



SHIRE OF MENZIES

Minutes

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

27 MAY 2021

Commencing at 1.00pm

At Menzies

DISCLAIMER

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

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

FINANCIAL INTEREST

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

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

Councillors should declare an interest:

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

A member who has declared an interest must not:

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

Councillor Attendance
Shire of Menzies Council Meetings 2020/2021

Council Meeting Date	Attended in Person	Electronic Attendance	Leave of Absence	Apologies	Absent
17 December 2021	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader			Cr J Lee Cr V Ashwin	
28 January 2021	Cr G Dwyer Cr K Mader Cr S Baird	Cr J Dwyer - Kambalda Cr J Lee - MAC Office Cr I Baird -Wongary	Cr J Dwyer Cr V Ashwin		
25 February 2021	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader	Cr J Lee- MAC Office	Cr V Ashwin	Cr S Baird	
25 March 2021	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader Cr J Lee Cr S Baird		Cr V Ashwin		
29 April 2021	Cr G Dwyer Cr J Dwyer Cr K Mader	Cr I Baird – PT Office Cr J Lee- MAC Office		Cr S Baird	
27 May 2021	Cr G Dwyer Cr K Mader Cr S Baird Cr I Baird	Cr J Dwyer – Kambalda East.		Cr J Lee	

TABLE OF CONTENTS

ORDINARY COUNCIL MEETING 27 MAY 2021

1. DECLARATION OF OPENING	6
2. ANNOUNCEMENT OF VISITORS	6
3. RECORD OF ATTENDANCE	6
4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	6
5. PUBLIC QUESTION TIME	6
6. APPLICATIONS BY MEMBERS	6
7. DECLARATIONS OF INTEREST	6
8. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS	6
9. CONFIRMATION/RECEIVAL OF MINUTES	6
10. PETITIONS/DEPUTATIONS/PRESENTATIONS	7
11. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION	7
12. REPORTS BY OFFICERS	7
12.1 FINANCE REPORTS	8
12.1.1 Finance Report – April 2021	8
12.1.2 List of Payments for the Month of April 2021	10
12.1.3 Monthly Investment Report April 2021	12
12.2 ADMINISTRATION REPORTS	15
12.2.1 Draft Amended Policy 5.1 – Acting Chief Executive Officer	15
12.2.2 Differential Rates FY21/22	17
12.2.3 Fees and Charges FY 21/22	20
12.2.4 Menzies Properties	22
12.2.5 Upurli Upurli Nguratja Native Title Claim	24
12.2.6 Chief Executive Officer Interim Probation Performance Review	26
12.2.7 Attendance at KBCCI Women’s Leadership Forum – Cr J Dwyer	29
12.2.8 Local Laws Review – Shire of Menzies	31
12.2.9 Changes to Senior Management Positions	35
12.2.10 New Policy 4.13 – Asset Management	38
12.2.11 Draft Replacement Policy 6.1 – Work Health and Safety	40

13. INFORMATION REPORTS	42
13.1 INFORMATION REPORTS	42
13.1.1 Actions Performed Under Delegation for April 2021	42
13.1.2 WHS Activities for April 2021	44
13.1.3 Menzies EHO Report for April 2021	45
13.1.4 Community Services Report for April 2021	46
13.1.5 Compliance Calendar for April 2021	49
13.1.6 March Quarter Compliance Audit Report	50
14. ELECTED MEMBER MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	51
15. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	51
16. CONFIDENTIAL REPORTS	51
17. NEXT MEETING	51
18. CLOSURE OF MEETING	51

1 DECLARATION OF OPENING

The President declared the meeting open at 1.05pm.

2 ANNOUNCEMENT OF VISITORS

Nil.

3 RECORD OF ATTENDANCE

Present

Councillors:

**Cr G Dwyer
Cr I Baird
Cr J Dwyer
Cr K Mader
Cr S Baird**

**Shire President
Deputy Shire President**

Apology:

Cr J Lee

Staff:

Mr B Joiner

Chief Executive Officer

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5 PUBLIC QUESTION TIME

Nil.

6 APPLICATIONS BY MEMBERS

Nil.

7 DECLARATIONS OF INTEREST

CEO declares an impartiality interest in item 12.2.1.
Cr I Baird declares an impartiality interest in item 12.2.5.
Cr S Baird declares an impartiality interest in item 12.2.5.
CEO declares a financial interest in item 12.2.6.
Cr J Dwyer declares a financial interest in item 12.2.7.

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil.

9 CONFIRMATION / RECEIVAL OF MINUTES

9.1.1 CONFIRMATION of the Minutes of the Ordinary Council Meeting held on 29 April 2021.
(Provided under Separate Cover)

9.1.2 CONFIRMATION of the Minutes of the Special Council Meeting held on 06 May 2021.
(Provided under Separate Cover)

COUNCIL DECISION:

Council Resolution Number	2166
----------------------------------	-------------

Moved	Cr K Mader	Seconded	Cr S Baird
--------------	-------------------	-----------------	-------------------

That the minutes of the Ordinary Meeting of Council held on Thursday 29 April 2021 and the Special Council Meeting held on Thursday 06 May 2021 be confirmed as a true and correct record.

Carried	5/0
----------------	------------

10 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil.

11 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

COUNCIL DECISION:

Council Resolution Number	
----------------------------------	--

Moved		Seconded	
--------------	--	-----------------	--

That the President's Report for the month of April 2021 be received.

Carried	
----------------	--

President's report was not received.

12 REPORTS OF OFFICERS

12.1 FINANCE REPORTS

12.1.1 Finance Report – April 2021

12.1.1 FINANCE REPORT – APRIL 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	FIN.551.1
DATE OF REPORT	12 May 2021
AUTHOR	R Hawkins
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	NIL
ATTACHMENT	Monthly Financial Report for the period ending 30 April 2021

SUMMARY:

Statutory Financial Reports are submitted to Council as a record of financial activity for the year to 30 April 2021.

BACKGROUND:

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

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

COMMENT:

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

CONSULTATION:

Nil

STATUTORY AUTHORITY:

*Local Government Act 1995 Section 6.4
Local Government (Financial Management) Regulation 1996, 34*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

As detailed in the attachment.

RISK ASSESSMENT:

Nil

STRATEGIC IMPLICATIONS:

14.3 Active civic leadership achieved

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council receive the Statement of Financial Activity for the period ending 30 April 2021 as attached and note any material differences.

COUNCIL DECISION:

Council Resolution Number	2167
----------------------------------	-------------

Moved	Cr I Baird	Seconded	Cr S Baird
--------------	-------------------	-----------------	-------------------

That Council receive the Statement of Financial Activity for the period ending 30 April 2021 as attached and note any material differences.

Carried	5/0
----------------	------------

12.1.2 List of Payments for the Month of April 2021

12.1.2 LIST OF PAYMENTS FOR THE MONTH OF APRIL 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	NAM 388
DATE OF REPORT	10 MAY 2021
AUTHOR	Carol McAllan – Finance Officer
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Payments for the Month of APRIL

SUMMARY:

The list of payments made for the Month of April 2021 be received by Council.

BACKGROUND:

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

COMMENT:

The EFT, Direct Debit, Credit Card and Payroll payments that have been made for the Month of April 2021 are attached.

CONSULTATION:

Rhona Hawkins – Consultant Deputy Chief Executive Officer.

STATUTORY AUTHORITY:

Local Government (Financial Management) Regulations 1996 Regulation 13.

POLICY IMPLICATIONS:

Policy 4-7 – Creditors – Preparation for Payment

FINANCIAL IMPLICATIONS:

\$160,126.15 withdrawn from Municipal Bank Account.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy

STRATEGIC IMPLICATIONS:

14.3 – Active Civil 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 April 2021 totalling \$160,126.15 being:

1. Electronic Funds Transfer EFT 5910 – 5941, payments from Municipal Fund totalling \$50,482.24
2. Direct Debit payments from the Municipal Fund totalling \$36,963.71
3. Payroll payments from the Municipal Fund totalling \$72,680.20
4. Credit Card payments of \$378.14 for the Statement Month of March are included in Direct Debits of \$36,963.71

COUNCIL DECISION:

Council Resolution Number	2168
----------------------------------	-------------

Moved	Cr K Mader	Seconded	Cr I Baird
--------------	-------------------	-----------------	-------------------

That Council receive the list of payments for the Month of April 2021 totalling \$160,126.15 being:

- 1. Electronic Funds Transfer EFT 5910 – 5941, payments from Municipal Fund totalling \$50,482.24**
- 2. Direct Debit payments from the Municipal Fund totalling \$36,963.71**
- 3. Payroll payments from the Municipal Fund totalling \$72,680.20**
- 4. Credit Card payments of \$378.14 for the Statement Month of March are included in Direct Debits of \$36,963.71**

Carried	5/0
----------------	------------

12.1.3 Monthly Investment Report April 2021

12.1.3 MONTHLY INVESTMENT REPORT APRIL 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	FIN.551.1
DATE OF REPORT	12 May 2021
AUTHOR	R Hawkins
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	NIL
ATTACHMENT	FINANCE

SUMMARY:

This item recommends Council receives the investment report for the month of April 2021.

BACKGROUND:

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

COMMENT:

Below are the current investments for the Shire of Menzies as at 30/04/21.

INSTITUTION / ACCOUNT TYPE	SUM	TERM	DATE OF MATURITY	INTEREST RATE	RISK ASSESMENT
NAB – Reserve Term Deposit *6210	\$3,274,067.07	60 Days	03/06/2021	0.05%	Medium
NAB – Reserve Term Deposit – *6410	\$8,536,096.97	90 Days	18/07/2021	0.05%	Medium
NAB – Muni TD *2057	\$500,000	90 Days	31/05/2021	0.25%	Medium
NAB – Muni TD *2067	\$1,001,992.22	90 Days	20/05/2021	0.10%	Medium
NAB – Muni TD *6491	\$501,037.30	60 Days	19/06/2021	0.05%	Medium
NAB – Municipal Maximiser	\$29,472.11	Open	Open		Medium
NAB – Reserve Maximiser	\$102,237.07	Open	Open		Medium

CONSULTATION:

Nil

STATUTORY AUTHORITY:

Local Government Act

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

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

3.1. General function

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

6.14 Power to invest

Local Government (Administration) Regulations

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

- (1) In this regulation —*

authorised institution *means —*

- (a) an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or*
- (b) the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;*

- (2) When investing money under section 6.14(1), a local government may not do any of the following —*

- (a) deposit with an institution except an authorised institution;*
- (b) deposit for a fixed term of more than 3 years;*
- (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;*
- (d) invest in bonds with a term to maturity of more than 3 years;*
- (e) invest in a foreign currency.*

POLICY IMPLICATIONS:

Council Policy 4.9 - Investments

Delegation 2.5 – Investment of Surplus Funds

FINANCIAL IMPLICATIONS:

Nil

RISK ASSESSMENT:

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

STRATEGIC IMPLICATIONS:

14.3 Active civic leadership achieved

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council receives the investment report for the month of April 2021.

COUNCIL DECISION:

Council Resolution Number	2169
----------------------------------	-------------

Moved	Cr J Dwyer	Seconded	Cr S Baird
--------------	-------------------	-----------------	-------------------

That Council receives the investment report for the month of April 2021.

Carried	5/0
----------------	------------

12.2 ADMINISTRATION REPORTS

12.2.1 Draft Amended policy 5.1 – Acting Chief Executive Officer

The CEO declares an impartiality interest.

12.2.1 DRAFT AMENDED POLICY 5.1 – ACTING CHIEF EXECUTIVE OFFICER	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	11 May 2021
AUTHOR	Brian Joiner CEO
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	CEO declares an impartiality interest.
ATTACHMENT	Draft amended policy 5.1 – Acting Chief Executive Officer

SUMMARY:

This paper provides Council with an amended policy for the approval of CEO leave and persons acting for the CEO while on leave.

BACKGROUND:

The existing Policy 5.1 refers to a DCEO acting for the CEO while on leave. This position is being abolished and therefore the policy requires changes to reflect the change in organisational structure.

With all senior positions being filled in 2021 there has not been sufficient time for Council to designate specific roles/people as being suitable to act as CEO. The Local Government Act (1995) requires:

A person is not to be employed in the position of CEO unless the council —

- (a) believes that the person is suitably qualified for the position; and
- (b) is satisfied* with the provisions of the proposed employment contract.

** Absolute majority required.*

The current policy does not delegate any responsibility for approval of leave for the CEO. In effect, this means that even single day absences require Council resolution. The draft amendments allow the President to approve leave up to five (5) working days.

COMMENT:

The changes to the policy provide clarity around approval of leave for the CEO.

For absences of up to five (5) working days there is no designated replacement required for the CEO. For absences over five (5) working days there will still be a requirement for Council approval with Council designating the role/person to act while the CEO is absent.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act (1995) S5.37(2).

POLICY IMPLICATIONS:

Amendment to Policy 5.1 – Acting chief Executive Officer.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
N/A		

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council Adopt amended Policy 5.1 – Acting Chief Executive Officer.

COUNCIL DECISION:

Council Resolution Number	2170
----------------------------------	-------------

Moved	Cr I Baird	Seconded	Cr K Mader
--------------	-------------------	-----------------	-------------------

That Council Adopt amended Policy 5.1 – Acting Chief Executive Officer.

Carried	5/0
----------------	------------

12.2.2 Differential Rates FY21/22

12.2.2 DIFFERENTIAL RATES 2021/22 FY	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	11 May 2021
AUTHOR	Brian Joiner CEO
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Objects and Reasons for Rating in the Shire of Menzies 2021/2022 Rates Modelling 2021/22 FY

SUMMARY:

The purpose of this report is for Council to adopt the proposed Differential Rates for advertising for the 2021/22 FY.

BACKGROUND:

The rate modelling attached to this report has been based on no increases in any rate category.

In 2020 the State Government requested a zero rate increase due to Covid-19 and this was adopted with the rates set in 2020. Leaving rates unchanged is again considered appropriate at this time as ratepayers and businesses recover from a long period of instability and uncertainty resulting from Covid-19. The Shire is in a strong financial position and has managed expenditure in a way that allows Rates to remain unchanged.

CPI QTR 1 2021 rose by 0.6% with with the annual trimmed mean CPI inflation rate at an all-time low of 1.1% (Source: WA Treasury Corporation).

COMMENT:

Even though the rate in the dollar is the same as 2020/2021 it is still necessary for a local government to give local public notice of its intention to levy differential rates. These rates must be advertised for a period of no less than twenty-one (21) days.

The valuations that form the rate base are set by the Valuer General. Council must determine the rate in the dollar to set that will return sufficient income to ensure the effective operations of council for the forthcoming year.

The differential rates as proposed meet the requirements of the Local Government Act (1995).

A report will be made to the June Council Meeting detailing any comments or objections to the proposed rates.

CONSULTATION:

Rhona Hawkins – Financial Consultant (A/CFO)

STATUTORY AUTHORITY:

Local Government Act 1995 S6.36(1)

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The Budget for 2021/22 FY incorporates no increases to Rates.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Council’s statutory reports provide inaccurate financial information.	Low	Internal and external audit. Regular reporting of financial results.
Council does not raise the correct level of income	Low	Council can currently fund its operations and capital works, and has adequate Reserves to draw on if necessary.
Insufficient working capital to meet Council’s financial commitments	Low	
Inability to fund the maintenance, replacement and renewal of infrastructure assets	Low	

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

- 1) Adopts the following rates for advertising for the 2021/2022 financial year noting there is a zero increase in each rate categories from 2020/2021:

GRV Vacant Land	Rate in the dollar 8.64c	minimum remain at \$200
GRV Improved Land	Rate in the dollar 8.62c	minimum remain at \$200
UV Mining Lease	Rate in the dollar 16.55c	minimum remain at \$200
UV Exploration Lease	Rate in the dollar 15.00c	minimum remain at \$200
UV Prospecting Lease	Rate in the dollar 14.77c	minimum remain at \$200
UV Other (includes Pastoral and Kookynie Townsite)	Rate in the dollar 8.29c	minimum remain at \$200

- 2) Approves the Objects and Reasons for Rating in the Shire of Menzies 2021/2022 set out in Attachment 1.
- 3) Consider objections received at the June 2021 Ordinary Meeting of Council.

COUNCIL DECISION:

Council Resolution Number	2171
----------------------------------	-------------

Moved	Cr K Mader	Seconded	Cr J Dwyer
--------------	-------------------	-----------------	-------------------

That Council:

- 1) Adopts the following rates for advertising for the 2021/2022 financial year noting there is a zero increase in each rate categories from 2020/2021:

GRV Vacant Land	Rate in the dollar 8.64c	minimum remain at \$200
GRV Improved Land	Rate in the dollar 8.62c	minimum remain at \$200
UV Mining Lease	Rate in the dollar 16.55c	minimum remain at \$200
UV Exploration Lease	Rate in the dollar 15.00c	minimum remain at \$200
UV Prospecting Lease	Rate in the dollar 14.77c	minimum remain at \$200
UV Other (includes Pastoral and Kookynie Townsite)	Rate in the dollar 8.29c	minimum remain at \$200

- 2) Approves the Objects and Reasons for Rating in the Shire of Menzies 2021/2022 set out in Attachment 1.
- 3) Consider objections received at the June 2021 Ordinary Meeting of Council.

Carried	5/0
----------------	------------

12.2.3 Fees and Charges FY21/22

12.2.3 FEES AND CHARGES 2021/22	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	11 May 2021
AUTHOR	Brian Joiner CEO
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Schedule of Fees and Charges 2021/22 FY

SUMMARY:

The purpose of this report is for Council to adopt the proposed Schedule of Fees and Charges for 2021/22 FY.

BACKGROUND:

Councils are required to set fees and charges every year under the Local Government Act (1995). Adoption of the fees and charges ensures that there is a schedule available at the commencement of the financial year and facilitates finalisation of 2021/22 FY Budget.

COMMENT:

The Schedule of Fees and Charges for 2021/22 FY is largely unchanged from the previous year. Leaving Fees and Charges unchanged is considered appropriate at this time as ratepayers and businesses recover from a long period of instability and uncertainty resulting from Covid-19. The Shire is in a strong financial position and has managed expenditure in a way that allows Fees and Charges to remain largely unchanged.

The Policy for staff housing was adjusted in accordance with a previous Council resolution in December 2020. It was noted in January 2021 that some rents were not in accordance with the Schedule of Fees and Charges 2020/21, but no action could be taken due to the *Residential Tenancies (COVID-19 Response) Act 2020*. As the restrictions imposed by this Act have now expired the Policy can now be reflected within Fees and Charges. As rents have not risen in the last two (2) years a modest rise in staff housing rents is considered appropriate while incorporating charges for Shire supplied furniture and setting a pet bond.

CONSULTATION:

Rhona Hawkins – Financial Consultant (A/CFO).

STATUTORY AUTHORITY:

Local Government Act 1995 S6.16 (3) Imposition of Fees and Charges
Local Government Act 1995 S6.19 Notice of Fees and Charges
Local Government Act 1995 S6.17 Setting Level of Fees and Charge

POLICY IMPLICATIONS:

Policy 9.1 – Staff Accommodation – Rental Charges.

FINANCIAL IMPLICATIONS:

The Budget for 2021/22 FY incorporates any changes made to the Schedule of Fees and Charges.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Council’s statutory reports provide inaccurate financial information.	Low	Internal and external audit. Regular reporting of financial results.

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

1. Adopt the Schedule of Fees and Charges for 2021/22 FY; and
2. Advertise the Schedule of Fees and Charges in accordance with the Local Government Act 1995 with the adoption date of 1 July 2021.

COUNCIL DECISION:

Council Resolution Number	2172
----------------------------------	-------------

Moved	Cr J Dwyer	Seconded	Cr S Baird
--------------	-------------------	-----------------	-------------------

That Council:

1. **Adopt the Schedule of Fees and Charges for 2021/22 FY; and**
2. **Advertise the Schedule of Fees and Charges in accordance with the Local Government Act 1995 with the adoption date of 1 July 2021.**

Carried	5/0
----------------	------------

12.2.4 Menzies Properties

12.2.4 MENZIES PROPERTIES	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	20 May 2021
AUTHOR	Brian Joiner CEO
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

This paper is for Council to consider looking at options for housing stock within the Menzies townsite.

BACKGROUND:

At various times officers become aware of houses that may be available for purchase within the Shire. A property may be available for purchase on Mercer Street that may be suitable for Council staff as it is a 3 bedroom and 1 bathroom residence with enough space on the block for a second house to be built.

Council also has a 4 bedroom and 2 bathroom house on Reid Street that is not utilised and may be attractive if it was placed on the market.

Given the potential price differential between the two properties, Council may be able to sell one house and obtain another with excess funds going into general revenue.

COMMENT:

This is not a commitment to a course of action. Officers believe that obtaining valuations for the two properties would provide sufficient information to determine a proposal for Council consideration.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act 1995

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Valuations for the two properties will cost approximately \$5,000 which is available under legal expenses.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
N/A		

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Note the intention to obtain a valuations on two (2) properties in Menzies to provide a report back to Council.

COUNCIL DECISION:

Council Resolution Number	2173
----------------------------------	-------------

Moved	Cr I Baird	Seconded	Cr J Dwyer
--------------	-------------------	-----------------	-------------------

That Council Note the intention to obtain a valuations on two (2) properties in Menzies to provide a report back to Council.

Carried	5/0
----------------	------------

12.2.5 Upurli Upurli Nguratja Native Title Claim

Cr I Baird declares an impartiality interest.

Cr S baird declares an impartiality interest.

12.2.5 UPURLI UPURLI NGURATJA NATIVE TITLE CLAIM	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	11 May 2021
AUTHOR	Brian Joiner CEO
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Letter from the Native Title Tribunal Notice of an application for determination of native title in Western Australia

SUMMARY:

This report provides information regarding a native title claim lodged by the Upurli Upurli Nguratja Native Title Claim Group that incorporates a portion of the Shire of Menzies.

BACKGROUND:

On 31 March 2021 advice was received of a native title claim, WAD281/2020 that affected the Shire of Menzies and the City of Kalgoorlie-Boulder. Details of the claim are contained within the attachments.

COMMENT:

In conjunction with the City of Kalgoorlie-Boulder, the Shire has retained Squire Patton Boggs to act on our behalf. They have filed a Notice of Intention to Become a Party to the native title claim on behalf of the Shire. Squire Patton Boggs currently act on behalf of the Shire in two other native title claims.

CONSULTATION:

Holly Phillips – Chief of Staff (City of Kalgoorlie-Boulder)

STATUTORY AUTHORITY:

Native Title Act 1993 (Cth)
Local Government Act 1995

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Legal costs are budgeted for issues that arise.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Determination affects other non-Indigenous property rights.	Low	Native Title Act 1993

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Notes the filing of the native title claim and the engagement of legal representation.

COUNCIL DECISION:

Council Resolution Number	2174
----------------------------------	-------------

Moved	Cr J Dwyer	Seconded	Cr K Mader
--------------	-------------------	-----------------	-------------------

That Council Notes the filing of the native title claim and the engagement of legal representation.

Carried	5/0
----------------	------------

12.2.6 Chief Executive Officer Interim Probation Performance Review

The CEO declares a financial interest and leaves the meeting at 2.05pm.

12.2.6 CHIEF EXECUTIVE OFFICER INTERIM PROBATION PERFORMANCE REVIEW	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	12 May 2021
AUTHOR	Brian Joiner CEO
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	CEO declares a financial interest as it deals with terms of his contract
ATTACHMENT	Cornerstone performance assessment

SUMMARY:

This report provides Council with the 3-month interim performance assessment of the CEO conducted by Cornerconsult.

BACKGROUND:

As part of the CEO's contract of employment, a 3-month performance assessment is required to be conducted. The performance assessment was conducted by Cornerconsult being an independent company with experience in performance reviews.

COMMENT:

On 27 June 2019 the *Local Government Legislation Amendment Act 2019* was passed in Parliament with the Reforms introduced on 3 February which addressed new standards for CEO recruitment and selection, performance review and termination. This was adopted by the Shire of Menzies at the OCM 29 April 2021.

The conduct of the CEO performance review is in accordance with Shire of Menzies Policy 5.16:

3.3. Carrying Out a Performance Review

- (1) *A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.*
- (2) *The local government must —*
 - (a) *collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and*
 - (b) *review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.*

3.4. Endorsement of Performance Review by Local Government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

3.5. *CEO to be Notified of Results of Performance Review*

After the local government has endorsed a review of the performance of the CEO under clause 3.4, the local government must inform the CEO in writing of—

- (a) the results of the review; and*
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.*

The CEO has waived the right to have this matter dealt with in closed council under the *Local Government Act 1995 S5.23(a)* in the interests of open and transparent government.

CONSULTATION:

Shire Councillors.
Shire Staff.

STATUTORY AUTHORITY:

Local Government Act 1995 S5.39(b)

POLICY IMPLICATIONS:

Shire of Menzies Policy 5.16 – CEO Recruitment and Selection, Performance Review and Termination.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
N/A		

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

{No recommendation made due to the conflict of interest}.

COUNCIL DECISION:

Council Resolution Number	2175
----------------------------------	-------------

Moved	Cr J Dwyer	Seconded	Cr I Baird
--------------	-------------------	-----------------	-------------------

That Council Resolves to:

- 1. Endorse the performance review of the CEO; and**
- 2. In recognition of the CEOs performance over the past 3 months, particularly given the lack of senior staff support, Council Endorse an increase in the CEO’s isolation locality allowance by \$7,500 to a total of \$17,500.**

Carried	5/0
----------------	------------

12.2.7 Attendance at KBCCI Women’s Leadership Forum – Cr J Dwyer

Meeting adjourned at 2.30pm.

Meeting recommenced at 2.45pm.

The CEO rejoins the meeting at 2.45pm.

Cr J Dwyer declares a financial interest and is muted from the meeting.

12.2.7 ATTENDANCE AT KBCCI WOMEN’S LEADERSHIP FORUM – CR J DWYER	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	10 May 2021
AUTHOR	Brian Joiner CEO
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

KBCCI is holding a Women’s leadership Forum on 16 July 2021 in Kalgoorlie. In accordance with Policy 1.11, this paper is seeking approval for Cr J Dwyer to be funded by Council for her attendance.

BACKGROUND:

The KBCCI Women’s Leadership Forum provides an opportunity for development and networking with a range of high-profile speakers. The event statement is:

The 2021 Women’s Leadership Forum is a celebration of women. It aims to provide strategies for personal growth and is designed for anyone who wants to succeed in their chosen path. The event shines a light on the important strategic position women play on the region’s economy and will act as a conduit for higher representation of female leadership across our community. Our diverse and unique speakers will share their stories of how they pioneered in their field, overcame gender inequality and adversity and became inspiring mentors for women all over the world.

Delegates take away practical tips and strategies to advance their aspirations, boost their motivation and inspire them to take the next step.

The fantastic line up of guest speakers this year are Jenn Morris, Dr Nikki Stamp, Priya Cooper and Christina Matthews.

Female Council staff are being sponsored to attend by the Shire as a development and networking opportunity. The CEO approached Cr J Dwyer about attending with staff, as a participant, to provide a broad range of representation from the Shire and for Cr J Dwyer’s personal development.

COMMENT:

Information contained within this report satisfies the requirements of Policy 1.11 – Attendance at events.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act (1995) S5.90A.

POLICY IMPLICATIONS:

Policy 5.11 – Attendance at events.

FINANCIAL IMPLICATIONS:

Cost of the ticket is \$165 which is budgeted through Councillor Development and Training.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy

STRATEGIC IMPLICATIONS:

4.1 A strategically focussed Council, leading our community.

4.1.3 Encourage and support community engagement and collaboration.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Approve Cr J Dwyer to attend the KBCCI Women’s Leadership Forum.

COUNCIL DECISION:

Council Resolution Number	2176
----------------------------------	-------------

Moved	Cr I Baird	Seconded	Cr K Mader
--------------	-------------------	-----------------	-------------------

That Council Approve Cr J Dwyer to attend the KBCCI Women’s Leadership Forum.

Carried	4/0
----------------	------------

12.2.8 Local Law Review

Cr J Dwyer rejoins the meeting at 2.59pm.

12.2.8 LOCAL LAW REVIEW	
LOCATION	Shire of Menzies
APPLICANT	Shire of Menzies
DOCUMENT REF	COR.910.1 / NAM396
DATE OF REPORT	3 May 2021
AUTHOR	Niel Mitchell, Consultant
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Local Law Review Report (Highbury Conway – dated 3.5.21)

SUMMARY

The review was initiated by Council resolution at the January 2021 Council meeting.

BACKGROUND

The review was initiated by advertisement in the Menzies Matters issue 147 for March 2021 and undertaken in accordance with the *Local Government Act 1995* s.3.16.

No submissions were received.

COMMENT

This 2021 review built on the 2014 review which was presented to Council in July 2014. At that time a number of resolutions were made and the actions presented to Council in February 2015. A number of matters were authorised and carried out, with the remainder of the recommendations being laid on the table.

Three actions in the Report are identified as important, and others having varying levels of priority. These are presented as separate recommendations for ease of consideration.

As the review has been undertaken, there is no requirement for Council to implement any of the recommendations.

The Act requires that any actions resulting from a local laws review is to be determined by absolute majority.

CONSULTATION

Brian Joiner, CEO
Jan Hancock, Governance Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 –

- *s.3.16 – Local laws to be reviewed at least every 8 years*
(4) *Consideration of the report and determination of any actions is by absolute majority*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costs of preparation of repeal local laws, new local laws or amending local laws.

Costs of advertising etc once formal adoption of the relevant local law is resolved.

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
Continuation of increasingly out of date local laws	High	<ol style="list-style-type: none"> 1. Revocation of several local laws that are out of date. 2. Development and adoption of new or amendment local laws
Potential inadequacy of the local laws if needing to be relied on	High	<ol style="list-style-type: none"> 1. Revocation of several local laws that are out of date. 2. Development and adoption of new or amendment local laws

STRATEGIC IMPLICATIONS

4.2 An efficient and effective organisation

4.2.1 Maintain a high level of corporate governance, responsibility and accountability

VOTING REQUIREMENTS

Absolute majority

OFFICERS RECOMMENDATION

1. That Council Revoke:

- the three old Cemetery By-laws;
- the three old Health By-laws;
- clause 3.3(2) & (3) of the Bush Fire Brigades Local Law 2015.

And;

2. That Council Authorise preparation of new local laws for:

- Cemeteries,
- Health, incorporating provisions currently in the Urban Environment and Nuisance Local Law, and
- Meeting Procedures

And;

3. That Council Authorise replacement local laws for:

- Public Places and Local Government Property Local Law:
 - revoking the Activities in Thoroughfares and Public Places Local Law; and
 - incorporating buildings and structures under Council’s management or control; and
- Dogs, revoking the current Dogs Local Law.

And;

4. That Council make no change to the Urban Environment and Nuisances Local Law (unless revoked through inclusion in a Health Local Law).

COUNCIL DECISION

Council Resolution Number	2177
----------------------------------	-------------

Moved	Cr K Mader	Seconded	Cr S Baird
--------------	-------------------	-----------------	-------------------

1. That Council Revoke:

- **the three old Cemetery By-laws;**
- **the three old Health By-laws;**
- **clause 3.3(2) & (3) of the Bush Fire Brigades Local Law 2015.**

And;

2. That Council Authorise preparation of new local laws for:

- **Cemeteries,**
- **Health, incorporating provisions currently in the Urban Environment and Nuisance Local Law, and**
- **Meeting Procedures**

And;

3. That Council Authorise replacement local laws for:

- **Public Places and Local Government Property Local Law:**
 - **revoking the Activities in Thoroughfares and Public Places Local Law; and**
 - **incorporating buildings and structures under Council's management or control; and**
- **Dogs, revoking the current Dogs Local Law.**

And;

4. That Council make no change to the Urban Environment and Nuisances Local Law (unless revoked through inclusion in a Health Local Law).

Carried	5/0
----------------	------------

12.2.9 Changes to Senior Management Positions

12.2.9 CHANGES TO SENIOR MANAGEMENT POSITIONS	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	11 May 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Organisational Structure Diagram

SUMMARY:

This item requests Council approve changes to the senior positions, reporting to the CEO, for the Shire of Menzies.

BACKGROUND:

The previous organisational structure was approved by Council in March 2020 at the OCM. There have been several issues that have arisen which are systemic in nature and have not been addressed in the past. The 2020 compliance audit review resulted in some non-compliances that should have been picked up and fixed before this year. Although most of the issues arising have been rectified there is still a lot of work to put processes in place to ensure they do not occur again.

While reviewing the organisational structure it is also a good time to look to the future in other areas. Although further work is required, this is indicative of a service model that is more responsive and aligns effort and resources to areas of growth.

An initial structural review was brought to Council at the March 2021 OCM and 29 April 2021.

COMMENT:

The move of governance and compliance to become a direct report to the CEO is an indication of the commitment of the organisation in these areas. Reworking the role in charge to take on leadership responsibilities is a reflection on the changes in expectations and accountability.

Manager Economic Growth and Strategic Planning assists the CEO in developing strategies to grow communities and encourage industry. The role also takes responsibility for the administration, prioritising and tasking of the monthly works programme.

There is a net increase to FTE of one (1) however the net cost increase is less than the cost of the FTE as reliance on contract labour companies decrease.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act (1995)

POLICY IMPLICATIONS:

No change to policies at this time.

FINANCIAL IMPLICATIONS:

The appointment of an Executive Officer reduces the reliance on contract staff through labour hire organisations. This will result in a net saving of \$33,000p.a. The pay rate for the Manager Governance and Assurance will be marginally more than the current rate.

Adjustments in rates and conditions may result in costs increasing in other positions by up to \$20,000p.a.

An additional FTE for the Senior Advisor Economic Growth and Strategic Planning will cost the organisation approximately \$120,000 p.a. inclusive of all costs.

Total adjustment to the annual budget will be approximately \$100,000. For the current FY, allowing for recruitment to occur, the adjustment to costs will be less than \$10,000. This can be absorbed within the current staffing budgets.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Nil.		

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council approve changes to the organisational structure in accordance with the diagram at Attachment A.

COUNCIL DECISION:

Council Resolution Number	2178
----------------------------------	-------------

Moved	Cr J Dwyer	Seconded	Cr I Baird
--------------	-------------------	-----------------	-------------------

That Council approve changes to the organisational structure in accordance with the diagram at Attachment A.

Carried	5/0
----------------	------------

12.2.10 Policy 4.13 – Asset Management

12.2.10 NEW DRAFT POLICY – 4.13 – ASSET MANAGEMENT	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1 / NAM395
DATE OF REPORT	13 May 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	New Draft Policy – 4.13 – Asset Management

SUMMARY:

This item recommends adoption of new Policy – 4.13 – Asset Management (refer to attachment).

BACKGROUND:

This Policy was developed for adoption by Council in 2020 by Moore Australia (MA) through the engagement of MA by the NGCG (Northern Goldfields Compliance Group).

COMMENT:

The objective of this policy is to ensure Council has sufficient systems, processes, resources and organisational commitment in place to deliver asset management service outcomes on a financially optimal basis

CONSULTATION:

Chief Executive Officer
Moore Australia

STATUTORY AUTHORITY:

Audit Regulation 17 (Financial Management).

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Implement and maintain management systems, processes, resources and organisation commitment to deliver asset management service outcomes on a financially optimal basis	Medium/High	Appropriate and effective system and controls to achieve financially optimal outcomes.

STRATEGIC IMPLICATIONS:

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt Policy 4.13 – Asset Management.

COUNCIL DECISION:

Council Resolution Number	2179
----------------------------------	-------------

Moved	Cr J Dwyer	Seconded	Cr I Baird
--------------	-------------------	-----------------	-------------------

That Council adopt Policy 4.13 – Asset Management.

Carried	5/0
----------------	------------

12.2.11 Draft Replacement Policy 6.1 – Work Health & Safety

12.2.11	DRAFT REPLACEMENT POLICY 6.1 – WORK HEALTH & SAFETY
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1/NAM397
DATE OF REPORT	17 May 2021
AUTHOR	GOV Jan Hancock
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Draft Policy 6.1 – Work Health & Safety

SUMMARY:

This item recommends adoption of a new Policy 6.1 to replace the outdated Policy 6.1 – Occupational Health & Safety currently in use.

BACKGROUND:

The Policy was developed by Core Business for adoption by Council as the first step in aligning our policies, processes and procedures with the *Work Health & Safety Act (2020)*. The Act sets rigorous legislation requirements with liability on Council to comply, attracting substantial penalties for non-compliance.

COMMENT:

The objective of this Policy is to ensure Council has sufficient systems and organisation commitment in place to effectively address Health and Safety matters within the Shire.

CONSULTATION:

Chief Executive Officer
Core Business

STATUTORY AUTHORITY:

- *Work Health & Safety Act (2020)*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil – There could be financial implications with the new *Work Health & Safety Act (2020)* and subsequent regulations.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Implement processes and procedures to protect the health and safety of all persons in the workplace, demonstrated through health and safety management.	Med/High	Committed to the prevention of work-related injury and ill health of staff, contractors and visitors.

STRATEGIC IMPLICATIONS:

- 4.2 An efficient and effective organisation.
- 4.2.3 Provide a positive and safe workplace.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

- 1. Rescind the current 6.1 Policy
- 2. Adopt the new Policy 6.1 – Work Health and Safety

COUNCIL DECISION:

Council Resolution Number	2180
----------------------------------	-------------

Moved	Cr K Mader	Seconded	Cr S Baird
--------------	-------------------	-----------------	-------------------

That Council:

- 1. Rescind the current 6.1 Policy
- 2. Adopt the new Policy 6.1 – Work Health and Safety

Carried	5/0
----------------	------------

13.1 INFORMATION REPORTS

13.1.1 Actions Performed Under Delegation for April 2021

13.1.1 ACTIONS PERFORMED UNDER DELEGATION FOR APRIL 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	11 May 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

PURPOSE:

To report to the Council actions performed under delegated authority for the month of March 2021.

COMMENT:

To increase transparency this report has been prepared for the Council to identify all actions performed under delegated authority for:

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

Bushfire

The following decisions were undertaken by the Shire of Menzies pursuant to the Bushfire matters for the month.

Date of decision	Decision ref:	Decision details	Applicant	Other affected person(s)
		(insert details)		

Common Seal

The following decisions were undertaken by the Shire of Menzies pursuant to the Common Seal for the month.

Date of decision	Decision ref:	Decision details	Applicant	Other affected person(s)
		(insert details)		

Planning Approvals

The following decisions were undertaken by the Shire of Menzies pursuant to the Planning applications for the month.

Date of decision	Decision ref:	Decision details	Applicant	Other affected person(s)
		(insert details)		

Health Approvals

The following decisions were undertaken by the Shire of Menzies pursuant to Health approvals for the month

Date of decision	Decision ref:	Decision details	Applicant	Other affected person(s)
		(insert details)		

Building Permits (including Septic Tank approvals)

The following decisions were undertaken by the Shire of Menzies pursuant to Building Permits (including Septic Tank approvals) for the month.

Date of decision	Decision ref:	Decision details	Applicant	Other affected person(s)
		(insert details)		

Ranger Related Dog Issues

The following decisions were undertaken by the Shire of Menzies pursuant to Ranger related dog issues for the month.

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

Applications

The following Mining/Prospecting/Exploration/Miscellaneous Applications were made for the month of January 2021.

Applicant Name	Application Type	Application Details
High Hopes Mining Pty Ltd	Mining lease	M 31/492
MMWC Group	Miscellaneous licence	29/147
Menzies Goldfield Pty Ltd	Clearing permit	CPS 92721
Menzies Goldfield Pty Ltd	Mining lease	M 29/437
Ardea Resources Ltd	Mining Lease	M 31/493
GTS Equipment and Labour Hire Pty Ltd	Prospecting licence	P 29/2655
Roxbury Trading Pty Ltd	Miscellaneous licence	29/148

13.1.2 WHS Activities for April 2021

13.1.2 WHS ACTIVITIES FOR APRIL 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	01 May 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

PURPOSE:

To report to the Council WHS actions undertaken, to improve safety and reduce organisational risk, during the month of April 2021.

COMMENT:

To ensure that Council has appropriate oversight of safety management activities this information report is produced with key activities undertaken.

15th April – Weekly Management and Works Crew Safety Meeting.

16th April – WHS Committee Monthly Meeting.

19th April – Draft WHS Audit Received.

22nd April – Weekly Management and Works Crew Safety Meeting.

29th April – Weekly Management and Works Crew Safety Meeting.

The following recommendations were made at the monthly WHS Committee meeting:

Motion

That the Committee recommend acceptance of the Terms of Reference.

Carried 3/0

13.1.3 Menzies EHO Report April 2021

13.1.3 MENZIES EHO REPORT APRIL 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	21/04/2021
AUTHOR	Dave Hadden EHO
RESPONSIBLE OFFICER	Brian Joiner CEO
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

COMMENT:

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

Building:

Processed an Occupancy Certificate for the recently completed Riverina Village Camp (Ora Banda Mining).

Health:

Liasing with McCleods Barristers and Solicitors regarding existing Local Government Notice Section 3.25(1)(a) served on Mr Gopel. The period provided for Mr Gopel to comply with the notice is fast approaching so will require further inspection of the property to determine compliance or not with the notice and intern advising McCleods to commence prosecution proceedings for noncompliance.

Checked hall capacity (Covid Directions) in readiness for the CyClassic event as requested by management. Prepared a new revised occupancy certificate for the Menzies Hall.

The existing domestic waste cell at the Menzies tip site is very close to full while the Kookynie tip site waste cell is full requiring a new cell created as soon as possible.

Dealt with many various enquiries relating to health services.

13.1.4 Community Services Report – April 2021

13.1.4 COMMUNITY SERVICES REPORT – APRIL 2021	
LOCATION	Shire of Menzies
APPLICANT	Shire of Menzies
DOCUMENT REF	COR.860.1/NAM335
DATE OF REPORT	27 May 2021
AUTHOR	Sethen Sheehan-Lee Community Services Officer
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

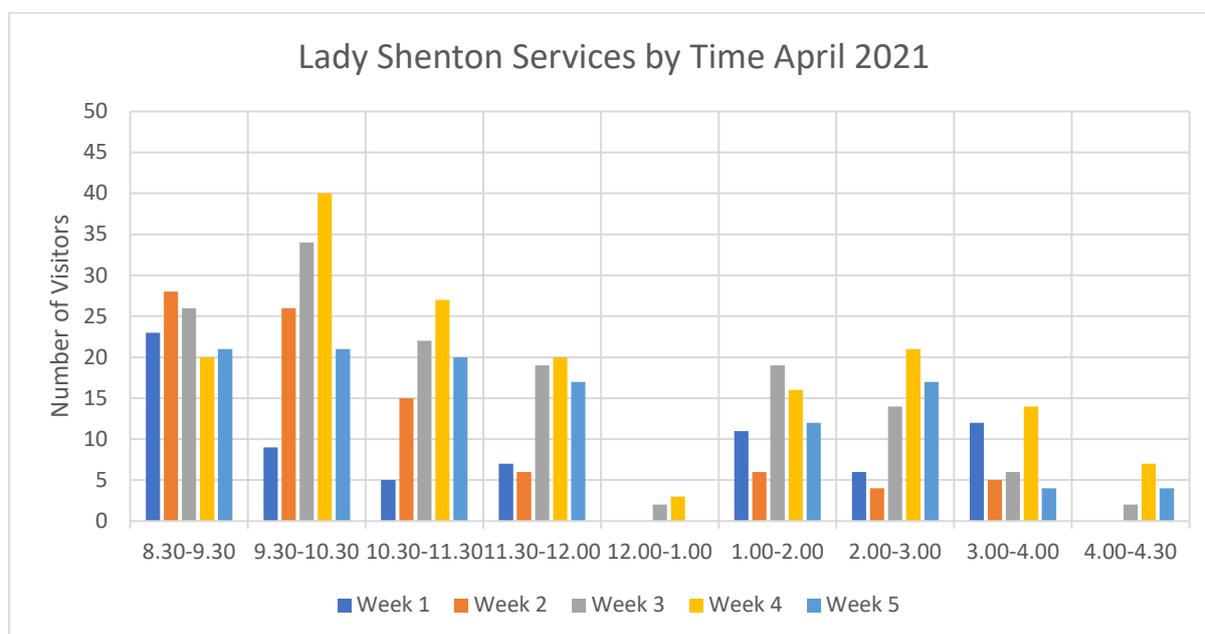
SUMMARY:

The purpose of the report is to advise Council of Community Service Activates for the month of April 2021.

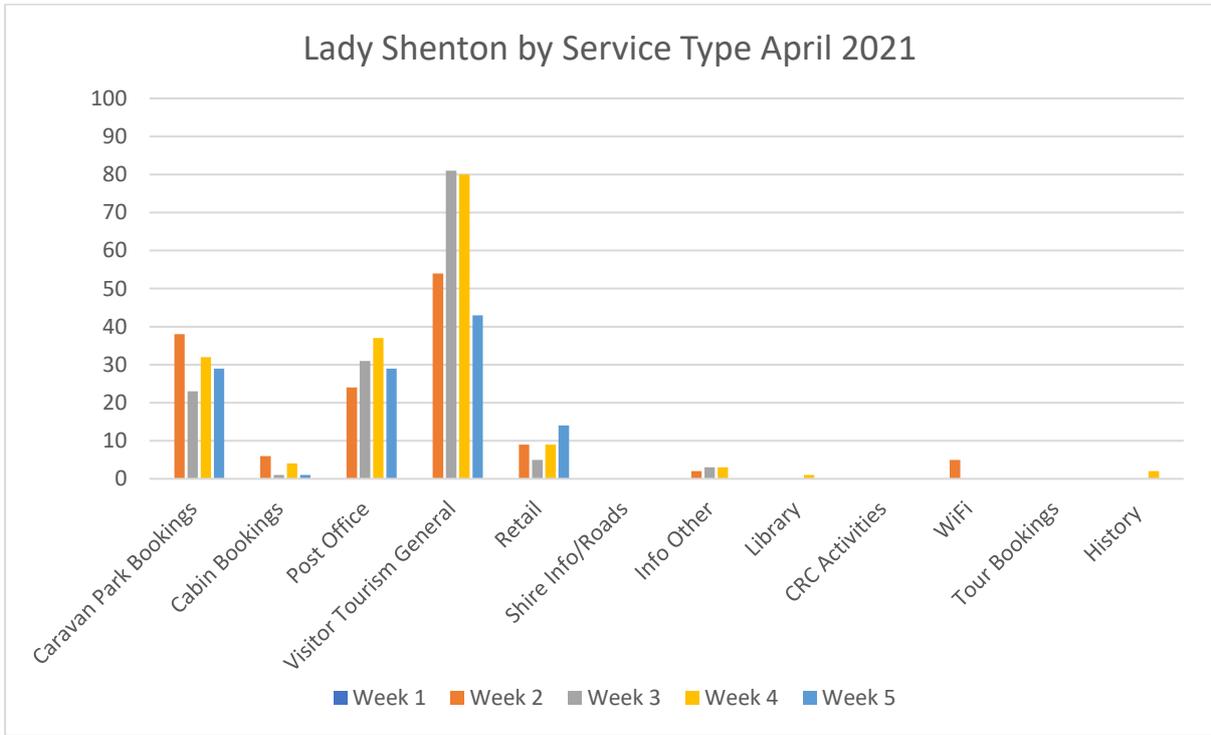
COMMENT:

Lady Shenton

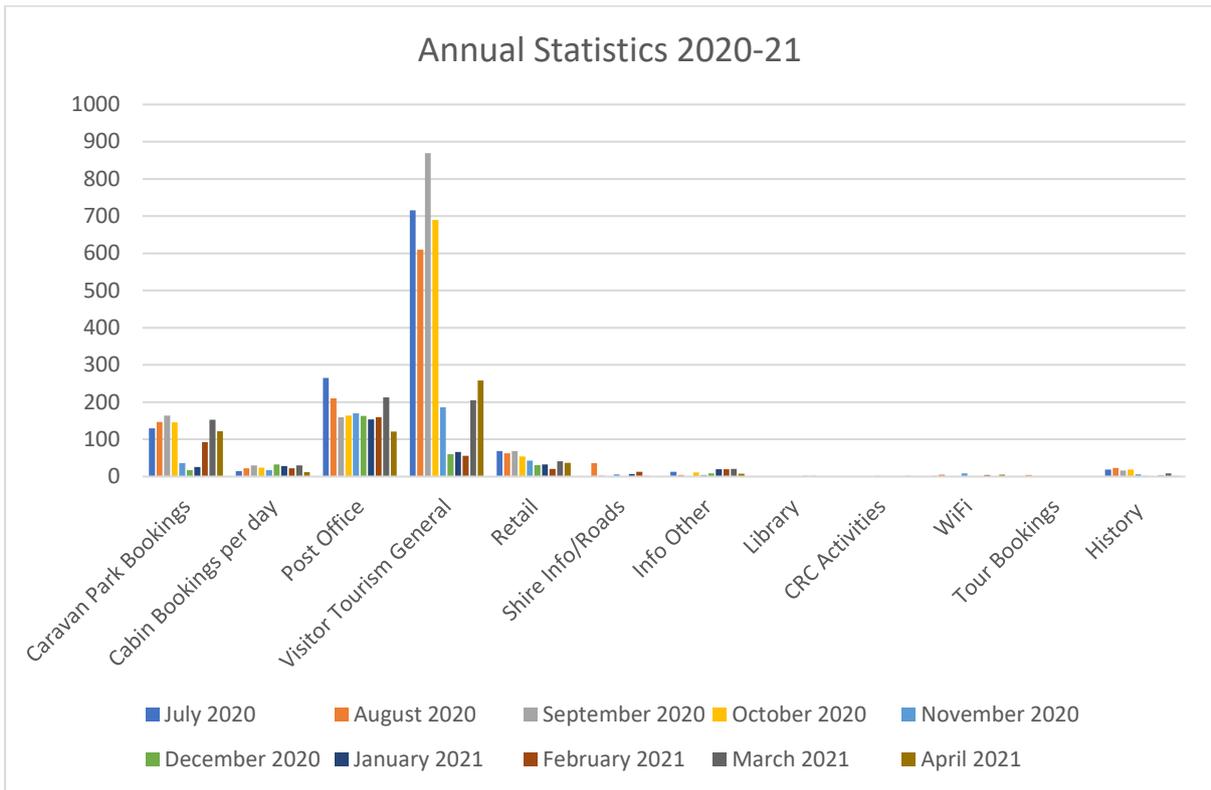
The Lady Shenton received 594 visitors in April 2021.



The *Visitor Tourism General* was the most popular in April 2021.

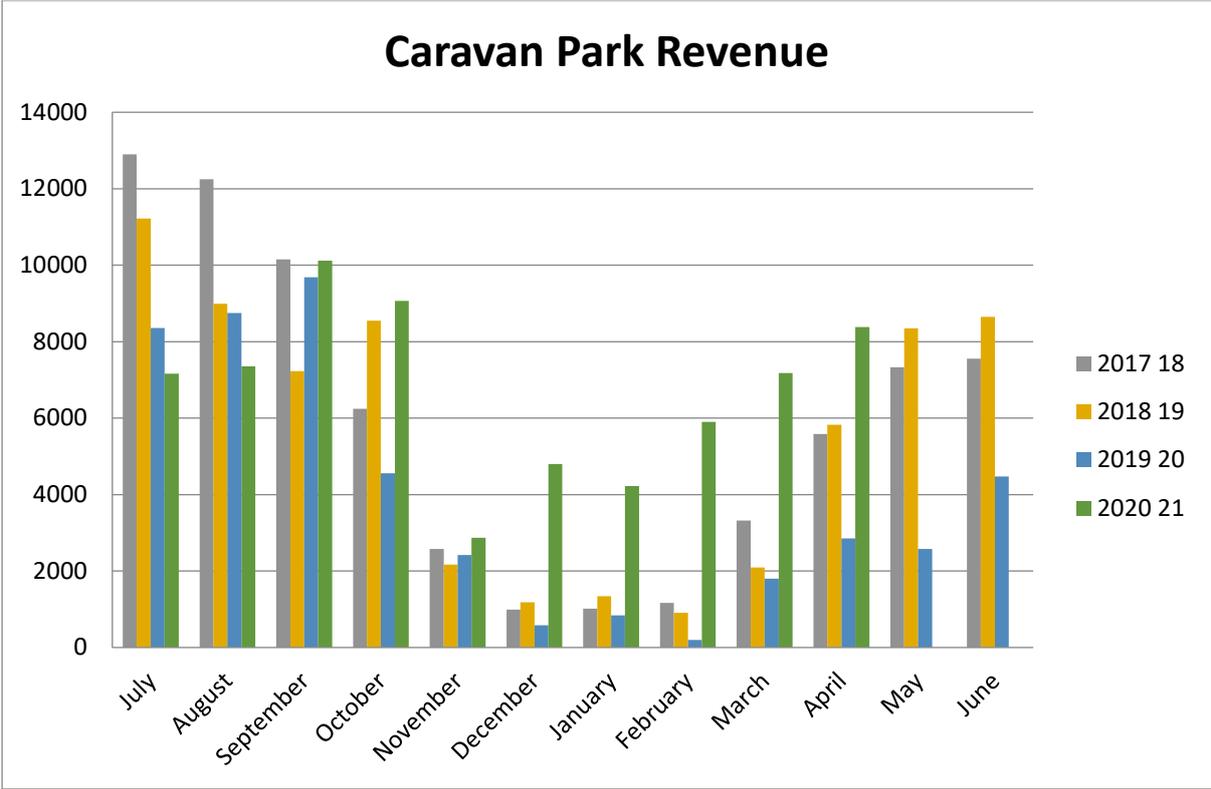


Visitation this month (April 2021) is higher than that of the same period in the last financial year.



Caravan Park

Caravan park revenue increased from March (2021) to April (2021).



Youth Centre and General Community Services

Due to limited staffing availability the Youth Centre was closed for most of April 2021. After school youth and community activities have commenced again in May (2021).

13.1.5 Compliance Calendar April 2021

13.1.5 COMPLIANCE CALENDAR APRIL 2021 STATUS	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1
DATE OF REPORT	10 May 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	April 2021 Compliance Calendar

COMMENT:

All items on the compliance calendar have been met for this month with the exception of the following items:

ITEM	REASON FOR EXCEPTION
Undertake an annual performance review of all staff (allow sufficient time for changes to be included in the budget)	Looking at appointing a contractor to implement a system for award staff reviews.
CEO Performance Review & Set KPI's	Consultant has provided a draft report to the Shire President
Budget Preparation	In Progress – Report due to Council in June 2021. Council workshops to be held on 18 May
NGWG Contract	CEO in discussions with stakeholders
Planning Scheme No. 2 Planning Strategy	Public Comment expiry date 2.7.21

13.1.6 Quarterly Compliance Audit Report - March 2021 Quarter

13.1.6 QUARTERLY COMPLIANCE AUDIT REPORT – MARCH 2021 QUARTER	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1
DATE OF REPORT	12 May 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Compliance Audit Report – March 2021

COMMENT:

To achieve best practice Administration has introduced a quarterly Compliance Audit Information Report to ensure compliance deficiencies are identified and rectified prior to the Annual CAR (Compliance Audit Return). This is a living document designed to provide a benchmark on compliance to mitigate risk to the Shire

All items on the Quarterly Compliance Audit have been met for this quarter.

COUNCIL DECISION:

Council Resolution Number	2181
----------------------------------	-------------

Moved	Cr J Dwyer	Seconded	Cr K Mader
--------------	-------------------	-----------------	-------------------

That Council Receives the information reports.

Carried	5/0
----------------	------------

14. ELECTED MEMBER MOTION OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

15. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

16. BEHIND CLOSED DOORS- CONFIDENTIAL REPORTS

Nil.

Cr J Dwyer left the meeting at 3.23pm.

17. NEXT MEETING

The next Ordinary Council Meeting will be held at Tjuntjuntjara at 1300 on 24 June 2021.

18. CLOSURE OF MEETING

The meeting was declared closed at 3.30pm.