately reported with differences in the Budget adopted by Council, and that exercised by Council administration

OP16 Council’s statutory reports provide inaccurate financial information

STRATEGIC IMPLICATIONS:

14.3 Active civic leadership achieved

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

VOTING REQUIREMENTS:

Simple majority.

OFFICERS RECOMMENDATION:

That Council receive the Statement of Financial Activity for the period ending 29 February 2020 as attached and note any material differences.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

12.1.2 MONTHLY LISTING OF PAYMENTS FOR THE MONTH OF FEBRUARY 2020

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	FIN.935.1/NAM307
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	26 March 2020
AUTHOR:	Carol Mc Allan Finance Officer
ATTACHMENT:	12.4.1-3 Payment Listing for February 2020

SUMMARY:

The list of payments made for the month of February 2020 to be received by Council.

BACKGROUND:

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

COMMENT:

The EFT and Direct Debit payments that have been raised for the month of January 2020 are attached.

CONSULTATION:

N/A

STATUTORY Environment:

Local Government (Financial Management) Regulations 1996 Regulation 13

POLICY IMPLICATIONS:

Policy 4.7 – Creditors – Preparation for Payment

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENTS:

OP7 Accounts payable amounts and disbursements are either inaccurately recorded or not recorded at all.

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 list of payments for the month of January 2020 totalling \$801,363.25 being:

- 1) No cheques were drawn;
- 2) Electronic Fund Transfer EFT4792 – EFT4879 payments in the Municipal Fund totalling \$327,701.90;
- 3) Direct Debit payments from the Municipal Fund totally \$43,837.57; and
- 4) Credit Card payments for the statement month of February 2020 included in Direct Debits.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

Shire of Menzies
Payments for the Month of February 2020

Chq/EFT	Date	Name	Description	Amount
		Cheques		\$(0.00)
		EFT		\$(327,701.90)
		Direct Debit		\$(43,837.57)
		Total Payments		<u>\$(371,539.47)</u>
		Credit Card Payments (included in Direct Debit)	#REF!	

Shire of Menzies
Payments for the Month of February 2020

Chq/EFT	Date	Name	Description	Amount
EFT4792	06/02/2020	Carroll & Richardson Flagworld Pty Ltd	Main Street - Printed Flags plus Freight	1024.10
EFT4793	06/02/2020	Leonora Pharmacy	Supply - Pharmaceutical Prescriptions to Menzies	556.33
EFT4794	06/02/2020	Roadtech Civil & Construction	Grids - Maintenance / Upgrade	44143.00
EFT4795	06/02/2020	3E Advantage	Rental January 2020 - Interactive Smartboard	374.00
EFT4796	06/02/2020	Market Creations	IT Services - Jan 2020	1993.21
EFT4797	06/02/2020	Irrigation Australia Ltd	Training - P Warner	145.00
EFT4798	06/02/2020	Coolgardie Tyre Service	Tyres - 3MN and John Deere 644 ZBar loader MN004	5962.00
EFT4799	06/02/2020	Peter Money	Reimbursements - GVROC	30.65
EFT4800	06/02/2020	Shire of Coorow	Accommodation in Coorow - J Taylor - Training	440.00
EFT4801	06/02/2020	Air Liquide Australia Ltd	Rental - Cylinders	28.16
EFT4802	06/02/2020	Bunnings	Consumables - Shire Building Maintenance	1216.34
EFT4803	06/02/2020	Cabcharge Australia Limited	Accounting Charges to 31 January 2020	6.00
EFT4804	06/02/2020	Clearwater Motel Apartments	Accommodation - CEO - Pres -GVROC Jan 2020	645.00
EFT4805	06/02/2020	Conway Highbury	Review of Wards & Representation - Adverts for Submission - Liaise with CEO	693.00
EFT4806	06/02/2020	Canning Pool & Pump Centre PTY	Pump for Water Park	1364.00
EFT4807	06/02/2020	Eagle Petroleum (W.A) Pty Ltd	Bulk Diesel - 7,000ltres	10429.65
EFT4808	06/02/2020	Goldline Distributors	Depot - Office - Caravan Park - Consumables	899.24
EFT4809	06/02/2020	Goldfields Locksmiths	Restricted Cut Keys - CEO	240.50
EFT4810	06/02/2020	Goldfields Toyota	Purchase of Toyota RAV4 AWD Hybrid CVT GXL (SS) 3X38680 001 as per Quote - 13928	45232.56
EFT4811	06/02/2020	Harvey Norman	Mob Phone - Building - Washing Machine -29b Shenton	1537.00
EFT4812	06/02/2020	Landgate	Mining Tenements M2019/12 - Certificate of Title	130.20
EFT4813	06/02/2020	LO-Go Appointments	Contractor - H Cooper - 2 weeks	5131.17
EFT4814	06/02/2020	Marketforce	Advertising - West Australian -	1460.21
EFT4815	06/02/2020	Netlogic Information Technology	IT Support - Offsite	412.50
EFT4816	06/02/2020	Shire Of Leonora	Health & Building Services January 2020	3507.50
EFT4817	06/02/2020	Taps Industries	HWS Admin - Maintenance Old Post Office - 12b Walsh	1815.00
EFT4818	06/02/2020	Moore Stephens	Provision of Statutory Compliance Jan - March 2020	22426.25
EFT4819	06/02/2020	Kalgoorlie United Steel Pty Ltd	Square tube for sports courts	797.50
EFT4820	06/02/2020	WML Consultants	R2R Program - RRG Blackspot	958.38
EFT4821	06/02/2020	Wurth Australia	Consumables - Depot	665.74
EFT4822	14/02/2020	3E Advantage	Copier Charges January 2020	1172.63
EFT4823	14/02/2020	Market Creations	IT Support	137.50
EFT4824	14/02/2020	Cloud Collections Pty Ltd	Debt Collection Charges Jan 2020	563.10
EFT4825	14/02/2020	WA Local Govt Association	Council Connect Subscription FY 2019/20	5707.00
EFT4826	14/02/2020	Australian Taxation Office	Payroll Tax - January 2020	26934.00
EFT4827	14/02/2020	Garpen Pty Ltd	Parts for Water Pumps	120.00
EFT4828	14/02/2020	Goldline Distributors	Back order On Consumables	126.13
EFT4829	14/02/2020	Goldfields Locksmiths	Supply Entrance Set, Cylinders & Keys - 1 Reid Street	484.03
EFT4830	14/02/2020	Goldfields Tourism Network Association	50 x Golden Quest Discovery books for resale	1318.30
EFT4831	14/02/2020	Landgate	Schedule No. M2020/1 - Certificates of Title	92.20
EFT4832	14/02/2020	LO-Go Appointments	Labour Hire - H Cooper - 1 week	2600.73
EFT4833	14/02/2020	Mcleods Barristers & Solicitors	Health Act - Legals	1621.37
EFT4834	14/02/2020	Shire of Menzies Social Club	Payroll deductions	110.00
EFT4835	14/02/2020	Netlogic Information Technology	Assist - Upgrade of Fibre Connection with Telstra	112.50
EFT4836	14/02/2020	Office National	Stationery Consumables - Back Order	187.92
EFT4837	14/02/2020	Paupiyala Tjarutja Aboriginal Corporation	Tjuntjuntjara Dog Health Program	24130.00
EFT4838	14/02/2020	Verlinden's Electrical Service	Exit lights to Admin- Fans and lights to CEO - MFA houses.	6083.00
EFT4839	20/02/2020	Stratco	Fencing Sheets - Replacement for Smashed Gate	274.32
EFT4840	20/02/2020	Kalgoorlie Refrigeration and Airconditioning	Service - Ice Machine Unit	457.05
EFT4841	20/02/2020	Konnect Fastening Systems (t/a Coventry Group)	Depot Consumables	193.35
EFT4842	20/02/2020	Bunnings	Consumables - Building Maintenance - Shire Buildings	983.51
EFT4843	20/02/2020	Canning Pool & Pump Centre PTY	20L Drums Chlorine - Water Park	240.00
EFT4844	20/02/2020	Curtain Villa	Replacement Vertical Blind - 14B Walsh St	160.16
EFT4845	20/02/2020	Goldfields Toyota	10000km service - 3MN	393.22
EFT4846	20/02/2020	Harvey Norman Furniture	Bedding / Mattresses Replacements - Shire Buildings	5661.00
EFT4847	20/02/2020	Menzies Hotel	Supply - Gas Cylinders	615.45
EFT4848	20/02/2020	IT Vision	Clean up of Budget Values Imported in SynergySoft	33115.40
EFT4849	20/02/2020	JR & A Hersey	3g Day Night Security Camera, Solar Panel and Bracket	762.25
EFT4850	20/02/2020	Refresh Water	15 x 15L Water Bottles	150.00

**Shire of Menzies
Payments for the Month of February 2020**

EFT4851	20/02/2020 R F Young	Contractor - RF Young - PE 06.02.20 - 14.02.20	9999.00
EFT4852	20/02/2020 Squire Patton Boggs	Native Title Watching Brief: Hyalpa Pirniku fees	178.20
EFT4853	20/02/2020 WesTrac Pty Ltd	P0188 Cat 12m Grader - Engine Oil & Air Filters	458.68
EFT4854	25/02/2020 Netlogic Information Technology	Computer / Monitor / Screen Stand	1355.00
EFT4855	26/02/2020 Canine Control	Ranger Services for Monday 10 February 2020	1600.50
EFT4856	26/02/2020 3E Advantage	Monthly Rental Smartboard - Feb/Mar 2020	374.00
EFT4857	26/02/2020 Goldfields Glass	Youth Centre - Clear Laminated Safety Glass	148.50
EFT4858	26/02/2020 Xstra Global IT and Communication Solutions	PABX Hosting, Provision & Support for February 2020	296.20
EFT4859	26/02/2020 Department Of Mines Industry Regulation and Safety	BS Levy Payment - B/L 06/19 - for January 2020	56.65
EFT4860	26/02/2020 Goldfields Truck & Plant Hire Pty Ltd	Hire of D8 Dozer to Dig Tip Hole - Kookynie	9262.00
EFT4861	26/02/2020 Nigel's Service Centre	Transportation - Container from Perenjori to Menzies - Staff relocation	4794.46
EFT4862	26/02/2020 Roadstone West Pty Ltd t/a Greenfield Technical Services	Professional Services (WALGA Preferred Supplier) - Review / Evaluate Tender Submissions - Menzies NW Rd Upgrade	3000.00
EFT4863	26/02/2020 St John Ambulance Kalgoorlie	Training - First Aid - 10 participants - 2 to be invoiced	1600.00
EFT4864	26/02/2020 Asoncion Tambis	Training (Payroll) - Expenses for Reimbursement	399.59
EFT4865	26/02/2020 Blackwoods	Depot Consumables	137.61
EFT4866	26/02/2020 Bunnings	Consumables - Shire Housing / Buildings	996.70
EFT4867	26/02/2020 Cybersecure	Backup Subscription for February 2020	259.88
EFT4868	26/02/2020 Department of Fire And Emergency Services	2019/20 ESL Quarter 3 - Dept FES of WA	15019.20
EFT4869	26/02/2020 Goldline Distributors	Refreshments - Training - St John	156.55
EFT4870	26/02/2020 Goldfields Records Storage	Charges January 202 - Record Storage	31.37
EFT4871	26/02/2020 Menzies Hotel	Newspapers - January 2020	111.90
EFT4872	26/02/2020 JR & A Hersey	Depot Consumables - Uniforms	1438.83
EFT4873	26/02/2020 LO-Go Appointments	Labour Hire - Contractor - H Cooper PE 15 Feb 2020	2881.89
EFT4874	26/02/2020 Samuel Mckay	Reimbursement - for Plant Parts	36.45
EFT4875	26/02/2020 Netlogic Information Technology	Consulting - Offsite - Computer Support	75.00
EFT4876	26/02/2020 Penns Cartage	Transport - 1 x Pallet from Harvey Norman Kal/Beds	423.50
EFT4877	26/02/2020 Sheridan's For Badges	Jarrah & Brass Name Blocks for Chambers	1043.90
EFT4878	26/02/2020 Jeanette Taylor	Reimbursement - Refreshments & Stationery - Coroow Training Feb 2020	84.53
EFT4879	26/02/2020 Verlinden's Electrical Service	CRC Building - Electrical Works	2711.50
			\$327,701.90

Shire of Menzies
Payments for the Month of February 2020

Chq/EFT	Date	Name	Description	Amount
DD3176.1	11/02/2020	WA Local Govt Superannuation Plan	Superannuation contributions	\$5,569.11
DD3176.2	11/02/2020	WA Local Govt Superannuation Plan	Payroll deductions	\$2,319.15
DD3176.3	11/02/2020	Sunsuper	Superannuation contributions	\$872.35
DD3176.4	11/02/2020	GESB Superannuation	Superannuation contributions	\$52.48
DD3176.5	11/02/2020	Australian Super	Superannuation contributions	\$402.77
DD3176.6	11/02/2020	Kinetic Superannuation	Payroll deductions	\$256.58
DD3186.1	11/02/2020	Telstra - DIRECT DEBIT ONLY	Telephone Charges to 16 January 2020	\$6,329.75
DD3189.1	24/02/2020	Australia Post	Stamps for resale	\$797.87
DD3193.1	03/02/2020	NAB	Credit Card for January 2020	\$4,939.31
DD3195.1	07/02/2020	Power ICT Pty Ltd	February Messages on Hold	\$75.90
DD3197.1	10/02/2020	Telstra - DIRECT DEBIT ONLY	Sat Phones to 20 January 2020	\$284.59
DD3199.1	18/02/2020	Horizon Power	Streetlights to 31 January 2020	\$764.83
DD3201.1	03/02/2020	WESTNET	CRC Internet 1 Feb 2020 to 1 March 2020	\$54.99
DD3203.1	11/02/2020	Telstra - DIRECT DEBIT ONLY	Telephone charges	\$54.13
DD3205.1	21/02/2020	Water Corporation	Water Charges to 3 February 2020	\$1,230.58
DD3212.1	26/02/2020	Water Corporation	Water Charges to 4 February 2020	\$1,812.59
DD3216.1	25/02/2020	WA Local Govt Superannuation Plan	Superannuation contributions	\$5,263.41
DD3216.2	25/02/2020	WA Local Govt Superannuation Plan	Payroll deductions	\$2,335.76
DD3216.3	25/02/2020	Sunsuper	Superannuation contributions	\$872.35
DD3216.4	25/02/2020	Australian Super	Superannuation contributions	\$734.31
DD3216.5	25/02/2020	GESB Superannuation	Superannuation contributions	\$39.75
DD3216.6	25/02/2020	Kinetic Superannuation	Payroll deductions	\$256.58
DD3218.1	03/02/2020	Water Corporation	Water Charges to 16 January 2020`	\$20.10
DD3220.1	25/02/2020	NAB	NAB Connect for January 2020`	\$25.49
DD3223.1	26/02/2020	Gregory Dwyer	Sitting Fees for February 2020	\$3,364.49
DD3223.2	26/02/2020	Ian Baird	Sitting Fees for February 2020	\$1,289.67
DD3223.3	26/02/2020	Cr Debbie Hansen	Sitting Fees for February	\$875.83
DD3223.4	26/02/2020	Cr Justin Lee	Sitting Fees for February 2020	\$875.83
DD3223.5	26/02/2020	Jillian Dwyer	Sitting fees for February 2020	\$875.83
DD3223.6	26/02/2020	Vashti Marie Fay Ashwin	Sitting Fees for february 2020	\$875.83
DD3225.1	28/02/2020	NAB	Merchant Fees for February 2020	\$98.04
DD3227.1	28/02/2020	NAB	Merchant Fees for February	\$217.32
				\$43,837.57

12.1.3

RATES WRITE OFF

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	10 March 2020
AUTHOR:	Carol McAllan Finance Officer
ATTACHMENT:	#1 - Rates Write-off spreadsheet.

SUMMARY:

This item requests the write-off of rates and interest to the value of \$60,159.93 on multiple properties that are deemed uncollectable as per the attached spreadsheet.

BACKGROUND:

Some of these overdue amounts have been on our Rate Book for many years. They are all Mining Tenements and for many of them we have only been given a Post Office Box address for correspondence.

Most of the companies have been de-registered. One company is under administration, however administrators do not consider dead tenements as matters of concern. Once the property has been surrendered/forfeited, the owners quite often close their Post Office box and all correspondence is returned.

All these tenements are dead, so much of the outstanding balance is penalty interest. A number of these debts have been handed to debt collection agencies in the past without success.

COMMENT:

Staff have discussed these debtors and considered the likelihood of recovery of the debt and considered them uncollectable.

To further complicate matters the debts are aged, making pursuit of the debtor even more complicated. The only possible resolution would be to try to find the debtor and ultimately try to seize assets in lieu of the debts.

This is considered too risky as the expense involved, like the existing debt is unlikely to be recovered.

CONSULTATION:

Jeanette Taylor – Manager Finance & Administration.
Peter Money – Chief Executive Officer

STATUTORY ENVIRONMENT:

Local Government Act 1995 – Section 6.12

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,which is owed to the local government.

** Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

[Section 6.12 amended: No. 64 of 1998 s. 39.]

POLICY IMPLICATIONS:

4.6 – Debt Recovery – Outstanding Rates and Sundry Debtors.

FINANCIAL IMPLICATIONS:

\$60,159.93

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
The cost involved in debt collection is high and is balanced against the possible recovery.	High	Debt write-off is considered the better option.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 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.

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.
- 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.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS:

Absolute Majority

OFFICERS RECOMMENDATION:

That Council write off rates and interest to the value of \$60,159.93 on multiple properties that are deemed uncollectable as per the attached spreadsheet.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

12.5.3

Rates Write off

A3985	Allen	Dead	\$556.64	E39/01469 MINING TENEMENT	NON-RATEABLE	Deceased
A4034	Allen	Dead	\$860.91	E29/00720 MINING TENEMENT	NON-RATEABLE	
A3830	Allen	Dead	\$869.24	E77/01548 MINING TENEMENT	NON-RATEABLE	
A3831	Allen	Dead	\$1,063.57	E77/01549 MINING TENEMENT	NON-RATEABLE	
A3999	Allen	Dead	\$1,200.50	E29/00718 MINING TENEMENT	NON-RATEABLE	
A4023	Allen	Dead	\$1,772.98	E39/01468 MINING TENEMENT	NON-RATEABLE	
A4273	Australia Grand Gold Mining Pty Ltd	Dead	\$1,365.90	E29/00766 MINING TENEMENT	NON-RATEABLE	Deregistered
A4309	Australia Grand Gold Mining Pty Ltd	Dead	\$2,869.57	E29/00784 MINING TENEMENT	NON-RATEABLE	Deregistered
A3646	Consolidated Resources NI	Dead	\$1,087.14	E31/00753 MINING TENEMENT	NON-RATEABLE	Deregistered
A3671	Consolidated Resources NI Total Mineral Resources NI	Dead	\$511.91	P31/01861 MINING TENEMENT	NON-RATEABLE	Deregistered
A3672	Consolidated Resources NI Total Mineral Resources NI	Dead	\$516.94	P31/01862 MINING TENEMENT	NON-RATEABLE	Deregistered
A3668	Consolidated Resources NI Total Mineral Resources NI	Dead	\$524.81	P31/01858 MINING TENEMENT	NON-RATEABLE	Deregistered
A3669	Consolidated Resources NI Total Mineral Resources NI	Dead	\$524.81	P31/01859 MINING TENEMENT	NON-RATEABLE	Deregistered
A3558	Gold Finance And Exploration Pty Ltd	Dead	\$1,735.37	E69/02415 MINING TENEMENT	NON-RATEABLE	Deregistered
A1075	Onslow Metals	Dead	\$6,660.51	M39/00156 MINING TENEMENT	NON-RATEABLE	Under administration
A1073	Onslow Metals	Dead	\$11,738.04	M39/00154 MINING TENEMENT	NON-RATEABLE	Under administration
A1074	Onslow Metals	Dead	\$12,207.75	M39/00155 MINING TENEMENT	NON-RATEABLE	Under administration
A3925	Outback Exploration Ltd	Dead	\$4,653.16	E30/00371 MINING TENEMENT	NON-RATEABLE	Deregistered
A4201	Outback Exploration Ltd	Dead	\$9,440.18	E30/00402 MINING TENEMENT	NON-RATEABLE	Deregistered

\$60,159.93

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	N/A
DISCLOSURE OF INTEREST:	N/A
DATE:	26 March 2020
AUTHOR:	David Hadden Health/Building Surveyor
ATTACHMENT:	Nil

SUMMARY:

That Council receive the report of the Environmental Health Officer/Building Surveyor for the month of March 2020.

BACKGROUND:

This report is for the information of Council. It identifies matters addressed by the Environmental Health Officer/Building Surveyor for the month of March 2020.

COMMENT:

The following is a report of the monthly activities extracted from the report to the Chief Executive Officer from David Hadden, EHO/Building Surveyor.

Building:

Liased with Saracen Mineral Holdings regarding reopening a mining camp on Edjudena Station. Advised them that they would require a building permit for the new accommodation buildings being brought to site to replace a number of existing units that were removed previously.

Existing footings and services remain in place where the previous units were removed. I have also advised that Councils EHO will need to carry out an inspection of the existing kitchen, dining, accommodation buildings and waste water disposal system to ensure the site will be adequately serviced in accordance with the Health Act requirements. It is proposed that 56 rooms will be created which will equate to 14 units to be returned and reinstalled.

McLeods Barristers and Solicitors have been requested to prepare correspondence and building order relating to Mr Gopels ongoing case.

Health:

I have been dealing with a number of Covid-19 enquiries across all local authorities that I service. If Councillors are receiving enquiries it is important to direct community members to the Health Department website https://ww2.health.wa.gov.au/Articles/A_E/Coronavirus as the site is being updated daily while the Department is the lead agency in this instance.

The tyre disposal cell is just about full with a mixture of motor bike and car tyres that were disposed in one delivery which would indicate they have come from Kalgoorlie. It would appear that Kalgoorlie's tyre disposal fee is such that it is cheaper to drive to Menzies to dispose of them. It is recommend that staff keep a closer watch for large deliveries of tyres (or raise a disposal fee for tyre's).

I Completed a WALGA survey on work towards creation of a shire Health Plan.

CONSULTATION:

N/A

STATUTORY ENVIRONMENT:

Public Health Act 2016, Building Act 2011 and various other.

POLICY IMPLICATIONS:

N/A

FINANCIAL IMPLICATIONS:

N/A

RISK ASSESSMENT:

OP97 – Council unable to fill the position of Authorised Officer under the Public Health Act 2016 previously.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 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.

14.3 Active civic leadership achieved

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

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS:

Simple Majority.

OFFICERS RECOMMENDATION:

That Council receive the report of the Environmental Health Officer/Building Surveyor for the month of February 2020.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	N/A
DATE:	26 March 2020
AUTHOR:	Sethen Sheehan-Lee Community Service Officer
ATTACHMENT:	Nil

SUMMARY:

The Menzies Community Resource Centre, Visitor Centre. Community Postal Agency and Caravan Park operate from the Lady Shenton Building on the corner of Brown and Shenton Streets.

Youth activities are held at the Menzies Youth centre, outdoor sports area, the Town Hall's indoor sporting area and the Town Hall kitchen.

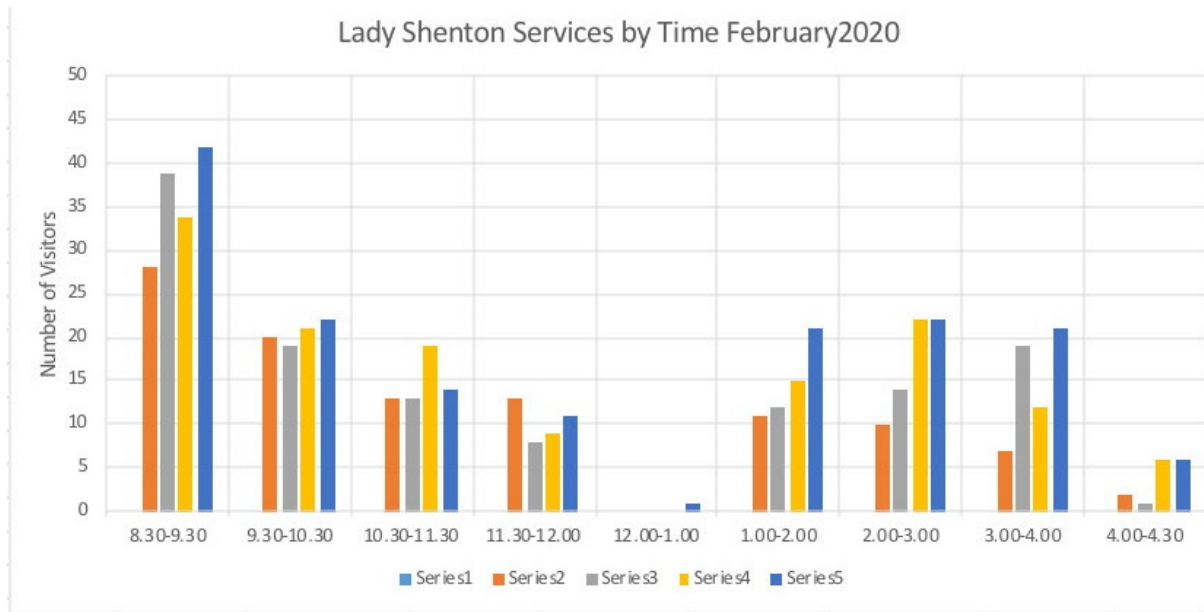
BACKGROUND:

The Lady Shenton Building operates the Community Resource Centre, Menzies Visitor Centre and administers the Menzies Caravan Park. The statistics are compiled each month by the staff for recording purposes.

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. Statistics are collected by the youth activities coordinators with occasional assist from community volunteers.

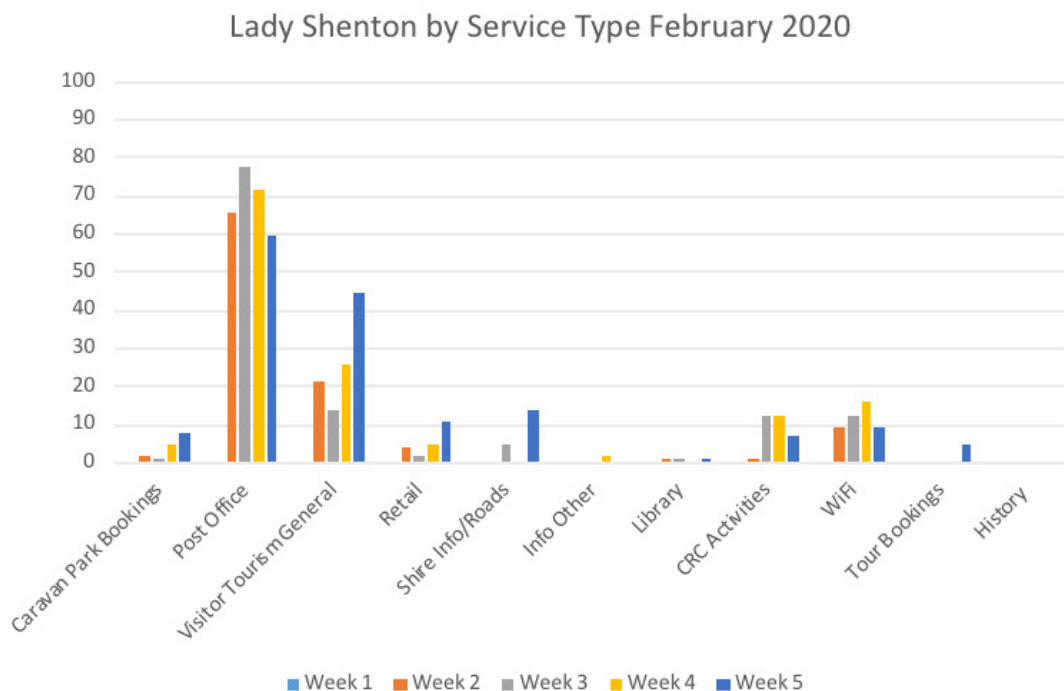
COMMENT:**Lady Shenton**

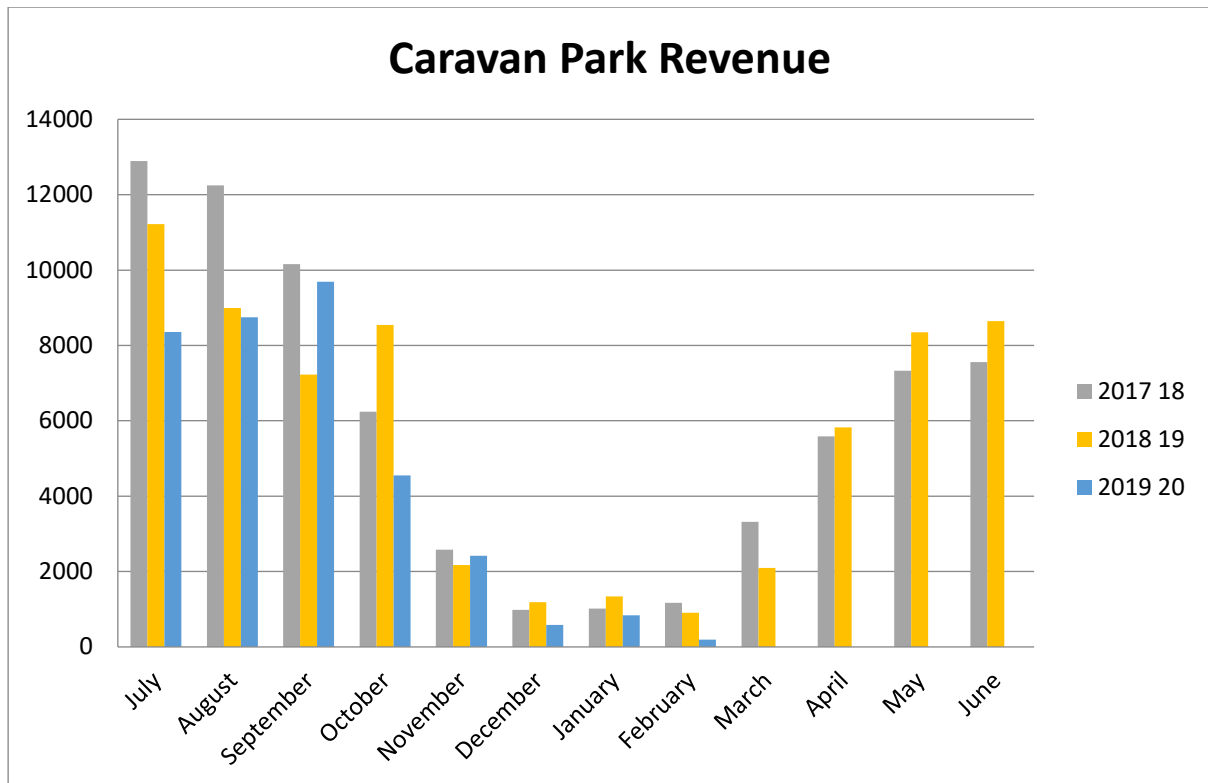
The Visitor Centre received 527 visitors this month, a slight decrease from the 587 in the previous month. During February there was a slight decrease in all Lady Shenton Services except the Post Office, which received a slight increase in visitors. This was likely caused because there is less community demand for the Post Office in January.



Caravan Park

There was a reasonable decrease in Caravan Park revenue from January 2020 to February 2020. The Caravan Park revenue in February 2020 is also reasonably less than that of February 2019 and 2018. This was possibly caused by external factors that are affecting Australia socially and economically during this period.





Youth Centre

Attendance at the Ngalipaku Building Youth Centre was reasonably low in February 2020 compared to February 2019. If the trend follows that of last year, attendance should increase as the year continues. While we are looking into how activities can be better promoted in the community, there are several external factors that occasionally restrict the accessibility of the Youth Centre.

Ages	Attendance Numbers (Whole Month)
1-3-year-olds	0
4-6-year-olds	4
7-9-year-olds	0
10-13-year-olds	3
14-17-year-olds	0
18 +	3

Below are some of the posters that were used to promote events and activities at the Youth Centre Ngalipaku Building during February 2020. These posters were distributed; to Menzies Community School, to local businesses and posted on the Shire Facebook Page.



CONSULTATION:

Debra Pianto – Lady Shenton Visitors Centre & Community Resource Centre Officer
Sethen Sheehan-Lee – Community Service Officer
Jeanette Taylor – Manager of Finance and Administration

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

No Risk Assessment has been undertaken in relation to this item.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 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.

14.3 Active civic leadership achieved

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

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS:

Simple Majority.

OFFICERS RECOMMENDATION:

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

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

12.3.1 WORKS REPORT FOR THE PERIOD OF FEBRUARY 2019

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	N/A
DATE:	26 March 2020
AUTHOR:	Paul Warner Works Supervisor
ATTACHMENT:	Nil

SUMMARY:

Works Supervisors report for Council.

BACKGROUND:

The Shire manages the Works section with a permanent staff of a Works Supervisor, and 4.5 full time equivalent workers. Additional resources are contracted as required.

COMMENT:

- The Basketball/Tennis court is now open.
- The new bin lifter was fitted to the rubbish truck (P0207).
- The depot kitchen which houses all the keys was broken into and most of the keys for the vehicles were stolen. All keys are now in a locked safe
- The new Building Maintenance Vehicle (P0232) was damaged when stolen from depot. It was recovered a few days later and is currently under repairs.
- The new gates were made to replace the damaged gates at depot due to the theft of Building Maintenance Vehicle.
- The Hino tip truck (P0206) and Volkswagen ute (P0198) not having spare keys had to be sent away to be remapped for new keys.
- The Works crew attended first aid training.
- The work has started on the removable plant/machinery service unit for P0202.
- The fence for front of old Church building has arrived, and work will start on that soon.
- The Gate for Caravan Park also arrived, and installation will begin soon.

Building.

- Resetting of pavers at Youth Centre is completed.
- Soil testing for Caravan Park units and Onslow St is completed.
- General Maintenance on housing and buildings carried out.
- BMO is liaising with Modular WA with buildings and Rebus Restrooms for Truck bay toilets.
- Toilets at Niagara were inspected, and materials ordered.
- Site inspection for 40 Mercer St, materials ordered.

CONSULTATION:

Nil.

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

No Risk Assessment has been undertaken relating to this item.

STRATEGIC IMPLICATIONS:*14.1 Sustainable local economy encouraged*

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 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.

14.3 Active civic leadership achieved

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

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS:

Simple Majority.

OFFICERS RECOMMENDATION:

That Council receive the Works Supervisors Report for the month of February 2020.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /

12.4.1 APPOINTMENT OF COUNCIL MEMBERS TO LAKE BALLARD ADVISORY COMMITTEE

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	26 March 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	Nil

SUMMARY:

It is recommended Council appoint members to the Lake Ballard Advisory Committee.

BACKGROUND:

The statues and artwork as a whole belong to the state government. They are currently sitting as an asset with the Art Gallery (AGWA) as part of the DLGSC but they are not part of the State Art Collection (that's a distinction that is pertinent for the Art Gallery but shouldn't really matter to anyone else).

The Lake Ballard Association was set up years ago and the management of the Reserve was vested with that Association. There were a number of issues with that arrangement, reaching quorums for meetings was just one.

The main issue was that the Shire received legal advice that our workers were not covered by insurance when maintaining the camp site or doing work on the Lake. AGWA was also concerned that they only had an advisory role on that Committee but held responsibility for managing and maintaining the work as a whole.

Due to these reasons the Management Order was then handed back to the Department who vested it with Menzies Shire, which created a Committee of Council to administer the site. That Committee was made up of even numbers of Councillors and Traditional Owners with AGWA, as a full voting member. This committee was responsible for administering the reserve and also acted as the main forum to discuss issues relating to Inside Australia as a whole.

The Lake Ballard Association still exists as it was never formally disbanded, but it doesn't actually have any role or authority anymore.

The proposal to disband the Council Committee came through late 2018. The Chief Executive Officer was instructed by Council to write to Committee members and form a view of the members whether to disband or not.

Though letters were sent there is very little correspondence on file to suggest a majority view and there appears to be no record of furthering the proposal to disband the Committee.

The AGWA say they were not formally advised of the disbanding proposal and if they were advised, they would have objected to any disbanding.

COMMENT:

As the content of the Committee consists of Council Members and Traditional Owners, it will be necessary to locate Traditional Owners and seek their desire to be part of this Committee. Assuming they do, we will need to acquire the names of the proposed members and Deputy members and have them formally appointed to the Committee at a future Council Meeting.

Despite the failure to attract quorums in the past, there is no basis for the disbanding of the Committee. It could be more productive if the Committee members are appointed and meet only when there is a need to meet, meaning when matters of significance need to be discussed and decisions are to be forwarded to the Council for resolution.

At times failure to form a quorum comes from members feeling the matters for discussion are not significant, especially if there is considerable travel involved.

Council is free to determine the number of members and the number of deputies on a Committee and regardless of the number of members, a quorum remains at more than half the Committee membership.

The Act also requires the Committee members to be "persons" not positions, in which case members and deputies of Committees are appointed by name, not by position.

The Act also requires that Committee members and deputies have a term of office that expires at the next ordinary Council election day. All Committees must then have its members elected or re-elected. The Act does not differentiate between Council members and external members.

As this Committee consists of Councillors, Traditional Owners and a member of the AGWA, it may be necessary for either the Shire or AGWA to determine the validity of the nominated Traditional Owners.

CONSULTATION:

David Graves – Art Gallery of WA

STATUTORY ENVIRONMENT:

Local Government Act 1995

5.8 Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

**** Absolute majority required.***

5.10. Committee members, appointment of

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

**** Absolute majority required.***

5.11 A. Deputy committee members

- (1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*

**** Absolute majority required.***

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,

whichever happens first.

5.15. Reduction of quorum for committees

The local government may reduce* the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

The Shire needs to ensure adequate membership of Committees and attendance at Committees to ensure representation of the views of the Council.

Council can create Committees at any time they are considered necessary, by an absolute majority vote.

If Council has Committees that no longer function or are no longer required, it is recommended those committees should be disbanded.

If Council forms a Committee, the Committee should have a very clear purpose and clear objectives and perhaps an expiry date so the Committee dissolves when its purpose is completed. This ensures efficient management of resources and members time.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 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.

14.3 Active civic leadership achieved

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

14.4 *Heritage & Natural assets conserved*

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS:

Absolute majority

OFFICERS RECOMMENDATION:

That Council

1. Determines the membership numbers of Lake Ballard Advisory Committee.
2. Appoint Councillors _____ to the Committee.
Appoint Councillors _____ As Deputy members to the Committee.
3. Determines that the definition of Traditional Owners may for this Committee encompass local Aboriginal people.
4. Seeks an equal number and the names of proposed members from Traditional Owners for nomination to the Committee.
5. Seeks the names of proposed Deputy Committee members from Traditional Owners for nomination to the Committee.
6. Seeks the name for nomination of a member from Art Gallery WA for membership of the Committee.
7. Seeks the name for nomination of a Deputy member from Art Gallery WA for membership of the Committee.
8. Determines that the AGWA members has equal voting rights to other members.
9. That the number of members to form a quorum is three (3).

That Council confirms that membership of the Committee expires at the time of the next Ordinary Meeting of the Council in October 2021.

COUNCIL DECISION

COUNCIL RESOLUTION:	No. 1721
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MOVED:

SECONDED:

Carried /

12.4.2

DELEGATION REGISTER REVIEW

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	N/A
DATE:	26 March 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENTS:	Delegations Register Draft March 2020 Appendix, 1, 2,3 Delegations from the CEO Delegations Legal Opinion - Delegation for Environmental Health Officer

SUMMARY:

This item recommends Council accept:

1. Attachment - Delegations Register Draft March 2020;
2. Attachment – Appendix 1,2,3; and
3. Attachment - Delegations Legal Opinion on Delegation for Environmental Health Officer.

BACKGROUND:

The delegations included in the attachments allow Officers to undertake day to day operational activities in the Shire without continual referral to Council. These delegations are often made subject to the confines of policy that give general direction in the decision-making process.

All delegations have been reviewed and amendments recommended for adoption.

COMMENT:

This Item was deferred from the February 2020 Ordinary Meeting pending further input on delegations not covered in the Agreement with Moore Stephens.

CONSULTATION:

Moore Stephens
Bill Atkinson – Consultant
McLeods – Barristers & Solicitors

STATUTORY ENVIRONMENT:

Section 5.46 of the Local Government Act 1995 requires a local government to review its delegations at least once every twelve months.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

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

RISK ASSESSMENT:

This item has been evaluated against the Shire's Risk Management Strategy, Risk Assessment Matrix. The perceived level of risk is medium prior to treatment.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 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.

14.3 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:

Absolute Majority.

OFFICERS RECOMMENDATION:

That Council accept the Review of Delegations as presented.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED:

SECONDED:

Carried /

12.4.3 REVIEW OF STAFF STRUCTURE

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	28 November 2019
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	

SUMMARY:

This item recommends Council receives the proposed Staff Structure 2020.

BACKGROUND:

Like many rural local governments, the Shire of Menzies struggles to find sufficient staff numbers, especially those with experience with local government. There are increasing burdens of compliance, reporting and accountability that exacerbate the deficiency of experienced staff.

Aside from the increasing burdens placed on local governments, it is still necessary to monitor and review and seek greater efficiencies within the operations of the local government. Paramount in these considerations is compliance with the ever-increasing regulations and at the same time expecting greater efficiencies and outcomes for the community. It is a danger in smaller communities that too much focus on compliances can result in neglect of the basics of local government and that is serving the community.

It will remain an impediment for some time that we are knowledge deficient and so we must seek greater efficiencies through staff flexibility and multi skilling and training.

That is the purpose of this review in that we pursue multi skilling, increasing knowledge and better outcomes and a stronger focus on customer service.

COMMENT:

With consultation, I have reviewed the current structure which has a basic flaw and that is the failure to have a Deputy Chief Executive Officer position.

This staff structure has several key outcomes;

- a) Balance the workload between the CEO and the next senior position;
- b) To allow the CEO to focus on strategic matters and development issues;
- c) To improve the quality of customer service;
- d) To create more flexibility within the administration positions;

In a larger local government, you may have a DCEO position and a position at manager level such as a Manager Finance and Administration (MFA). However, in smaller local governments such as Menzies, the position of MFA rather than DCEO is very restrictive and leaves a vast array of administrative/legislative/governance matters to be dealt with by the CEO. It is not physically possible for the CEO to fulfil the strategic requirements when too much time and energy is expended on other matters.

In creating the DCEO position and balancing the workload between CEO and DCEO more responsibility falls on the DCEO position and identifies other limitations within the administration structure. Councillors will note that I have created a further position of Finance/Customer Service Officer which will encompass coverage of administration tasks.

This position has multiple purposes:

- a) to carry out lower level finance work;
- b) to fill administration and customer service functions in time of absences of other staff;
- c) to enable the current customer service staff the flexibility to support the CRC functions, especially during the tourist season.

There will be other lesser changes within the administrative/customer service functions which will see the Youth Officer move to more administration and customer service functions, the Asset Management Officer (AMO) supporting the Works area (WS, BMO and mechanic) in asset management issues. The AMO also supports the customer service and finance functions (payroll) within the main office and the CRC.

I consider this staff structure to be much more flexible and dynamic than previous structures and allows the Chief Executive Officer to move employees into varying roles as the demands of the workload vary.

It also allows more flexibility during times of staff absences be it through periods of leave or through resignations.

There remain numerous less critical deficiencies within the operational areas of the Shire, externally and internally, and all these matters will be addressed in due course to create a far more structured and efficient organisation.

As an organisation with greater flexibility and the recruitment of employees willing and able to multi skill, we will continue to improve our customer service, financial management and accountability and grow a reputation that Council, community and employees can be proud of.

However, the ever-increasing burden of compliances and shifting of State Government functions on to local government will no doubt continue; the current plan to shift community health responsibilities to local government is an example. We will always lack certain skills within the Shire which is common to our neighbours and will still require some external services.

CONSULTATION:

Bill Atkinson – Consultant
Anne Lake Consultancy
All staff

STATUTORY ENVIRONMENT:

Local Government Act

5.41. Functions of CEO

The CEO's functions are to —

- (d) manage the day to day operations of the local government; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The DCEO will position will initially be advertised at less than the current MFA position.

The proposed Finance/Customer Service Officer position is not budgeted in 2019/2020.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Continue with current structure	High – no likely improvement in efficiencies	Make redundant the of MFA position and replace with DCEO.
Increasing reliance on external consultants	Medium	Reduce reliance on external resources
There is a need to improve customer services, administrative efficiencies	Medium	The new structure increases employee flexibility, improves morale and increases productivity.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 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.

14.3 Active civic leadership achieved

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

OFFICERS RECOMMENDATION:

That Council accept the staff structure review 2020.

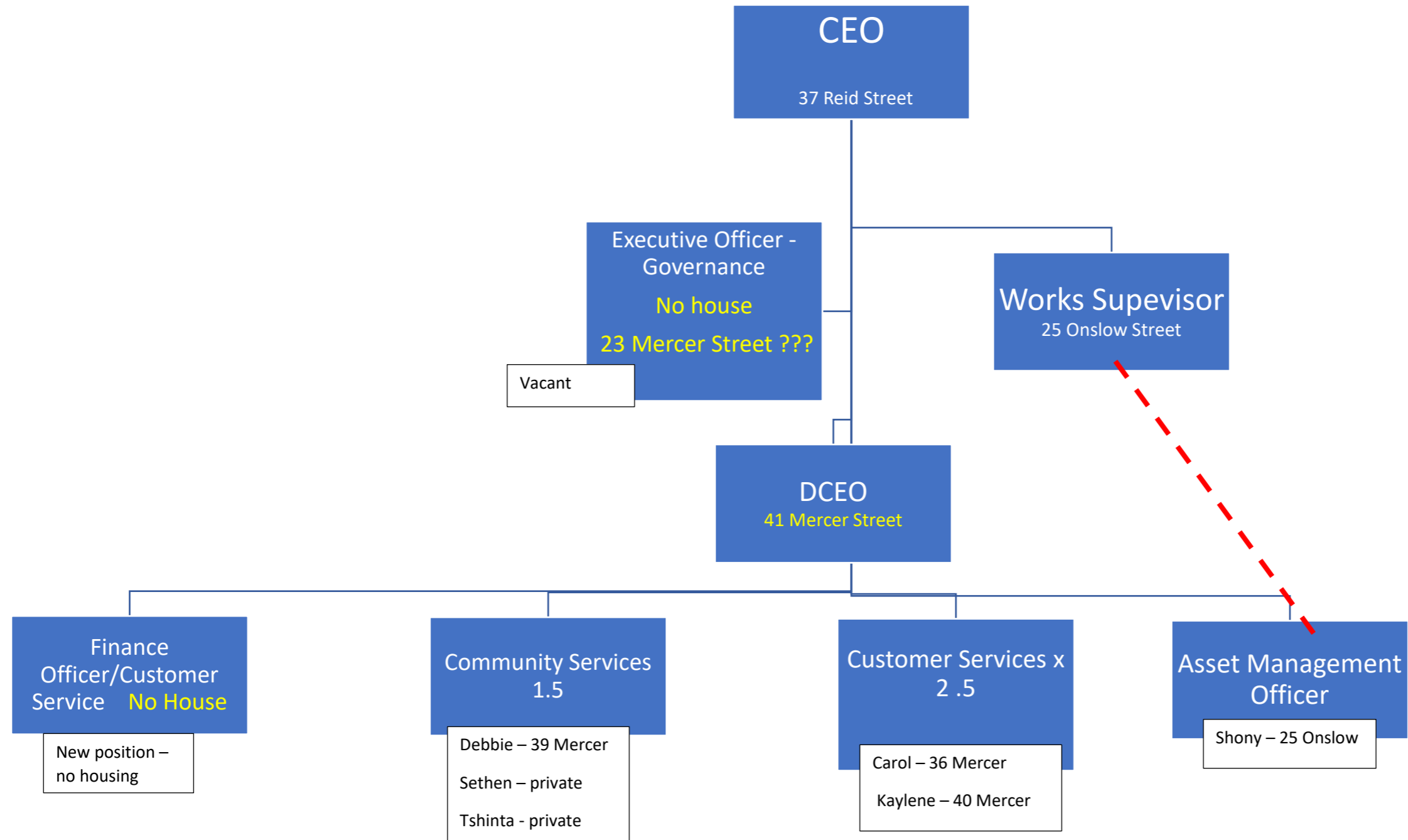
COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /



MFA POSITION – REDUNDANT

DCEO – NEW POSITION

EXECUTIVE OFFICER – GOVERNANCE – CHANGE IN FOCUS OF ROLE – ASSISTS CEO, SUPPORTS ELECTED MEMBERS, VARIOUS GOVERNANCE FUNCTIONS

SENIOR FINANCE OFFICER – NEW POSITION – ASSISTS THE DCEO AND ADMINISTRATION AREA – MANAGES PAYROLL – ACCOUNTS PAYABLE – FINANCE FUNCTIONS

COMMUNITY SERVICES –

DEBBIE PIANTO FULL TIME

SETHEN - PART TIME YOUTH, MENZIES MATTERS, TOURISM MATTERS

TSHINTA – PART TIME ??????

CUSTOMER SERVICES/FINANCE

CAROL – RATES AND SOME FINANCE FUNCTIONS / PART TIME CSO

KAYLENE – CUSTOMER SERVICES / FINANCE / CRC – EXCESSIVE SICK LEAVE REDUCES HOURS OF AVAILABILITY

ASSET MANAGEMENT

ASSET MANAGEMENT 60%

FINANCE – PAYROLL 15%

ADMINISTRATION 25% - ALSO PART TIME AT CRC

HOUSING

MFA TO VACATE 41 MERCER STREET – FOR DCEO

EXECUTIVE OFFICER – TO OCCUPY NEW HOUSE AT 23 ONSLOW STREET (JULY 2020)

SENIOR FINANCE OFFICER - NO HOUSING AVAILABLE

LOCATION:	N/A
APPLICANT:	Department of Home Affairs
DOCUMENT REF:	as applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	27 March 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	Nil

SUMMARY

This item recommends Council consider formally adopting a Dress Code for Citizenship Ceremonies.

BACKGROUND

The Australian Citizenship Ceremonies Code (the Code), most recent edition adopted in August 2019, follows the *Australian Citizenship Act 2007* (the Citizenship Act) and sets out the legal and other requirements for conducting citizenship ceremonies as well as the roles and responsibilities for those involved in citizenship ceremonies.

The Code provides guidance to organisations to help plan and conduct citizenship ceremonies.

The Code is structured in four parts, providing relevant responsibilities and advice for before, during and after the ceremony. This is prefaced with a quick guide, outlining the key ceremony information and background. The resources in the Code are reviewed regularly to ensure that information is up to date.

COMMENT

Provisions within the Code require individual local governments to set a Dress Code for Citizenship Ceremonies.

It is recommended that the Shire of Menzies consider adopting the following:

Citizenship Ceremonies – Dress Code

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion.

We encourage Citizenship Ceremony attendees to wear smart casual attire.

Attendees are also welcome to wear their own national / traditional / cultural dress.

CONSULTATION

Shires of Laverton, Leonora and Wiluna

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies.

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Australian Citizenship Ceremonies Code

Dress Code The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion. A Dress Code is to be set by individual councils. Councils must provide a current copy of their Dress Code to the Department of Home Affairs.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy

STRATEGIC IMPLICATIONS

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 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.

14.3 Active civic leadership achieved

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

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS

Simple majority

OFFICERS RECOMMENDATION

That Council adopt the following Dress Code for Citizenship Ceremonies conducted within the Shire of Menzies:

Citizenship Ceremonies – Dress Code

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion.

We encourage Citizenship Ceremony attendees to wear smart casual attire.

Attendees are also welcome to wear their own national / traditional / cultural dress

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

12.4.5 VARIATION TO TRUST DEED - LOCAL GOVERNMENT HOUSE

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	26 March 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	Nil

SUMMARY:

This item recommends that Council agrees to the variation to the Trust Deed for Local Government House Trust as proposed by WALGA.

BACKGROUND:

The Local Government House Trust (“The Trust”) exists primarily to provide building accommodation for the Western Australian Local Government Association. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.

The current trust deed commenced in 1993 and was amended in 2002 to reflect the merger of the metropolitan and country associations into WALGA. The current Trust Deed pronounces WALGA as Trustee and unit holders as Beneficiaries, with the Trustee holding property and associated monies “upon Trust” and in proportion to the units provided.

Commencement date of the current deed is 17 February 1993, with a vesting date 79 years from commencement - which means that the Trust ends in 2072.

The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to *Division 1AB of the Income Tax Assessment Act 1936*.

COMMENT:

Shire of Menzies is a unit holder and beneficiary to the Local Government House Trust, holding 1 unit/s as advised in WALGA’s recent Quarterly Report Q4 2019.

The Trust’s Board of Management is seeking to vary the Trust Deed in order to assist the Trust’s income tax exempt status. As stipulated by the Deed, the Trust requires consent of at least 75 per cent of all beneficiaries in order to execute this variation.

As a beneficiary, the Shire of Menzies is requested to consent to the enclosed Deed of Variation supported by a resolution of Council; and to communicate this consent to us in writing. Please note, we are requesting consent for the Trustee to formally execute the attached Deed of Variation – your Local Government is not required to sign the enclosed document.

Trust Deed amendments set out in the Deed of Variation are based on legal advice and are intended to assist the Trust's income tax exempt status by strengthening the position that the Trust is a State / Territory Body (STB).

Legal advice identified that the Trustee's ability to retire and appoint a new Trustee might affect the Trust's classification as a State or Territory Body (STB). This view, while based upon highly technical grounds, is a risk, nonetheless.

Subsequently the Deed of Variation aims to strengthen the position that the Trust is a STB through the following amendments:

1. Removing the existing Trustee's power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation);
2. Enabling the beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation); and
3. Ensuring that the Board of Management is the 'governing body' of the Trust (Clause 2.3 of the Deed of Variation).

The three proposed amendments when applied to the relevant clauses inserted by the Deed of Variation dated 5 June 2002 will subsequently read as follows (proposed amendments shown in red text):

1. Variation 2.1 amends clause 22.1 to point to additional clause:
22.1 Any Trustee of the Trust may retire as Trustee of the Trust. ~~The~~ Subject to clause 22.3, the right to appoint any new or additional trustee or trustees of the Trust is hereby vested in the retiring or continuing trustee. A corporation or incorporated association may be appointed as Trustee of the Trust.
2. Variation 2.2 inserts two new clauses:
22.3 The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.

22.4 The Beneficiaries may at any time by Special Resolution:

- (a) remove a Trustee from the office as Trustee of the Trust; and
- (b) appoint such new or additional Trustee.

3. Variation 2.3 insert a new clause 13A
13A Delegation to the Board of Management

Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.

The first two amendments outlined above remove powers granted to the Trustee in the 2002 Deed Variation resulting from the merger to a single Association representing WA Local Governments. These amendments which previously facilitated the transfer of trusteeship to the then new Western Australian Local Government Association are removed, but with the clarification that any appointment must be with the consent of the beneficiaries.

The final amendment intends to confirm that power rests with the Board of Management. As the Board of Management comprises Local Governments, this satisfies the requirements of a STB for tax purposes. This amendment reflects the actual operation of the Trustee in implementing the decisions of the Board of Management whilst retaining sufficient operational discretion to place and renew investments and pay suppliers.

These amendments provide greater power to beneficiaries through the Board of Management, and as such it is anticipated they will be considered acceptable.

CONSULTATION:

Nick Sloan - WALGA

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
There are no risks with this proposal	Nil	Nil

STRATEGIC IMPLICATIONS:

14.3 Active civic leadership achieved

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

OFFICERS RECOMMENDATION:

That Council agrees to the variation to the Trust Deed for Local Government House Trust as proposed by WALGA and advises WALGA accordingly and shown in red ink in this report.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

12.4.6 PROPOSED WORKFORCE ACCOMMODATION - REID STREET

LOCATION:	24-30 (Lots 36, 37, 39, 735 & 736) Reid Street, Menzies
APPLICANT:	Element for Rolen Pty Ltd
OWNER:	Rolen Pty Ltd
DOCUMENT REF:	N/A
DISCLOSURE OF INTEREST:	Nil
DATE:	16 March 2020
AUTHOR:	Simon Lancaster
ATTACHMENT:	12.14.1 – Received Submissions

Note: Workforce Accommodation Camp Application Report previously provided as separate attachment to 27 February 2020 Council Agenda.

SUMMARY:

Council received an application for Workforce Accommodation upon 24-30 (Lots 36, 37, 39, 735 & 736) Reid Street, Menzies at its 27 February 2020 meeting and resolved to advertise it for comment. The advertising period has now concluded and the application, along with the received submissions, is returned to Council for its consideration. This report recommends that Council conditionally approve the application.

BACKGROUND:

The applicant is seeking approval to establish an accommodation camp to be located on Lots 36, 37, 39, 735 & 736 Reid Street, central to the townsite of Menzies with the Menzies Hotel to the east and the Tourist Information Centre and Caravan Park to the south. The total site area is 3,539m² and **Figure 1** illustrates the location of the subject lots in relation to the townsite.

Figure 1 - Location Plan for Lots 36, 37, 39, 735 & 736 Reid Street, Menzies



The development is one of two sites which are proposed to provide permanent facilities for workforce accommodation (the other being the proposed Shenton Street Workforce Accommodation Camp that was lodged as a separate application) to accommodate the FIFO workforce associated with the mine site project in Comet Vale, operated by GBF Underground Mining and located approximately 30km south of the Menzies townsite.

The workforce associated with the Comet Vale mine is currently accommodated within Menzies at the hotel and houses in the immediate surrounding area which have been secured for lease. This is not considered as a viable long-term option as the existing lodging arrangements within the townsite are nearing capacity. To enable the workforce to continue to reside in Menzies, additional accommodation is required. With the growth of the Comet Vale mining project and other subsequent projects in the future, the development will provide necessary accommodation to allow for the workforce to remain within the town and avoid potential relocation to Kalgoorlie.

The proposed workforce accommodation camp comprises 10 transportable buildings with two open central common areas and associated landscaping (see **Figure 2**). Each building will have a dimension of 15.3m x 4.3m and contain 4 rooms, so as to provide accommodation for a maximum of 40 people. Each room contains a bed, ensuite bathroom and kitchenette. The buildings would have a pitched Colorbond roof and external Colourbond clad walls, with steel footings to be concreted into the ground. A footpath connection is proposed to be provided for pedestrian access to the buildings from the front of the site, where bus parking and 4 visitor carparks are proposed.

Figure 2 - Proposed Workforce Accommodation Site Plan, Lots 36, 37, 39, 735 & 736



The 2 common areas at the centre of the site are proposed for recreational and social activities for the occupants of the development. The areas are currently proposed as a hardscaped open space. There are no common eating facilities proposed as part of this development. Instead, it is proposed that workers would use the hotel or local convenience store and cafe for meals as

required. Pre-prepared meals will also be provided at the mine site and kitchenette facilities are available for employees to make their lunch. Laundry facilities are also provided at the mine site. Landscaping and planting is proposed to occur around 3 sides of the development's perimeter, as per the site plan provided (see **Figure 2**).

Employees would typically reside at the Reid Street accommodation for 2 week periods, aligning with a 2 week on, 2 week off roster. A private bus will provide transportation for the residents to and from the airstrip and between the accommodation and the mine site. There are both day-shift and night-shift rosters with one bus picking up and dropping off the workers as the shift ends for hand-over at the mine site. The bus will depart the accommodation, with the dayshift between 4am to 5am, and return to the accommodation with the nightshift between 6am to 7am. The bus will then depart for the mine site in the afternoon between 4pm to 5pm with the nightshift and return to the accommodation between 6pm to 7pm with the dayshift. This will occur 7 days per week. When the bus is not transporting workers in the morning and evening, it is proposed to be parked at the Reid Street property.

Waste collection is proposed to comprise bins and normal Shire collections. A bin pad and storage area is proposed to be provided at the front of the property to allow bins to be collected from the verge.

On-site wastewater and effluent disposal is proposed, with the total amount of waste water expected to be produced at the site being 4,800 litres per day. As there are no kitchen or laundry facilities proposed as part of this development, the calculated output is based on 120 litres per person (maximum 40 persons) per day. With a soil category of 6 (medium to heavy clay), irrigation has been calculated on 5 litres per m². Therefore, the applicant has advised that an irrigation area of 960m² is anticipated. A total irrigation area of 1,500m² has been provided.

With regard to stormwater management, the site is proposed to be constructed so as to drain surface water run-off away from structures and neighbouring lot boundaries and generally towards the front and rear of the site. A minimum grade of 1% is proposed.

A full copy of the applicant's site, floor and elevation plans and explanatory report was included as a separate Attachment to the 27 February 2020 Council Agenda (a hard copy can also be provided to Councillors upon request).

COMMENT:

Shire staff have raised concern with the applicant during preliminary discussions that the proposed infiltration area for the effluent disposal may not meet the requirements set out by the Department of Health, particularly given that the soil permeability onsite is a soil category 6 (i.e. medium to heavy clay). It is recommended, should Council approve this application, that it be made subject to condition requiring that waste water/effluent must be treated/disposed of to the requirements of the Department of Health. It is also recommended that stormwater management be addressed within a specific condition of approval.

It is also noted that the application is proposed over multiple lots along Reid Street lots. Council may consider that the lots should be amalgamated as a condition of any approval, or alternatively consider that as the buildings are relocatable in nature rather than constructed on-site that a legal agreement could be required as a condition of approval that the lots are not to be sold into separate ownership whilst the buildings remain on-site.

CONSULTATION:

Council resolved, at its 27 February 2020 meeting, that the application for a 40 person workforce accommodation camp upon 24-30 (Lots 36, 37, 39, 735 & 736) Reid Street was in keeping with the objectives of the 'Residential' zone under the Scheme, and that public advertising of the proposed development should be undertaken in accordance with Schedule 2, Part 8 clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations') for a period of no less than 14 days.

The application was advertised for comment from 28 February 2020 until 13 March 2020 with the Shire undertaking the following actions:

- correspondence inviting comment being sent to the landowners of the 16 surrounding properties;
- correspondence inviting comment being sent to the following government agencies and service authorities:
 - Department of Fire & Emergency Services
 - Department of Health
 - Department of Mines, Industry Regulation & Safety
 - Department of Water & Environment Regulation
 - Main Roads WA
 - Water Corporation
 - Western Power
- display of the application at the Shire office;
- display of the application on the Shire website; &
- invitation to make comment placed upon the Shire Facebook page.

The Shire has received 2 submissions, both in support and offering comment upon the application, and no objections were received. Copies of the received submissions have been included as **Attachment 12.14.1**.

STATUTORY ENVIRONMENT:

State: Planning and Development (Local Planning Schemes) Regulations 2015

State Planning Policy 5.4 – Road & Rail Noise

Local: Shire of Menzies Local Planning Scheme No.1

The land subject of this application is zoned 'Residential R10/30' under the Scheme, which lists the following for this zone:

- *To provide for predominantly residential development with a variety of housing to meet the needs of different household types through the application of the Residential Planning.*
- *Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.*
- *A non-residential use shall only be permitted if the use does not detract from the amenity of the area."*

The proposed development meets the definition of ‘Workforce Accommodation’ which is defined in the Regulations as:

- “workforce accommodation means premises, which may include modular or relocatable buildings, used —*
- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
 - (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.”*

‘Workforce Accommodation’ is not listed within the Zoning Table of the Scheme, and Section 4.3.2 of the Scheme states that:

- “4.3.2 If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may:*
- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or*
 - (b) determine that the use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
 - (c) determine that the use is not consistent with the objectives and purposes of the zone and is therefore not permitted.”*

Schedule 2, Part 8 clause 64 of the Regulations also specifies the following:

- “(1) An application for development approval must be advertised under this clause if the proposed development -*
- (a) relates to the extension of a non-conforming use; or*
 - (b) relates to a use if -*
 - (i) the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; and*
 - (ii) the local government determines that the use may be consistent with the objective of that zone and that notice of the application should be given;*
- or*
- (c) does not comply with a requirement of this Scheme; or*
 - (d) is a development for which the local government requires a heritage assessment to be carried out under clause 11(1); or*
 - (e) is of a type that this Scheme requires to be advertised.”*

As the subject land is located within 300m of the Goldfields Highway (which is classified as a ‘strategic freight or major traffic route’ under *State Planning Policy 5.4 – Road & Rail Noise*) it is therefore subject to the provisions of that policy, the objectives of which are to:

- (a) protect the community from unreasonable levels of transport noise;*
- (b) protect strategic and other significant freight transport corridors from incompatible urban encroachment;*
- (c) ensure transport infrastructure and land-use can mutually exist within urban corridors;*

- (d) ensure that noise impacts are addressed as early as possible in the planning process; and
- (e) encourage best practice noise mitigation design and construction standards.”

Whilst it may be considered that the applicant has not addressed the requirements under *State Planning Policy 5.4* they have advised that “an *Acoustic Report* can be prepared and implemented as a condition of the development approval if required, to ensure suitable noise mitigation measures are in place to achieve the required noise targets for the proposal.” It is noted that the proposed development is located within a townsite that contains a residential zone and other habitable/sensitive land uses in proximity to the Goldfields Highway/Shenton Street.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

A Shire Development Application fee of \$1,957 was charged in accordance with the fees and schedules for a development with an estimated project cost of \$600,000. Fees will also be incurred by the Applicant for Building Permits and Effluent Disposal Systems should this application be granted approval.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
This is an application made under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> that Council has the responsibility to administer and make determination upon.	The application concerns itself with associated aspects of a mining operation for which an application is required to be made to the local government. The mining operations themselves are subject to compliance with the Department of Mines, Industry Regulation and Safety requirements.	The risk level is considered low if conditions are applied to any approval that Council may consider.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Strategic Community Plan 2013-2023 notes the following outcomes and objectives.

Outcomes	Objectives
Land Development	Adequate land for commercial, industrial and residential purposes
Mining Partnership	Working in partnership with the local mining industry to formalise service levels and funding arrangements to deliver mutual benefits

Increased Capacity & Accommodation Choices	Construction of a variety of new housing
Council & Community Leadership	Provide leadership and advocacy on behalf of the community
Community Engagement	Continue to engage in effective communication and collaboration with community members.

VOTING REQUIREMENTS:

Simple Majority.

OFFICERS RECOMMENDATION:

That Council grant planning approval for the establishment of Workforce Accommodation upon 24-30 (Lots 36, 37, 39, 735 & 736) Reid Street, Menzies subject to the following:

Conditions:

- 1 Development shall be in accordance with the approved plan(s) dated 26 March 2020 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 3 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government.
- 4 The proponent is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan.
- 5 The development shall utilise building materials and colours that are considered complementary to the surrounding natural landscape features or desired streetscape to the approval of the local government.
- 6 Fencing shall be to the approval of the local government.
- 7 The waste/bin storage area shall be screened to the approval of the local government.
- 8 The design, construction, drainage and maintenance of the internal roads, vehicle manoeuvring and parking areas associated with the development shall be to the approval of the local government, with all costs met by the applicant.

- 9 All parking of vehicles associated with the development shall be provided for within the property boundary, and the road verge area shall be kept free of such vehicles.
- 10 The location, design and construction/upgrading of the access points onto Reid Street shall be to the requirements of the local government, with all costs met by the applicant.
- 11 Landscaping is required to be installed and maintained along the northern, eastern and southern perimeters of the development to the approval of the local government.
- 12 All lighting devices shall be installed and shaded in such a way as to not cause undue light spill to motorists or neighbouring properties to the approval of the local government.
- 13 All stormwater is to be disposed of on-site to the approval of the local government.
- 14 All wastewater (inclusive of sewerage, effluent and liquid waste) is to be treated to the requirements of the Department of Health.
- 15 The development is to be connected to power and water services.
- 16 The lots containing the development must not to be sold into separate ownership whilst the buildings remain on-site.

Advice Notes:

- (a) The applicant is advised that this planning approval does not negate the requirement for any additional approvals or compliance which may be required under separate legislation including but not limited to the *Building Act 2011*, *Building Regulations 2012*, *Health Act 1911*, *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*, *Liquor Control Act 1988* and *Environmental Protection (Noise) Regulations 1997*. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences and comply with separate legislation as required.
- (b) In relation to condition 3 the Management Plan is to include sections relating to Fire Management, Emergency Evacuation, Noise Management, Waste/Rubbish Management and Wastewater/Effluent Disposal Management.
- (c) If an applicant is aggrieved by this determination there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

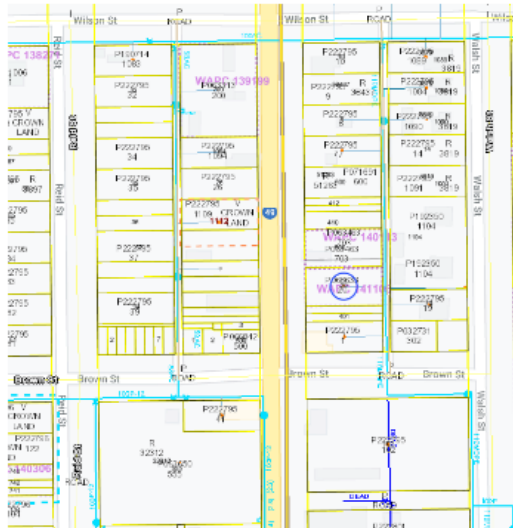
SECONDED: Cr

Carried /

From: Building Services <Building.Services@watercorporation.com.au>
Sent: Wednesday, 4 March 2020 7:52 AM
To: Shire of Menzies <admin@menzies.wa.gov.au>
Subject: LOTS 36, 37, 39, 735 & 736 REID ST AND LOT 20 SHENTON ST MENZIES

Good morning

The lots on Reid St and Shenton St, Menzies have available water mains to arrange connection to. We have no objection to this development. A building application will need to be submitted into us as well as applying for a water connection.



If you need further information, please do not hesitate to contact us.

Kind regards
Kerry Moore
 Officer - Building Services
 Development Services
 Assets Planning & Delivery Group

E building.services@watercorporation.com.au
 T 13 13 95



watercorporation.com.au



We wish to acknowledge the Traditional Custodians of the land we are working on, the Whadjuk people. We would like to pay respect to the Elders of the Noongar nation, past, present and future, who have walked and cared for the land and we acknowledge and respect their continuing culture and the contributions made to the life of this City and this region.

The information and advice contained in this email is provided voluntarily as a public service. It is made available in good faith and is derived from sources believed to be reliable and accurate at the time it was written. However, the information is provided solely on the basis that you, as the receiver, will be responsible for making your own assessment of the matters discussed herein and you are advised to verify all relevant representations, statements and information. The Water Corporation does not accept liability for any injury, loss or damage incurred by reliance on the information or advice provided in this email.



SHIRE OF MENZIES

**DEVELOPMENT APPLICATION SUBMISSION FORM
PROPOSED WORKFORCE ACCOMMODATION
LOTS 36, 37, 39 735 & 736 REID STREET MENZIES
& LOT 20 SHENTON STREET MENZIES**

Name: Sarah Cooney

Postal Address: 44 Excalibur Way Carine WA 6020

Phone Number: 0412 019 292

SUBMISSION RELATES TO:

PROPOSED WORKFORCE ACCOMMODATION LOTS 36, 37, 39 735 & 736 REID STREET MENZIES

PROPOSED WORKFORCE ACCOMMODATION LOT 20 SHENTON STREET MENZIES

Please indicate whether your submission relates to either or both applications.

NATURE OF SUBMISSION:

Support Object Indifferent

Please indicate nature of submission, and give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets).

__ Generally we support the submission as it will benefit the Menzies townsite in regards to economic and social benefits. In relation to the general nature of the submission the following items are to be addressed:

- That rubbish and refuse from the proposed accommodation site does not affect surrounding Lots – if any rubbish is evident that it be collected and disposed of by accommodation landowner;

- The location of any sewerage / greywater or associated machinery (which generates noise) to be located away from surrounding landowners so as not to impact their Lot or future development opportunity;
 - That priority be given to establishing LARGE significant shade trees to the perimeter of the site. The townsite is sorely lacking in natural shade. The submission gives opportunity for greywater to be reused for irrigation. This opportunity should be maximised and a significant stand of trees established to the perimeter of the site (that is, all 4 sides of the accommodation site). Irrigated turf is highly desirable as is shade trees. Fast growing species with a broad canopy are preferred to promote shade and reduce heat loading on the site. And also to create a screen and provide some privacy to the accommodation dwellings. Shrub planting and irrigated garden beds are not as critical as the establishment of BIG trees for shade;
 - That any leach drains or similar infiltration systems are located at least 5 m from fencelines and designed to drain away from buildings towards the rear of the site;
 - Stormwater from the accommodation site does not impact any of the surround properties;
 - Any existing mature trees on site to be retained and protected during and after construction;
 - The irrigation is not to cause staining to any adjacent Lots; and
 - What is the proposed perimeter fence to be constructed of?
-

Signature: Sarah J. Cooney Date: 11.03.2020

Please return to: Chief Executive Officer or admin@menzies.wa.gov.au
Shire of Menzies
PO Box 4 or (fax) 9024 2110
MENZIES WA 6436

NOTE: *The local government in determining the application will take into account the submissions received but is not obliged to support those views.*

Submissions Close: 4:00pm Friday 13 March 2020

12.4.7 PROPOSED WORKFORCE ACCOMMODATION - SHENTON STREET

LOCATION:	40 (Lot 20) Shenton Street, Menzies
APPLICANT:	Element for Rolan Pty Ltd
OWNER:	A & A Bogatchev
DOCUMENT REF:	N/A
DISCLOSURE OF INTEREST:	Nil
DATE:	16 March 2020
AUTHOR:	Simon Lancaster
ATTACHMENT:	Note 1: Received submissions same as those contained within Attachment 12.14.1 Note 2: Workforce Accommodation Camp Application Report previously provided as separate attachment to 27 February 2020 Council Agenda.

SUMMARY:

Council received an application for Workforce Accommodation upon 40 (Lot 20) Shenton Street, Menzies at its 27 February 2020 meeting and resolved to advertise it for comment. The advertising period has now concluded and the application, along with the received submissions, is returned to Council for its consideration. This report recommends that Council conditionally approve the application.

BACKGROUND:

The applicant is seeking approval to establish an accommodation camp to be located on 40 (Lot 20) Shenton Street, central to the townsite of Menzies with the Menzies Hotel to the west and the Pioneer Store Gallery to the immediate north. Lot 20 is a 1,272m² property and **Figure 1** illustrates the location of the subject lot in relation to the Menzies townsite.

Figure 1 - Location Plan for 40 (Lot 20) Shenton Street, Menzies

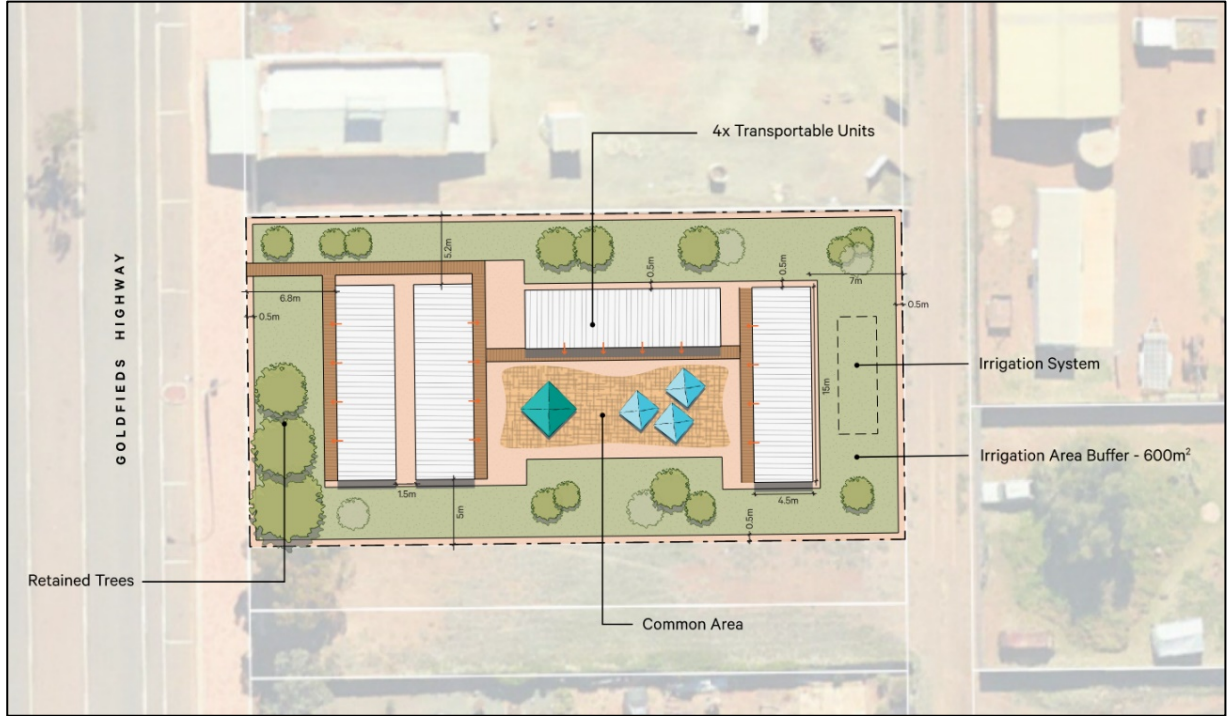


The development is one of two sites which are proposed to provide permanent facilities for workforce accommodation (the other being the proposed Reid Street Workforce Accommodation Camp that was lodged as a separate application) to accommodate the FIFO workforce associated with the mine site project in Comet Vale, operated by GBF Underground Mining and located approximately 30km south of the Menzies townsite.

The workforce associated with the Comet Vale mine is currently accommodated within Menzies at the hotel and houses in the immediate surrounding area which have been secured for lease. This is not considered as a viable long-term option as the existing lodging arrangements within the townsite are nearing capacity. To enable the workforce to continue to reside in Menzies, additional accommodation is required. With the growth of the Comet Vale mining project and other subsequent projects in the future, the development will provide necessary accommodation to allow for the workforce to remain within the town and avoid potential relocation to Kalgoorlie.

The proposed workforce accommodation camp comprises 4 transportable buildings with one open central common area and associated landscaping (see **Figure 2**). Each building will have a dimension of 15.3m x 4.3m and contain 4 rooms, so as to provide accommodation for a maximum of 16 people. Each room contains a bed, ensuite bathroom and kitchenette. The buildings would have a pitched Colorbond roof and external Colourbond clad walls, with steel footings to be concreted into the ground. A footpath connection is proposed to be provided for pedestrian access to the buildings from the front of the site. No onsite carparking is proposed and street parking embayments located directly adjacent to the subject lot are proposed to be used for bus pick-ups and drop-offs for a maximum period of 15 minutes.

Figure 2 - Site Plan for proposed Workforce Accommodation upon Lot 20 Shenton Street



The common area at the centre of the site is proposed for recreational and social activities for the occupants of the development. The areas are currently proposed as a hardscaped open space. There are no common eating facilities proposed as part of this development. Instead, it is proposed that workers would use the hotel or local convenience store and cafe for meals as required. Pre-prepared meals will also be provided at the mine site and kitchenette facilities are available for employees to make their lunch. Laundry facilities are also provided at the mine site.

Three existing trees to the front of the site are proposed to be retained, with further planting to occur inside the lot boundaries, as per the site plan provided (see **Figure 2**).

Employees will typically reside at the Shenton Street accommodation for 2 week periods, aligning with a 2 week on, 2 week off roster. A private bus will provide transportation for the residents to and from the airstrip and between the accommodation and the mine site. There are both day-shift and night-shift rosters with one bus picking up and dropping off the workers as the shift ends for hand-over at the mine site. The bus will depart the accommodation, with the dayshift between 4am to 5am, and return to the accommodation with the nightshift between 6am to 7am. The bus will then depart for the mine site in the afternoon between 4pm to 5pm with the nightshift and return to the accommodation between 6pm to 7pm with the dayshift. This will occur 7 days per week.

Waste collection is proposed to comprise bins and normal Shire collections. A bin pad and storage area is proposed to be provided at the front of the property to allow bins to be collected from the verge.

On-site wastewater and effluent disposal is proposed, with the total amount of waste water expected to be produced at the site being 1,920 litres per day. As there are no kitchen or laundry facilities proposed as part of this development, the calculated output is based on 120 litres per person (maximum 16 persons) per day. With a soil category of 6 (medium to heavy clay), irrigation has been calculated on 5 litres per m². Therefore, the applicant has advised that an irrigation area of 384m² is anticipated. A total irrigation area of 600m² has been provided.

With regard to stormwater management, the site is proposed to be constructed so as to drain surface water run-off away from structures and neighbouring lot boundaries and generally towards the front and rear of the site. A minimum grade of 1% is proposed.

A full copy of the applicant's site, floor and elevation plans and explanatory report was included as a separate Attachment to the 27 February 2020 Council Agenda (a hard copy can also be provided to Councillors upon request).

COMMENT:

Shire staff have raised concern with the applicant during preliminary discussions that the proposed infiltration area for the effluent disposal may not meet the requirements set out by the Department of Health, particularly given that the soil permeability onsite is a soil category 6 (i.e. medium to heavy clay). It is recommended, should Council approve this application, that it be made subject to condition requiring that waste water/effluent must be treated/disposed of to the requirements of the Department of Health. It is also recommended that stormwater management be addressed within a specific condition of approval.

CONSULTATION:

Council resolved, at its 27 February 2020 meeting, that the application for a 16 person workforce accommodation camp upon Lot 20 Shenton Street, was in keeping with the objectives of the 'Residential' zone under the Scheme, and that public advertising of the proposed development should be undertaken in accordance with Schedule 2, Part 8 clause 64 of the *Planning and*

Development (Local Planning Schemes) Regulations 2015 ('the Regulations') for a period of no less than 14 days.

The application was advertised for comment from 28 February 2020 until 13 March 2020 with the Shire undertaking the following actions:

- correspondence inviting comment being sent to the landowners of the 12 surrounding properties;
- correspondence inviting comment being sent to the following government agencies and service authorities:
 - Department of Fire & Emergency Services
 - Department of Health
 - Department of Mines, Industry Regulation & Safety
 - Department of Water & Environment Regulation
 - Main Roads WA
 - Water Corporation
 - Western Power
- display of the application at the Shire office;
- display of the application on the Shire website; &
- invitation to make comment placed upon the Shire Facebook page.

The Shire received 2 submissions, both in support and offering comment upon the 2 Workforce Accommodation applications (Reid Street and Shenton Street proposals), and no objections were received. Copies of the received submissions have been included as **Attachment 12.14.1** to avoid duplication.

STATUTORY ENVIRONMENT:

State: Planning and Development (Local Planning Schemes) Regulations 2015

State Planning Policy 5.4 – Road & Rail Noise

Local: Shire of Menzies Local Planning Scheme No. 1

The land subject of this application is zoned 'Commercial' under the Scheme, which lists the following for this zone:

- *To maintain a compact and accessible centre.*
- *To centralise commercial and service functions.*
- *To maintain safety and efficiency of traffic flows and provide for adequate facilities for the storage and circulation of vehicles.*
- *To preclude the storage of bulky and unsightly goods where they may be in public view.*
- *To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design facades.*
- *To provide sheltered places for pedestrians.*
- *To restrict industrial type uses to service or low impact, labour intensive industries that relate to the centre functions.*
- *To reduce uses attracting large volumes of truck traffic other than to service retail outlets.*
- *To provide for residential uses only where the uses are combined with a commercial use, e.g. hotel, or where the residential uses occupy a floor level where it is impracticable or inappropriate to establish a shop or office."*

The proposed development meets the definition of ‘Workforce Accommodation’ which is defined in the Regulations as:

- “workforce accommodation means premises, which may include modular or relocatable buildings, used —*
- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
 - (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.”*

‘Workforce Accommodation’ is not listed within the Zoning Table of the Scheme, and Section 4.3.2 of the Scheme states that:

- “4.3.2 If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may:*
- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or*
 - (b) determine that the use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
 - (c) determine that the use is not consistent with the objectives and purposes of the zone and is therefore not permitted.”*

Schedule 2, Part 8 clause 64 of the Regulations also specifies the following:

- “(1) An application for development approval must be advertised under this clause if the proposed development -*
- (a) relates to the extension of a non-conforming use; or*
 - (b) relates to a use if -*
 - (i) the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; and*
 - (ii) the local government determines that the use may be consistent with the objective of that zone and that notice of the application should be given;*
- or*
- (c) does not comply with a requirement of this Scheme; or*
 - (d) is a development for which the local government requires a heritage assessment to be carried out under clause 11(1); or*
 - (e) is of a type that this Scheme requires to be advertised.”*

As the subject land is located within 300m of the Goldfields Highway (which is classified as a ‘strategic freight or major traffic route’ under *State Planning Policy 5.4 – Road & Rail Noise*) it is therefore subject to the provisions of that policy, the objectives of which are to:

- “(a) protect the community from unreasonable levels of transport noise;*
- (b) protect strategic and other significant freight transport corridors from incompatible urban encroachment;*
- (c) ensure transport infrastructure and land-use can mutually exist within urban corridors;*

- (d) ensure that noise impacts are addressed as early as possible in the planning process; and
- (e) encourage best practice noise mitigation design and construction standards.”

Whilst it may be considered that the applicant has not addressed the requirements under *State Planning Policy 5.4* they have advised that “an *Acoustic Report* can be prepared and implemented as a condition of the development approval if required, to ensure suitable noise mitigation measures are in place to achieve the required noise targets for the proposal.” It is noted that the proposed development is located within a townsite that contains a residential zone and other habitable/sensitive uses along the Goldfields Highway/Shenton Street frontage.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

A Shire Development Application fee of \$768 was charged in accordance with the fees and schedules for a development with an estimated project cost of \$240,000. Fees will also be incurred by the Applicant for Building Permits and Effluent Disposal Systems should this application be granted approval.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
This is an application made under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> that Council has the responsibility to administer and make determination upon.	The application concerns itself with associated aspects of a mining operation for which an application is required to be made to the local government. The mining operations themselves are subject to compliance with the Department of Mines, Industry Regulation and Safety requirements.	The risk level is considered low if conditions are applied to any approval that Council may consider.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Strategic Community Plan 2013-2023 notes the following outcomes and objectives:

Outcomes	Objectives
Land Development	Adequate land for commercial, industrial and residential purposes
Mining Partnership	Working in partnership with the local mining industry to formalise service levels and funding arrangements to deliver mutual benefits
Increased Capacity & Accommodation Choices	Construction of a variety of new housing

Council & Community Leadership	Provide leadership and advocacy on behalf of the community
Community Engagement	Continue to engage in effective communication and collaboration with community members.

VOTING REQUIREMENTS:

Simple majority.

OFFICERS RECOMMENDATION:

That Council grant planning approval for the establishment of Workforce Accommodation upon 40 (Lot 20) Shenton Street, Menzies subject to the following:

Conditions:

- 1 Development shall be in accordance with the approved plan(s) dated 26 March 2020 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 3 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government.
- 4 The proponent is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan.
- 5 The development shall utilise building materials and colours that are considered complementary to the surrounding natural landscape features or desired streetscape to the approval of the local government.
- 6 Fencing shall be to the approval of the local government.
- 7 The waste/bin storage area shall be screened to the approval of the local government.
- 8 The construction/upgrading of the on-street parking areas and bus pick-up/drop-off areas shall be to the approval of the local government, with all costs met by the applicant.
- 9 Landscaping is required to be installed and maintained along the perimeters of the development to the approval of the local government.
- 10 All lighting devices shall be installed and shaded in such a way as to not cause undue light spill to motorists or neighbouring properties to the approval of the local government.

- 11 All stormwater is to be disposed of on-site to the approval of the local government.
- 12 All wastewater (inclusive of sewerage, effluent and liquid waste) is to be treated to the requirements of the Department of Health.
- 13 The development is to be connected to power and water services.

Advice Notes:

- (a) The applicant is advised that this planning approval does not negate the requirement for any additional approvals or compliance which may be required under separate legislation including but not limited to the *Building Act 2011*, *Building Regulations 2012*, *Health Act 1911*, *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*, *Liquor Control Act 1988* and *Environmental Protection (Noise) Regulations 1997*. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences and comply with separate legislation as required.
- (b) In relation to condition 3 the Management Plan is to include sections relating to Fire Management, Emergency Evacuation, Noise Management, Waste/Rubbish Management and Wastewater/Effluent Disposal Management.
- (c) If an applicant is aggrieved by this determination there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	27 February 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	Assessment Summary

SUMMARY:

This item recommends Council accepts the Tender from Roadtech Constructions.

BACKGROUND:

In 2019/2020 Council budgeted for road re-sheeting works on various roads within the Shire. Funding has come from regional Road Group and Shire funds.

ROAD NAME	START SLK	FINISH SLK	WATER POINT	GRAVEL SOURCE	COMMENT
YARRI RD	11	13.8	SLK 32.3	SLK 3	
YARRI RD	15	30	SLK 32.3	SLK 21	
MENZIES NORTH WEST RD (<i>Menzies Sandstone Rd</i>)	60.9	65.2	SLK 28 & SLK 76.32	SLK 62.4	Water at SLK 28 may be in use by others. Use to load trucks going out to site only
MENZIES NORTH WEST RD	70	See Comments	SLK 76.32	SLK 62.4	Termination of works will depend on Budget and directed by Superintendent on site
MENZIES - EVERSTON RD	79.21	99.21	SLK 74.21	SLK 79.21	

Tenders were advertised on 18/02/2020 and closed on 10/03/2020.

Three tenders were received and opened in the presence of Shire President Cr. Greg Dwyer, Works Supervisor Paul Warner and CEO Peter Money

The tenders received were from:

WCP Civil (West Coast Profilers)
Roadtech Civil and Construction
Dean Contracting

COMMENT:

Tenders were assessed in-house by Works Supervisor Paul Warner, externally by Katie Hall (Consulting Engineer) and Joshua Kirk (Principal) Greenfield Technical Services.

The individual and confidential tender submissions and assessments are available to Councillors if requested.

Detailed analysis was carried out by three parties with all three agreeing to select Roadtech Civil and Construction based on medium pricing, adequately skilled and readily available personnel, equipment and a satisfactory past work carried out with the Shire.

If any of the provisional items described within the tender are required, the value of the contract may need to be varied.

Therefore, it is also recommended that the Council delegate responsibility to the Shire’s Chief Executive Officer to negotiate ant provisional items included in the RFT Pricing Schedule to a value of 10% of the total contract value as required.

CONSULTATION:

Paul Warner – Works Supervisor
Katie Hall – Consulting Engineer
Greenfield Technical Services

STATUTORY ENVIRONMENT:

*Local Government (Functions and General) Regulations
Reg. 11(2)(C)
Local Government Act 1995 s5.42 Delegation of powers and duties to the Chief Executive Officer*

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The estimated cost is within budget.

RISK ASSESSMENT:

<u>Risk Statement</u>	<u>Level of Risk</u>	<u>Risk Mitigation Strategy</u>
A thorough specification was provided for tender purposes.	Low	The risk level is considered medium if

A full assessment from three different tenders has been conducted.	Low	full and detailed steps are followed.
The recommendation was based on all three assessors agreeing after a qualitative and price evaluation and value for money.	Medium	The risk level is medium if all tenderers are not independently and fairly assessed.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.

14.2 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.

14.3 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.

OFFICERS RECOMMENDATION:

That Council:

1. Awards RFT 02/2020 for the Re-sheeting Programme to Roadtech Civil and Construction as tendered; and

2. Delegate authority to the Chief Executive Officer to negotiate any provisional items included in the RFT Pricing Schedule to a value of 10% of the total contract value as required.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /

ATTACHMENT

SUMMARY OF RFT 02/2020

SHIRE OF MENZIES RESHEETING PROGRAMME 2019/2020

TENDER	Dean	Roadtech	WCP	
ASSESSOR				
Greenfield	75.3	100	43.9	
Katie Hall	6.89	10	4.93	
Paul Warner	7.69	12.12	7.66	
TOTAL	89.88	122.12	56.49	

Not that each assessor uses a different score method hence the variations in each assessment value.

However the outcomes are the same.

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

12.5.2

STATUS UPDATE

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	26 March 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	Nil

SUMMARY:

The table below shows progress of Council resolutions and administrative and budget matters.

BACKGROUND:

Status Update – Council Resolutions

MEETING DATE	RESOLUTION NO	RESOLUTION	RESPONSE / OFFICER	TIMEFRAME
	1733	Engage McLeods Barristers and Solicitors to prepare a notice advising the owner Mr Gopel of 85 Suiter Street Menzies, that Council intends to issue a Building Order forcing the removal of the illegally constructed structure built over his caravan within 30 days from the date of the Building Order. The notice prepared by McCleods is to provide Mr Gopel 14 days to make a submission to Council as to why it should not issue the Building Order. If a submission is not received from Mr Gopel or resolution of the issue reached within the 14 days then McCleods Barristers and Solicitors be		November resolution held over for Christmas. Further discussions with Mr. Gopel – did not accept options. Move to resolve to issue letters February 2020 Meeting Letters in progress March 2020

		requested to issue the building Order requiring demolition and removal of the illegally constructed structure built over his caravan at 85 Suiter Street Menzies within 30 days from the date of the Building Order.		
	1741	That Council approve expenditure of up to \$3,000 to purchase a reflector telescope suitable for stargazing.		COMPLETED
	1742	That Council request the CEO to proceed with necessary arrangements to cost the installation of a fence and other facilities on the Town Common boundary; liaise with adjoining Station owners for shared costs and prepare a budget amendment to allocate the necessary funds at the appropriate time.		For personal reasons, the letters to adjoining owners has been delayed. To commence in March 2020
	1743	That Council: 1. Gives local public notice of its intention to carry out a review of wards and representation and invites submissions as required under Clause 6(1) of Schedule 2.2 of the Local Government Act 1995; 2. Endorses the 'Shire of Menzies Ward Review and Representation Discussion Paper' as attached to the report of the CEO for the purposes of seeking public submissions; 3. Notes that the results of the public consultation will be presented to council in due course.	Advertising commenced – closing 10/01/2020	Subject in February 2020 Meeting for Council Decision Documents sent to DLG Advisory board for review March 2020

	1745	<p>That Council:</p> <ol style="list-style-type: none"> 1. declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commission be responsible for the conduct of the extraordinary election: 2. decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the extraordinary election will be as a postal election. 		<p>WAEC Advised</p> <p>Election day 28.02.2020</p>
	1746	<p>MOVED: Cr Justin Lee SECONDED: Cr Ian Baird</p> <ol style="list-style-type: none"> 1. That Council applies for membership of the Golden Quest Discovery Trail Association; 2. That the CEO develop a Draft Tourism Strategy for presentation to Council by June 2020. 		<p>It appears that Shire of Menzies may already be a member of the GQDT as a result of name change from the GTNA</p> <p>Part time Project Officer to pursue – may also combine with Northern Goldfields Group</p>

Administrative and Budgeted Matters

TITLE	COMMENT	EXPECTED COMPLETION
Planning Scheme Review	In progress – May 2018 documents to Council were incomplete and progress was halted	Late 2020
Niagara Dam Repairs to sluice valves	Underway	Quotes have been received and budget allocations made to enable progress – currently under water – March 2020
Town Dam Project	Underway – dependent on Water Corp processes	Deferred pending advice from consultation process mid 2020

Menzies NW Road Sealing	Waiting on the completion of design drawings	Tendered – to February March 2020 Council Meeting
Gravel Roads re-Sheeting and construction Works	Tenders are being prepared	Expect ready for March 2020 Council Meeting
Kookynie Waste Site	New hole to be dug	COMPLETED
Grid Replacement Program	Commenced in mid-November	COMPLETED
Housing Capital Works	Houses in Mercer, Onslow and Reid Streets	Quotes are being reviewed – may be considerable savings in in-house completion March 2020
Old Church Building Capital Upgrades	External cladding ceilings and fence	External cladding completed Feb 2020
Caravan Park Units	Tender process to be finalised	Construction underway – expected delivery May 2020
Construction of Truck Bay Ablutions	Tender process to be finalised	Purchase order issued, pad being prepared and water connection applied for, quotes for leach drains underway – March 2020
Construction of 3 Bedroom House	Tender process to be finalised	Underway – waiting on building plans to be provided and reviewed. March 2020
Lady Shenton Upgrade	June 2020	Roof work completed – internal work possibly later in 2020
Administration Building – Ffront Counter	In-house – June 2020	Old counter currently being assessed, measured and replacement timber being sought – Expect completion early June 2020
Goongarrie Cottage Maintenance	Securing of the cottages	Item to Council April 2020 on options
Town Hall / Admin Upgrade	June 2020	
New Records Facility	Budgeted - Defer to 2020/2021	

Risk Management	Underway – will require external support	Mid 2020
HR Reviews	Underway – positions and duties being reviewed gradually for greater efficiencies	Underway – completion late May 2020
Standardise Accounts System	Underway early October 2019	Completed in December but faults occurred in January 2020
Ongoing IT Deficiencies	Assessed and changes being introduced – currently trialling a test system	Contracted to happen mid-late February 2020
Develop Compliance Calendar	Develop an accurate Compliance Calendar for internal and Council information	Underway – completion expected April 2020
Develop Internal Activity / Processes Calendar	A calendar of internal activities to guide staff	Expect completion May/June 2020
Updating of all Strategic Plans	Preparations underway	Expect completion April/May 2020
Updating of Disability Plan	Not yet programmed	Expect completion by June 2020
Updating Delegation Register	Underway	Presentation at March 2020 Meeting
Amendments to the LG Act	Numerous matters are being implemented with many more to come	Depending on when the Act is finalised – late 2020?

Category	Status
Not Started	
In Progress	
Completed	

COMMENT:

Updated monthly. Completed Items are removed after the Meeting the Item is accepted by Council.

CONSULTATION:

As applicable.

STATUTORY ENVIRONMENT:

Local Government Act 1995 s5.41

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Not applicable.

RISK ASSESSMENT:

This report will ensure Council is informed about the progress of its resolutions and advising of any reasons for delays.

STRATEGIC IMPLICATIONS:*14.3 Active civic leadership achieved*

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

OFFICERS RECOMMENDATION:

That Council accepts the February 2020 Status Update Report.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

13 ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

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

15 NEXT MEETING

16 CLOSURE OF MEETING

There being no further business, the meeting closed at pm.