



SHIRE OF MENZIES

Minutes

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

29 APRIL 2021

Commencing at 1.00pm

**At the Shire of Menzies Council Chambers
124 Shenton Street 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
26 November 2020	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader	Cr J Lee (MAC Office) Cr V Ashwin (MAC Transportable)			
17 December 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 I Baird Cr J Lee	Cr V Ashwin		
29 April 2021	Cr G Dwyer Cr J Dwyer Cr K Mader Brian Joiner-CEO Sharlene Mik- EO	Cr I Baird (PT) Cr J Lee (MAC)		Cr S Baird	

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1. DECLARATION OF OPENING

The President declared the meeting open at 1.08pm

Councillors by video link:

Cr Baird (PT-Tjuntjuntjara)
Cr Lee (MAC)

Both Councillors confirmed they are in a secure and private location for when confidential papers are discussed.

2. ANNOUNCEMENT OF VISITORS

Nil

3. RECORD OF ATTENDANCE

Councillors:	Cr G Dwyer Shire President Cr I Baird Deputy Shire President Cr J Dwyer Cr J Lee Cr K Mader
Staff:	Mr B Joiner Chief Executive Officer Ms S Mik (Executive Officer)
Apologies:	Cr S Baird

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS BY MEMBERS

6.1 RESIGNATION

6.1.1 Cr Vashti Ashwin

6.1.1 COUNCILLOR RESIGNATION – VASHTI ASHWIN	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	09 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

This paper is for Council to consider the written resignation of Cr Vashti Ashwin and subsequent actions required following the resignation.

BACKGROUND:

Cr Vashti Ashwin was on an approved leave of absence until 28 April 2021. On 07 April 2021 Cr Ashwin wrote to the CEO advising of her resignation from Council. Cr Ashwin's term was due to expire in 2023.

Council must decide whether to hold an extraordinary election or apply to the Department to hold the election coincident with the general elections in October 2021.

COMMENT:

S. 2.32 (a) of the Local Government Act 1995 states that an extraordinary vacancy occurs in offices, elected by electors, if the member resigns.

Elections following a resignation are normally required to be held within four (4) months after the vacancy occurs. However, under S. 4.16 (4):

If a member's office becomes vacant under section 2.32 –

- (a) *After the third Saturday in January in an election year but*
- (b) *Before the third Saturday in July in that election year,*

The Council may, with the approval of the Electoral Commissioner, fix the ordinary elections day in that election year as the day for holding any poll needed for the extraordinary election to fill that vacancy.

CONSULTATION:

Nil required.

STATUTORY AUTHORITY:

Local Government Act 1995, Part 2, Division 5, section 2.32.
Local Government Act 1995, Part 4, Division 6, section 4.8 to 4.16.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
N/A		

STRATEGIC IMPLICATIONS:

Not relevant.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Note the resignation of Cr Vashti Ashwin and thank the member for her service to the Shire of Menzies; and
2. Authorise the CEO to apply to the Electoral Commissioner to hold the extraordinary election coincident with the ordinary elections day in October 2021.

COUNCIL DECISION:

Council Resolution Number	2141
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Moved	Cr Dwyer	Seconded	Cr Mader
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That Council:

1. **Note the resignation of Cr Vashti Ashwin and thank the member for her service to the Shire of Menzies; and**
2. **Authorise the CEO to apply to the Electoral Commissioner to hold the extraordinary election coincident with the ordinary election day in October 2021.**

Carried	5/0
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7. DECLARATIONS OF INTEREST

CEO Mr B Joiner declared an impartiality interest in items 12.2.2 and 12.2.4.

Cr J Lee declared a financial interest in item 14.1.1.

8. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

9. CONFIRMATION/ RECIEVAL OF MINUTES

- 9.1.1 CONFIRMATION of the Minutes of the Ordinary Council Meetings held on 25 March 2021

COUNCIL DECISION:

Council Resolution Number	2142
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That the minutes of the Ordinary Meeting of Council held on Thursday 25 March 2021 be confirmed as a true and correct record.

Carried	5/0
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10. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

Nil

11. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 Presidents Report

Friday 26th March attended the opening of the Woodlands Centre in Norseman. Also in attendance Brian Joiner, CEO and Cr J Dwyer.

Monday 29th March CEO and I had a series of meetings in Kalgoorlie. Firstly, met with Ali Kent (MLA) and Kyle McGinn (MLC). Discussion on a range of issues including availability of land and housing and the condition of the Connie Sue and Cutline roads within the City of Kalgoorlie Boulder.

Second meeting with ABC Goldfields re Covid incentives and establishment of a Volunteer Bushfire Brigade at Tjuntuntjara.

Met with Arianne Webb to discuss events including a Rodeo.

Attended Pastoral Alliance Meeting with CEO. A request from the group was made for assistance with their fencing project and a discussion took place on the Grid Policy.

CEO and I met with Deb Miles from Eastern Goldfields Cycle Club to discuss upcoming Cycle Classic event.

13th April with Cr J Dwyer attended Cactus Working Group Meeting in Leonora, CEO (attending via video conference). Later in the afternoon a meeting with Rick Wilson MP and Senator Matt O'Sullivan to discuss CDC service provision. Following the meeting attendees met at the Whitehouse Hotel for dinner.

Attended via telephone on 16th April a meeting of WA Midwest Yilgarn Infrastructure Group Inc formally Yilgarn Iron Producers Association established in 2012. The group is working to enhance Western Australian regional infrastructure and provide fair and open access for junior and mid-tier miners and other businesses.

Cr Mader and myself attended the Briefing Session on 22nd April.

With around 30 attendees I officiated the Anzac Day Service in Menzies, followed by breakfast in the Town Hall. Many thanks to staff for organising the event and providing breakfast.

COUNCIL DECISION:

Council Resolution Number	2143
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Moved	Cr K Mader	Seconded	Cr J Dwyer
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That the President's Report for the month of March 2021 be received.

Carried	5/0
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12. REPORTS OF OFFICERS

12.1 FINANCE REPORTS

12.1.1 Finance Report for March 2021

12.1.1 FINANCE REPORT – MARCH 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	FIN.551.1
DATE OF REPORT	15 April 2021
AUTHOR	R Hawkins
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	NIL
ATTACHMENT	Monthly Financial Report for the period ending 31 March 2021

SUMMARY:

Statutory Financial Reports are submitted to Council as a record of financial activity for the year to 31 March 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 31 March 2021 as attached and note any material differences.

COUNCIL DECISION:

Council Resolution Number	2144
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Moved	Cr K Mader	Seconded	Cr J Dwyer
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That Council receive the Statement of Financial Activity for the period ending 31 March 2021 as attached and note any material differences.

Carried	5/0
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12.1.2 List of Payments for March 2021

12.1.2 MONTHLY LIST OF PAYMENTS FOR THE MONTH OF MARCH 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	NAM 380
DATE OF REPORT	13 March 2021
AUTHOR	Carol McAllan – Finance Officer
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Payments for the Month of March

SUMMARY:

The list of payments made for the month of March 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 March 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:

\$585,965.28 withdrawn from Municipal Bank Account.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
N/A		

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 March 2021 totalling \$585,965.28 being:

1. Electronic Funds Transfer EFT 5804 – 5909, payments from Municipal Fund totalling \$466,701.53
2. Direct Debit payments from the municipal Fund totalling \$50,079.72
3. Payroll payments from the Municipal Fund totalling \$69,184.03
4. Credit Card payments of \$2,296.45 for the Statement month of February are included in Direct Debits of \$50,079.72

COUNCIL DECISION:

Council Resolution Number	2145
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Moved	Cr I Baird	Seconded	Cr K Mader
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That Council receive the list of payments for the month of March 2021 totalling \$585,965.28 being:

- 1. Electronic Funds Transfer EFT 5804 – 5909, payments from Municipal Fund totalling \$466,701.53**
- 2. Direct Debit payments from the municipal Fund totalling \$50,079.72**
- 3. Payroll payments from the Municipal Fund totalling \$69,184.03**
- 4. Credit Card payments of \$2,296.45 for the Statement month of February are included in Direct Debits of \$50,079.72**

Carried	5/0
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12.1.3 Monthly Investment Report March 2021

12.1.3 MONTHLY INVESTMENT REPORT MARCH 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	FIN.551.1
DATE OF REPORT	15 April 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 March 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 31/03/21.

INSTITUTION / ACCOUNT TYPE	SUM	TERM	DATE OF MATURITY	INTEREST RATE	RISK ASSESMENT
NAB – Reserve Term Deposit *6210	\$3,273,663.46	60 Days	04/06/2021	0.05%	Medium
NAB – Reserve Term Deposit – *6410	\$8,528,736.55	90 Days	19/04/2021	0.35%	Medium
NAB – Muni TD *2057	\$500,000	60 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	\$500,996.12	60 Days	20/04/2021	0.05%	Medium
NAB – Reserve Maximiser account	\$29,471.87	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>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>

At the same time this proposal still seeks the safest and not necessarily the most profitable return on investments		
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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 December 2020.

COUNCIL DECISION:

Council Resolution Number	2146
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council receives the investment report for the month of December 2020.

Carried	5/0
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12.2 ADMINISTRATION REPORTS

12.2.1 Unconfirmed GVROC Council Meeting Minutes March 2021

12.2.1 UNCONFIRMED GVROC MINUTES COUNCIL MEETING 26 MARCH 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	09 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Unconfirmed Minutes GVROC Council Meeting 26-03-21. Action Sheet GVROC Meeting 26 March 2021.

SUMMARY:

This item recommends Council accepts the unconfirmed Minutes from the GVROC meetings of 26 March 2021.

BACKGROUND:

The Shire of Menzies is a member of the Goldfields Voluntary Regional Organisation of Councils (GVROC).

The unconfirmed minutes of each of the meetings are attached for Councillor information.

COMMENT:

The GVROC secretariat does not provide confirmed Minutes of the Meetings. Members are advised if the Minutes are amended at any future meetings.

Significant changes to the confirmed minutes will be provided to Council.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Not applicable.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Council pays membership fees to the GVROC and contributes to projects organised by the NGWG.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
N/A		

STRATEGIC IMPLICATIONS:

3.6 Council and Community Leadership: Provide leadership and advocacy on behalf of the community.

3.6.1 Provide leadership to the community, staff, and wider region.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council accepts the unconfirmed Minutes from the GVROC meetings of 26 March 2021.

COUNCIL DECISION:

Council Resolution Number	2147
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council accepts the unconfirmed Minutes from the GVROC meetings of 26 March 2021.

Carried	5/0
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12.2.2 Goldfields Record Storage Facility

Cr I Baird left the meeting at 1.29pm

12.2.2 GOLDFIELDS RECORD STORAGE FACILITY	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	09 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	The CEO has declared an impartiality interest
ATTACHMENT	Nil

SUMMARY:

This report provides recommendations for the GVROC Records Facility following discussion at the GVROC Council Meeting on 09 April 2021.

BACKGROUND:

The Shire stores essential paper records at a facility that is owned by a joint venture consisting of ten (10) Councils. The joint venture is managed through GVROC with several Councils wishing to exit from the arrangement. To wind up the joint venture, each of the Councils must be paid out. The joint venture has had the facility on the market but has been unable to find a buyer.

At the GVROC Council Meeting held on 5 February 2021 the City of Kalgoorlie-Boulder offered to buy the facility for \$450,000. This would net each Council approximately \$43,000 after costs are deducted.

The following resolution was passed by the GVROC Council Meeting:

RECOMMENDATION:

That the GVROC Council as representative of the Original Parties to the Records Facility Agreement:

- 1. Agree to sell the Facility to the City of Kalgoorlie Boulder for a purchase price of \$450,000.*
- 2. Note after the disposal of the Facility the Joint Venture will be promptly wound up.*
- 3. Note that each of the original parties will be entitled to a one tenth share of this purchase price (\$45,000) less all third-party costs of the sale of the Facility and the winding up of the Joint Venture.*
- 4. Note for those Original Parties still interested in utilising the facility for records storage post the sale, that the City of Kalgoorlie Boulder will work with those parties to negotiate and make necessary arrangements for its continued use.*
- 5. Note this will remove the matter from the GVROC.*

Following discussion and debate on this alternate recommendation a vote for and against was called on the motion.

Motion Resolution:

The motion of the alternate recommendation was unanimously carried by all

RESOLUTION: Moved: Mr James Trail – Shire of Coolgardie

Seconded: Cr Patrick Hill – Shire of Laverton

Carried

COMMENT:

The offer by the City of Kalgoorlie-Boulder is potentially less than the value of the facility. When queried, the City advised that it was a take it or leave it offer. The City has also advised that Councils can maintain an equity in the facility post its current ownership with those that don't enter into an equity arrangement having 'no access to the facility in the future' (email from John Walker, CEO City of Kalgoorlie-Boulder 08/02/2021).

The option to maintain equity has been explored noting that the *Strategic Community Plan 2020-2030* provides for preparation to return document storage to the Lady Shenton building in Menzies.

Questions raised by the Shire of Menzies in regard to the ownership structure and ongoing business model have not been answered by City of Kalgoorlie-Boulder.

CONSULTATION:

Options for the Goldfields Record Storage Facility were presented as a paper at the February 2021 GVROC meeting in Esperance.

No community consultation is considered necessary.

STATUTORY AUTHORITY:

Nil applicable.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Approximately \$43,000 will be returned to the Shire of Menzies being its 10% ownership minus costs. The original purchase of the facility was through grant funding.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Failure to come to an agreement with City of Kalgoorlie-Boulder may result in there being no suitable location for storage of records.	Low.	Investigate alternative options.

STRATEGIC IMPLICATIONS:

3.2 Continued use of the Regional Records Facility whilst preparing for the return of Shire records to Menzies Lady Shenton Building record storage; implementation of standard internal record keeping.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Authorise the CEO to advise GVROC and City of Kalgoorlie-Boulder that the Shire of Menzies wishes to withdraw from the Goldfields Record Storage Facility.

COUNCIL DECISION:

Council Resolution Number	2148
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Moved	Cr J Lee	Seconded	Cr J Dwyer
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That Council Authorise the CEO to advise GVROC and City of Kalgoorlie-Boulder that the Shire of Menzies wishes to withdraw from the Goldfields Record Storage Facility.

Carried	4/0
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12.2.3 Sale of Land at Kookynie to MelNay Lungkutjarra Pty Ltd

Cr I Baird returned to the meeting at 1.31pm

12.2.3 SALE OF LAND AT KOOKYNIE TO MELNAY LUNGKUTJARRA PTY LTD	
LOCATION	Shire of Menzies
APPLICANT	MelNay Lungkutjarra Pty Ltd
DOCUMENT REF	
DATE OF REPORT	09 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Valuation Report Lots 68-70 Britannia St and Lots 3, 74-76 Cumberland St, Kookynie WA 6431.

SUMMARY:

This paper is for Council to consider the sale of Lots 68-70 Britannia Street and Lots 3 & 74-76 Cumberland Street, Kookynie WA 6431, to MelNay Lungkutjarra Pty Ltd.

BACKGROUND:

MelNay Lungkutjarra Pty Ltd are intending to start a 100% owned and operated aboriginal tourist business in Kookynie WA. The business will be aiming to provide the following within 1-3 years:

- Tourist centre.
- Mechanical workshop.
- Seasonal café, selling traditional foods.

The company has offered to purchase several Lots of land in Kookynie to provide these services.

COMMENT:

A valuation was conducted on the land that determined that the land was worth \$23,000 (ex GST) if sold as individual Lots or \$15,000 (ex GST) if sold together.

In selling the Lots, the Shire does not provide approvals for the purchaser's intended uses. Development approvals will still be required for any construction on the Lots and the use of the land will be required to comply with Town Planning Schemes and other statutory requirements.

Demand for land in Kookynie has been low and the sale of this land may assist in bringing new residents to the town.

Sale of land by a Local Government Authority is in accordance with the following sections of the Local Government Act (1995):

3.58. *Disposing of property*

- (1) *In this section —*
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) *Except as stated in this section, a local government can only dispose of property to —*
 - (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
 - (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

and
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
 - (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

CONSULTATION:

Community consultation will be conducted in accordance with the *Local Government Act 1995*.

STATUTORY AUTHORITY:

Local Government Act 1995, Part 3, Division 3, section 3.58.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

The sale price of \$15,000 (ex GST) has not been included in this year's budget

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
N/A		

STRATEGIC IMPLICATIONS:

2.1 An Innovative, diverse, and prosperous economy.

2.1.1 Support local busines and encourage further investment in the district.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Authorise the CEO to approve the sale of Lots 68-70 Britannia Street and Lots 3 & 74-76 Cumberland Street, Kookynie WA 6431 to MelNay Lungkutjarra Pty Ltd under the following conditions:
 - a. The sale price be in accordance with the valuation undertaken on 02 March 2021, being the sum of \$15,000 (ex GST); and
 - b. The Shire effects public notice as required in accordance with s. 3.58 of the *Local Government Act 1995*.
2. Subject to no adverse submissions being received, authorise the CEO and President to affix the Common Seal of the Shire of Menzies, in accordance with Shire of Menzies Delegation 2.1, to the sale agreement between the Shire and MelNay Lungkutjarra Pty Ltd for Lots 68-70 Britannia Street and Lots 3 & 74-76 Cumberland Street, Kookynie WA 6431.

COUNCIL DECISION:

Council Resolution Number	2149
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council:

1. **Authorise the CEO to approve the sale of Lots 68-70 Britannia Street and Lots 3 & 74-76 Cumberland Street, Kookynie WA 6431 to MelNay Lungkutjarra Pty Ltd under the following conditions:**
 - a. **The sale price be in accordance with the valuation undertaken on 02 March 2021, being the sum of \$15,000 (ex GST); and**
 - b. **The Shire effects public notice as required in accordance with s. 3.58 of the *Local Government Act 1995*.**
2. **Subject to no adverse submissions being received, authorise the CEO and President to affix the Common Seal of the Shire of Menzies, in accordance with Shire of Menzies Delegation 2.1, to the sale agreement between the Shire and MelNay Lungkutjarra Pty Ltd for Lots 68-70 Britannia Street and Lots 3 & 74-76 Cumberland Street, Kookynie WA 6431.**

Carried	5/0
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12.2.4 Community Grant Funding Request

12.2.4 COMMUNITY GRANT FUNDING REQUEST	
LOCATION	Shire of Menzies
APPLICANT	Menzies Community School
DOCUMENT REF	
DATE OF REPORT	14 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	The CEO is a community member of the School Council.
ATTACHMENT	Community Event Quotation Community Event Information

SUMMARY:

This item provides a request from the Menzies Community School for funding through community grant funding.

BACKGROUND:

Menzies Community School has requested community grant funding to provide an extracurricular event.

Scitech would be engaged to travel to Menzies and provide a series of science shows and exhibits for the students.

Scitech is a not-for-profit organisation.

COMMENT:

To attract and retain residents, especially those with school aged children, it is important to provide services and events that close the gap with larger communities. Without Shire funding this science event could not occur and would limit the exposure of students to advanced science activities.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The requested funding is \$6030 and can be accommodated within the total operational expense budget of Council.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Nil.		

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 Approves funding of \$6030 to the Menzies Community School for the community event as detailed in the report attachments.

COUNCIL DECISION:

Council Resolution Number	2150
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council Approves funding of \$6030 to the Menzies Community School for the community event as detailed in the report attachments.

Carried	5/0
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12.2.5 Changes to Senior Management Positions

12.2.5 CHANGES TO SENIOR MANAGEMENT POSITIONS	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	21 April 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 bought to Council at the March 2021 OCM.

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	2151
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council table the paper

Carried	5/0
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12.2.6 Appointment of CFO

Cr I Baird left the meeting at 3:03pm

12.2.6 APPOINTMENT OF CFO	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	09 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Confidential Selection Report

SUMMARY:

Designated senior employees require Council approval for appointment or dismissal. The selection panel, for the position of CFO, has nominated a preferred candidate.

BACKGROUND:

Local Government Act (1995) states:

5.37. Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

COMMENT:

The position was advertised in accordance with Local Government (Administration) Regulations 1996 Part 4 Section 18A (2).

Eighteen (18) applications were received. A shortlist of six (6) applicants were interviewed by Mr Brian Joiner (CEO) and Ms Jan Hancock (Governance Coordinator). It was the opinion of the selection panel that the persons recommended in the selection report are suitable for the position. An order of preference has been supplied within the report.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act (1995).

Local Government (Administration) Regulations 1996 Part 4 section 18A.

POLICY IMPLICATIONS:

In accordance with Council Policy 5.2 Designated Staff the position of CFO is treated as a Designated Position.

FINANCIAL IMPLICATIONS:

The position is included within the Budgets for FY 2020/21.

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.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Approves the appointment to the CFO position in accordance with the recommendation of the selection panel within this confidential report.

COUNCIL DECISION:

Council Resolution Number	2152
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Moved		Seconded	
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That Council:

- 1. Approved the creation of a CFO position which replaces the DCEO position in the organizational structure; and**
- 2. Approved the appointment to the CFO position in accordance with the recommendation of the selection panel within the confidential attachment to the report**

Moved	Cr J Dwyer	Seconded	Cr K Mader
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Carried	4/0
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Reason: Due to (previous item) being tabled, Council had to acknowledge a change of position title.

Meeting adjourned at 2.46pm
Meeting recommenced at 3.07pm

12.2.7 New Policy 1.1.2 Employee Code of Conduct

Cr I Baird returned to the meeting at 3.10pm

12.2.7 DRAFT POLICY 1.1.2 – EMPLOYEE CODE OF CONDUCT	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1 / NAM387
DATE OF REPORT	21 April 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Draft Policy 1.1.2 - Employee Code of Conduct

SUMMARY:

This item recommends adoption of a new Policy 1.1.2 - Employee Code of Conduct (refer to attachment).

BACKGROUND:

On 27 June 2019 the Local Government Legislation Amendment Act 2019 was passed in Parliament with the Reforms introduced on 3 February which addressed a new Model Code of Conduct for Council Members, Committee Members and Candidates.

In making the required change by adopting a new Policy 1.1.1 – Model Code of Conduct for Council Members, Committee Members and Candidates there was a necessity to create a standalone Employee Code of Conduct (extracted from former Shire of Menzies Policy 1.1 Code of Conduct for Elected Member, Committee Members and Employees).

COMMENT:

The purpose of Policy 1.1.2 - Employee Code of Conduct is to provide consistent guidelines and expectations for the Shire of Menzies employees. The Employee Code of Conduct encourages commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

CONSULTATION:

DLGC Reform Documentation
Chief Executive Officer.

STATUTORY AUTHORITY:

Required under:

- *Local Government Act 1995 S.5.103*
- *Local Government (Administration) Regulations 1996 (Regs 34B and 34C)*

POLICY IMPLICATIONS:

- Policy 1.1 – Code of Conduct be amended as required under *Local Government Regulations 2021*

FINANCIAL IMPLICATIONS:

Nil

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Employees may not be aware of the requirements of ethical and professional conduct and their obligation to follow Council’s principles	Low/Medium	Ensures consistency with the principles of procedural fairness and community expectations of local government.

STRATEGIC IMPLICATIONS:

- 4.2 An efficient and effective organisation.
- 4.2.1 Maintain a high level of corporate governance, responsibility and accountability.
- 4.2.3 Provide a positive and safe workplace

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council adopt Policy 1.1.2 – Employee Code of Conduct.

COUNCIL DECISION:

Council Resolution Number	2153
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council adopt Policy 1.1.2 – Employee Code of Conduct.

Carried	5/0
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12.2.8 New Policy 5.16 Standards for CEO Recruitment and Selection

The CEO B Joiner declared an impartiality for this item.

12.2.8	DRAFT POLICY 5.16 – STANDARDS FOR CEO RECRUITMENT AND SELECTION, PERFORMANCE REVIEW AND TERMINATION
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1 / NAM386
DATE OF REPORT	21 April 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	CEO impartiality interest as the item deals with CEO conditions
ATTACHMENT	Draft Policy 5.16 – Standards for CEO Recruitment and Selection, Performance Review and Termination

SUMMARY:

This item recommends adoption of a new Policy 5.16 – Standards for CEO Recruitment and Selection, Performance Review and Termination (refer to attachment).

BACKGROUND:

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.

Local Governments are required to prepare and adopt the Standards within three months of the regulations coming into effect (by 3 May 2021).

COMMENT:

The purpose of the Policy 5.16 – Standards for CEO Recruitment and Selection, Performance Review and Termination is to provide a framework for decisions and actions when recruiting a CEO that brings consistency to local governments.

CONSULTATION:

- Chief Executive Officer
- WALGA

STATUTORY AUTHORITY:

Required under:

- *Local Government (Administration) Amendment Regulations 2021 (CEO Standards Regulations)*
- *Section 22 of the Amendment Act*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
The Model CEO Standards provide a framework for local governments to select a CEO in accordance with principles of merit, probity, equity and transparency.	Medium	Adhering to the Reforms are intended to ensure best practice and greater consistency in these processes between local governments.

STRATEGIC IMPLICATIONS:

4.2.3 Provide a positive and safe workplace

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council adopt the Policy 5.16 – Standards for CEO Recruitment and Selection, Performance Review and Termination

COUNCIL DECISION:

Council Resolution Number	2154
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Moved	Cr I Baird	Seconded	Cr K Mader
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That Council adopt the Policy 5.16 – Standards for CEO Recruitment and Selection, Performance Review and Termination

Carried	5/0
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12.2.9 New Policy 1.14 Universal Training

12.2.9 DRAFT POLICY – 1.14 – UNIVERSAL TRAINING – ELECTED MEMBERS AND CANDIDATES	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1 / NAM385
DATE OF REPORT	21 April 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Draft Policy – 1.14 – Universal Training – Elected Members and Candidates

SUMMARY:

This item recommends adoption of a new Policy 1.14 – Universal Training - Elected Members and Candidates (refer to attachment).

BACKGROUND:

On 27 June 2019 the Local Government Legislation Amendment Act 2019 was passed in Parliament with the Reforms introduced on 3 February 2021 which addressed mandatory training for Elected Members and Candidates.

Local Governments are required to prepare and adopt the Universal Training Standards as soon as practicable after the date the regulations came into effect (3 February 2021).

COMMENT:

Universal Training has been introduced to equip Council members with the necessary skills to assume the important leadership role they undertake for the Shire and the Community.

Equally important is the provision of an introductory online training module for Candidates to provide an understanding of the role they will potentially take on and what laws affect the way they conduct their campaign

CONSULTATION:

Chief Executive Officer.

STATUTORY AUTHORITY:

Required under:

The Local Government Act 1995

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Training requirements have been allocated in the budget.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Council Members have significant and complex roles that require a diverse skillset. Candidates may have no prior Council knowledge.	Medium	Training will enhance Elected Members skillset. The Candidate induction training module will provide a comprehensive overview of the skillset required to become and Elected Member

STRATEGIC IMPLICATIONS:

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt Policy 1.14 – Universal Training - Elected Members and Candidates.

COUNCIL DECISION:

Council Resolution Number	2155
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council adopt Policy 1.14 – Universal Training - Elected Members and Candidates.

Carried	5/0
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12.2.10 Policy 1.9 Internal Control

12.2.10 DRAFT POLICY – 1.9 INTERNAL CONTROL	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1 / NAM383
DATE OF REPORT	21 April 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Draft Policy – 1.9 - Internal Control

SUMMARY:

This item recommends adoption of new Policy - 1.9 – Internal Control (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 evidence Council's commitment to appropriate and effective internal controls and their importance to the organisation through the implementation of policies, procedures and processes designed to promote compliance, encourage effective and efficient operations and to protect the Shire's assets.

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 risk management strategies through policies, procedures, processes and controls to protect Shire assets	Medium/High	Appropriate and effective internal controls.

STRATEGIC IMPLICATIONS:

- 4.1 A Strategically focused Council, leading our community
- 4.1.1 Provide strategic leadership and governance
- 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 1.9 - Internal Control.

COUNCIL DECISION:

Council Resolution Number	2156
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council Adopt Policy 1.9 - Internal Control.

Carried	5/0
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12.2.11 Policy 1.10 Legislative Compliance

12.2.11 DRAFT POLICY – 1.10 - LEGISLATIVE COMPLIANCE	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1 / NAM384
DATE OF REPORT	21 April 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Draft Policy – 1.10 – Legislative Compliance

SUMMARY:

This item recommends adoption of new Policy - 1.10 – Legislative Compliance (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 that the Shire upholds its commitment to meet a high level of compliance with legislative requirements applying to local government and takes the necessary action to rectify any breach as soon as reasonably possible.

CONSULTATION:

Chief Executive Officer
Moore Australia

STATUTORY AUTHORITY:

Required under:

- *The Local Government Act 1995*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
To enable Council to uphold its commitment to meet a high level of compliance with legislative requirements.	Low/Medium	Ensures consistency with the principles of transparency of local government.

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 1.10 – Legislative Compliance.

COUNCIL DECISION:

Council Resolution Number	2157
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council adopt Policy 1.10 – Legislative Compliance.

Carried	5/0
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12.2.12 New Policy – Capital Road Works

12.2.12 CAPITAL ROAD WORKS FUNDING ALLOCATION	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	23 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

This item requests Council approval to reallocate capital funding for several road projects within the Shire.

BACKGROUND:

The primary sources of funding for road projects are Roads to Recovery (R2R) and Regional Road Group (RRG). There are two (2) road projects that are yet to commence in this financial year:

1. Menzies NW Road (bitumen) – This involves a bitumen surface for approximately 5km of road from the end of the current bitumen surface. Funding for this project consists of R2R \$510,627 and RRG \$232,600, with the rest comprising operating surplus.
2. Tjuntjuntjara Access Road (improvements and resheeting) – This involves resheeting and improving portions of the road between Tjuntjuntjara and into the Connie Sue Highway. Funding for this project consists of R2R \$190,000, FAGS \$160,000 and MRWA \$80,000, of which \$73635 has been expended.

Delays in design and approvals for the Menzies NW Road project have meant that it is unlikely to proceed in this financial year. As it is difficult to get funding rolled over into the next financial year, some reallocation of funding needs to occur to ensure it is acquitted.

COMMENT:

Design for the Menzies NW Road was delayed for many reasons. The primary reason was seeking approvals to realign the road to take out a corner that was problematic. As this progressed it was decided to re-engineer the current alignment. Some of the other reasons for delay included Covid-19 and rainfall events redirecting efforts into restitution of roads rather than road improvements.

Although a tender could now be issued it is unlikely that the works could be completed in this financial year. The works would also be restricted as laying bitumen in cold weather is normally avoided. Delaying the works until the weather warms up is considered prudent to ensure the end result is of a better quality.

The amount of funding for bitumen on the Menzies NW Road would be higher next year with the Shire's operational contribution rolling over to next financial year. This would mean that a

budget of at least \$1.5M would be available. Extending the current resheeting program would mean that some of the pre-work, such as re-engineering the problematic corner, would have been completed. Doing a larger component next financial year will result in almost the same amount of bitumen laid when compared to doing it over the two separate years.

The Tjuntjuntjara Access Road project has \$356,375 left in the available budget. This is not considered adequate to achieve significant works on this project. Due to the remoteness of the community and the road a significant portion of the funding would be taken up with mobilisation and demobilisation. Previous years have had larger amounts allocated.

This project is currently out for tender and the scope can be easily increased with the tender being for a schedule of rates.

CONSULTATION:

On Council approval, consultation will occur with R2R and RRG officers.

STATUTORY AUTHORITY:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The reallocation of funding allows Council to use all its allocated funding.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Nil.		

STRATEGIC IMPLICATIONS:

2.1 An innovative, diverse and prosperous economy.

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

VOTING REQUIREMENTS:

Absolute Majority 6.8(1)

OFFICER RECOMMENDATION:

That Council:

1. Authorises the CEO to apply for reallocations of Regional Road Group and Roads to Recovery funding with the available \$627,002 of Roads to Recovery funding to be utilised for the Tjuntjuntjara Access Road Project (R2R049) and \$232,600 of Regional Road Group funding to be utilised for further works on Projects RRG007, 008 and 009 fixing damage from March 2021 rain events; and
2. Approves the budget amendments to account for subsequent approvals of the capital reallocations; and
3. Notes that an application will be made to roll over other capital funding that cannot be expended this financial year.

COUNCIL DECISION:

Council Resolution Number	2158
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Moved	Cr J Dwyer	Seconded	Cr I Baird
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That Council:

1. **Authorises the CEO to apply for reallocations of Regional Road Group and Roads to Recovery funding with the available \$627,002 of Roads to Recovery funding to be utilised for the Tjuntjuntjara Access Road Project (R2R049) and \$232,600 of Regional Road Group funding to be utilised for further works on Projects RRG007, 008 and 009 fixing damage from March 2021 rain events; and**
2. **Approves the budget amendments to account for subsequent approvals of the capital reallocations; and**
3. **Notes that an application will be made to roll over other capital funding that cannot be expended this financial year.**

Carried	5/0
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12.2.13 Economic Stimulus Grant Applications

12.2.13 ECONOMIC STIMULUS GRANT APPLICATIONS	
LOCATION	Shire of Menzies
APPLICANT	Mike Crowley
DOCUMENT REF	
DATE OF REPORT	23 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Application Mike Crowley

SUMMARY:

This item provides Council with the applications for the economic stimulus grant scheme.

BACKGROUND:

Small business in the Shire have suffered through Covid and the impacts from reduced tourism visitation to the region. Many Councils have provided a scheme for small business to apply for grants where they can demonstrate that it will be used to stimulate activity within the region.

The Shire of Menzies budget review identified funding that could be made available for a small business stimulus grant scheme.

At the OCM held 25 March 2021 Council resolved:

That Council approve an allocation of \$50,000 funding to the small business stimulus grant scheme with applications, for scheme funding, to be presented to Council.

To date there have been two (2) applications for funding with both submissions attached.

COMMENT:

The intention of the grants is to provide either:

- New product from an existing business.
- Enhanced product from an existing business.
- Increased hours of operations.
- Activity from a business that increases employment in the Shire.
- Support for growing tourism or industry.
- Improved amenity for residents.

Grant Application 1 has requested funding to provide a water bore on Mining Lease M29/143. The application states that it will allow further mining potentially supporting more employment in the region.

The applicant does not have a residential address in the Shire only the mining lease. The application does not detail any economic growth and or detail where anyone working the mining lease would live.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act (1995)

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Council has approved a budget allocation of \$50,000 to the scheme with up to \$10,000 for any single applicant.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Nil.		

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 Reject the application from Mike Crowley as it does not provide, in sufficient detail, evidence that funding would provide an economic stimulus.

COUNCIL DECISION:

Council Resolution Number	2159
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council Reject the application from Mike Crowley as it does not provide, in sufficient detail, evidence that funding would provide an economic stimulus.

Carried	5/0
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INFORMATION REPORTS

13.1.1 Actions Performed Under Delegation for March 2021

13.1.1 ACTIONS PERFORMED UNDER DELEGATION FOR MARCH 2021	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	19 April 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

The following tables outline the actions performed within the organisation relative to delegated authority for the month.

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
Ardea Resources Limited	Invitation for comment regarding closure of mine.	Jump Up Dam
BMGS Perth Pty Ltd	Invitation for comment regarding closure of mine.	Granny Venn
Saturn Metals Ltd	Miscellaneous Licence	31/76-78
Iris Metals Pty Ltd	Prospecting Licence	40/1535

The following Community Assistance Fund Applications were made for the month

Applicant Name	Application Type	Grant Approved
Menzies Community School	Community and School Science Shows (\$6030)	Item 12.2.4 Refers

13.1.2 Menzies EHO Report March 2021

13.1.2 HEALTH AND BUILDING REPORT	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	NCR1964
DATE OF REPORT	24/03/2021
AUTHOR	Dave Hadden
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

To advise the council of the activities of the Environmental Health Officer / Building Surveyor for the month of March 2021.

COMMENT:

Building:

Processed two building permits for shade shelters, one at the truck bay and one at Niagara Dam. The other shade shelters proposed for Lake Ballard were under 10 square metres in floor area and therefore exempt from the requirement for a building permit under the Building Regulations 2021.

Have been liaising with representatives from the Edjudena Camp who are planning on placing an additional 6 accommodation units at the village. Have advised that they need to determine that the existing wastewater treatment system has capacity to service the extra 24 rooms before application is made for the building permit. If the existing treatment system will not be adequate for the additional staff numbers the treatment system will require an upgrade that will require Shire and Health Department

Ora Banda mining are still working on providing certifications from relevant trades for the Riverina Village Camp to support their application for occupancy.

Dealt with various enquiries relating to building services.

Health:

Both Menzies and Kookynie tip sites were noted as noncompliant due to putrescible waste not being covered correctly in accordance with the Environmental Protection (Rural Landfill) Regulations 2002. The risk with leaving waste uncovered is that any visitor can set the waste on fire which then requires a series of reporting protocols to the Department of Water and Environmental Regulation as well as being left with a fire that could take weeks to extinguish if the buried waste has been ignited.

Checked Menzies Hotel kitchen and spoke to the owner regarding cleaning schedule again. He has ordered new filters for the exhaust canopy. He was requested to improve cleaning throughout as well as repaint the ceiling again. Owner advised he will be applying for approval to relocate the general store to the room behind the front counter as he needs a letter of support

from Council with his application to Racing and Gaming for approval under the Hotel Licence to do so. A further inspection will be carried out in April to confirm cleaning improvement.

Dealt with many various enquiries relating to health services.

13.1.3 Compliance Calendar March 2021

13.1.3 COMPLIANCE CALENDAR MARCH 2021 STATUS	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	COR.860.1
DATE OF REPORT	21 April 2021
AUTHOR	GOV Jan Hancock
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	<u>March 2021 Compliance Calendar</u>

COMMENT:

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

ITEM	REASON FOR EXCEPTION
2019/20 Annual Report	Awaiting Auditors Report
CEO Performance Review & Set KPI's	Consultant has issued questionnaires for completion by staff. Consultant to review and complete by May 2021
Local Law Review	Public Comment expiry date 30.4.21
Budget Preparation	In Progress – Report due to Council in June 2021. Council workshops to be held in May
NGWG Contract	CEO in discussions with stakeholders
Planning Scheme No. 2 Planning Strategy	Public Comment expiry date 2.7.21

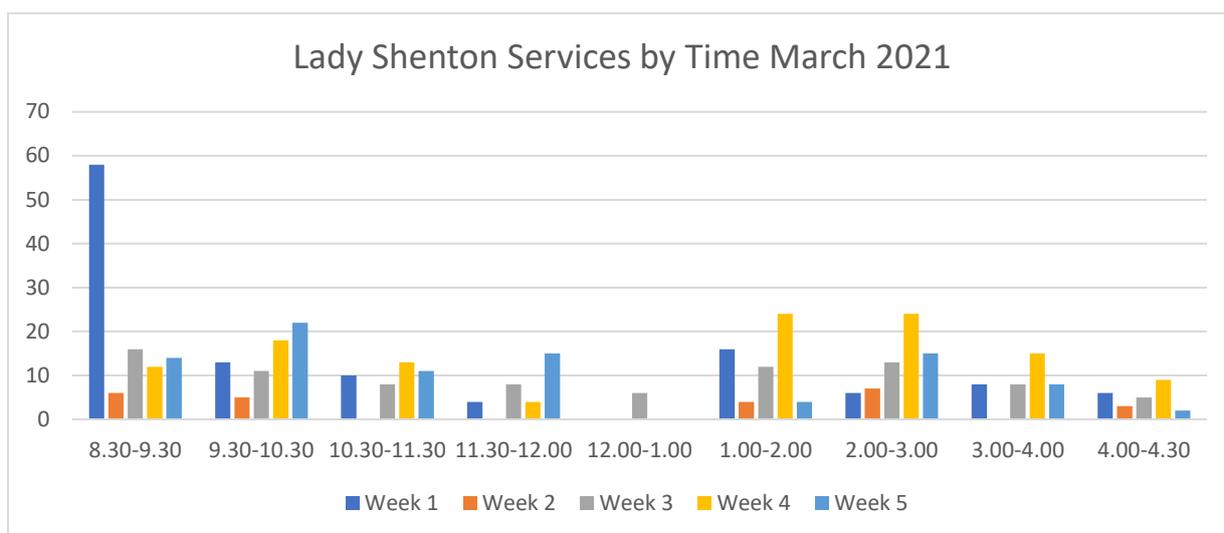
13.1.4 – COMMUNITY SERVICES REPORT – March 2021

13.1.4 – COMMUNITY SERVICES REPORT – March 2021	
LOCATION	Shire of Menzies
APPLICANT	Shire of Menzies
DOCUMENT REF	COR.860.1/NAM335
DATE OF REPORT	25 March 2021
AUTHOR	Sethen Sheehan-Lee Community Services Officer
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

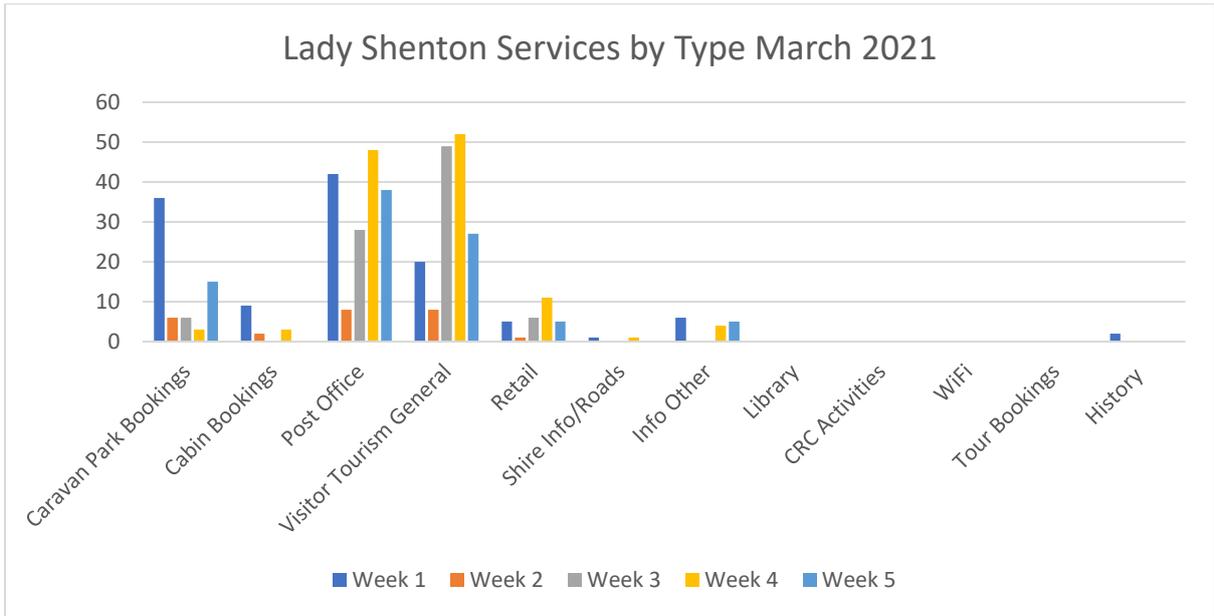
COMMENT:

Lady Shenton

The Lady Shenton received 447 visitors in March 2021.

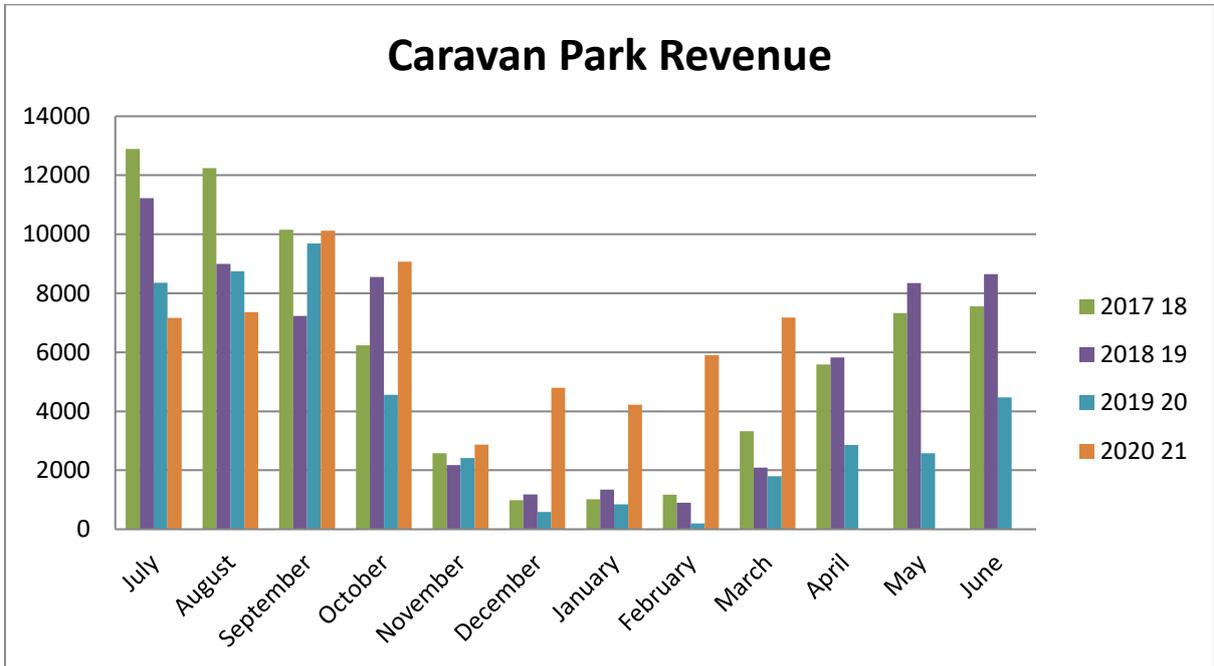


The *Post Office* was the most popular in March 2021.



Caravan Park

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



Youth Centre and General Community Services

Due to limited staffing availability the Youth Centre had limited operating hours in March (2021).

Badminton games continued throughout the month with a reasonable number of participants attending games at the Town Hall every Wednesday night of March (2021).

Two workers from the NBN (National Broadband Network) based themselves outside Community Recourse Centre on the morning of March 22nd (2021).

COUNCIL DECISION:

Council Resolution Number	2160
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council receive the Information Reports for the month of March 2020.

Carried	5/0
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13. ELECTED MEMBER MOTION OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING (LATE PAPERS)

14.1.1, 14.1.2 and 14.1.3

Cr K.Mader left the meeting at 3.50pm

Cr K Mader re-entered the meeting at 3:52pm

OFFICER RECOMMENDATION:

That Council accepts 14.1.1, 14.1.2 and 14.1.3 as late items to the OCM.

COUNCIL DECISION:

Council Resolution Number	2161
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Moved	Cr J Dwyer	Seconded	Cr I Baird
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That Council Accepts 14.1.1, 14.1.2 and 14.1.3 as late items to the OCM.

Carried	5/0
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14.1.1 LEASE OF 53 SHENTON STREET AND 56 WILSON STREET MENZIES WA

Cr J Lee declared a financial interest in this item
Cr J Lee left the meeting at 3.55pm

14.1.1 LEASE OF 53 SHENTON STREET AND 56 WILSON STREET MENZIES WA	
LOCATION	Shire of Menzies
APPLICANT	Donna Cavazzi
DOCUMENT REF	
DATE OF REPORT	09 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	1. Cost Estimate 56 Wilson Street (Confidential). 2. Cost estimate 53 Shenton Street (Confidential). 3. Rental valuation 56 Wilson Street. 4. Rental valuation 53 Shenton Street.

SUMMARY:

This paper is for Council to consider the lease of 53 Shenton Street and 56 Wilson Street to Donna Cavazzi.

BACKGROUND:

Council considered a report in relation to an expression of interest, use of the old butcher shop, at its OCM held in September 2020 whereat the Council resolved:

That:

1. *Expression of Interest be invited for the lease of the Old Butcher Shop building, situated on Lot 1094 Shenton Street, Menzies, for the purpose of a convenience store/restaurant.*
2. *Lease conditions to include:-*
 - 2.1 *Fit-out of the building, including toilets and commercial kitchen, be at the lessors cost and standard.*
 - 2.2 *The first twelve months of operation be rent free.*

The Shire advertised for expressions of interest to use the old butchers shop for commercial purposes. The Shire received one expression of interest from Donna Cavazzi for the purpose of establishing a Diner and Takeaway.

COMMENT:

Works required by Council to the buildings are estimated at:

- 53 Shenton Street: \$113,965.50 (ex GST).

- 56 Wilson Street: \$11,185.00 (ex GST).

Due to the age of the buildings a contingency of approximately 20% is included to bring the total budget to \$150,000 (ex GST).

The scope of works and estimates are included at Confidential Attachments 1 and 2.

Council has previously resolved to undertake the fit out works and waive rental on the Old Butchers Shop (56 Shenton Street) for the first year.

The valuations for the properties are included at Attachments 3 and 4.

Disposal of land by a Local Government Authority is in accordance with the following sections of the Local Government Act (1995):

3.58. *Disposing of property*

- (1) *In this section —*
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) *Except as stated in this section, a local government can only dispose of property to —*
 - (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
 - (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

and
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
 - (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*

- (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
- (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

CONSULTATION:

Community consultation will be conducted in accordance with the *Local Government Act 1995*.

STATUTORY AUTHORITY:

Local Government Act 1995, Part 3, Division 3, section 3.58.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

The capital works cost of \$150,000 has not been included in this year’s budget. Funding is available through the Commercial Enterprises Reserve which has \$202,619 available.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Revenue is less than forecast.	Medium.	Monitoring of the financial viability of the business. Outfit of building will allow new tenants with minimal future outlay.

STRATEGIC IMPLICATIONS:

2.1 An Innovative, diverse, and prosperous economy.

2.1.1 Support local busines and encourage further investment in the district.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Authorise the CEO to approve a five (5) year lease with one (1) five (5) year option between the Shire and Donna Cavazzi for 53 Shenton Street, Menzies WA 6436, and 56 Wilson Street, Menzies WA 6436, commencing on 01 June 2021 under the following conditions:
 - a. The rent in the first year (Year1) be \$10,400 (ex GST), being the rental valuation for 56 Wilson Street only; and
 - b. The rent from the second year (Year 2) be in accordance with the valuation undertaken on 02 March 2021 and being a total sum of \$15,400 (ex GST); and
 - c. The rent for each subsequent year to be increased by 3% or CPI within the state of Western Australia, whichever is higher; and
 - d. The Shire effects public notice as required in accordance with s. 3.58 of the *Local Government Act 1995*.
2. Subject to no adverse submissions being received, authorise the CEO and President to affix the Common Seal of the Shire of Menzies, in accordance with Shire of Menzies Delegation 2.1, to the lease agreement between the Shire and Donna Cavazzi for 53 Shenton Street, Menzies WA 6436, and 56 Wilson Street, Menzies WA 6436.
3. Authorise expenditure of \$150,000 from the Commercial Enterprises Reserve.

COUNCIL DECISION:

Council Resolution Number	2162
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council:

- 1. Authorise the CEO to approve a five (5) year lease with one (1) five (5) year option between the Shire and Donna Cavazzi for 53 Shenton Street, Menzies WA 6436, and 56 Wilson Street, Menzies WA 6436, commencing on 01 June 2021 under the following conditions:**
 - a. The rent in the first year (Year1) be \$10,400 (ex GST), being the rental valuation for 56 Wilson Street only; and**
 - b. The rent from the second year (Year 2) be in accordance with the valuation undertaken on 02 March 2021 and being a total sum of \$15,400 (ex GST); and**
 - c. The rent for each subsequent year to be increased by 3% or CPI within the state of Western Australia, whichever is higher; and**
 - d. The Shire effects public notice as required in accordance with s. 3.58 of the *Local Government Act 1995*.**
- 2. Subject to no adverse submissions being received, authorise the CEO and President to affix the Common Seal of the Shire of Menzies, in accordance with Shire of Menzies Delegation 2.1, to the lease agreement between the Shire and Donna Cavazzi for 53 Shenton Street, Menzies WA 6436, and 56 Wilson Street, Menzies WA 6436.**
- 3. Authorise expenditure of \$150,000 from the Commercial Enterprises Reserve.**

Carried	4/0
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14.1.2 ORDINARY COUNCIL MEETING CHANGE OF VENUE

Cr Lee re-entered the meeting at 4:05pm

14.1.2 ORDINARY COUNCIL MEETING CHANGE OF VENUE	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	29 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Nil

SUMMARY:

This item is for Council to approve a change of venue for the 24 June 2021 Ordinary Council Meeting (OCM).

BACKGROUND:

The venue for the 29 April OCM was changed at short notice from Tjuntjuntjara to Menzies. This was done on the advice of health authorities and WA Police following an outbreak of Covid-19 in the Perth area.

Council took a cautious approach and did not want to put the Tjuntjuntjara community at risk as several Councillors and staff had been in the Perth/Peel region post 17 April 2021.

In accordance with Shire of Menzies policy, two (2) meetings should be held in Tjuntjuntjara each year. The meeting for 24 June 2021 is the next available date as the 27 May 2021 meeting has a significant event being held in Menzies on the weekend after.

COMMENT:

Nil.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act (1995)

POLICY IMPLICATIONS:

Shire of Menzies Policy 3.9 states that two (2) meetings may be held in Tjuntjuntjara each year.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Nil.		

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 a change of venue for the Ordinary Council Meeting on 24 June 2021 from Menzies to Tjuntjuntjara.

COUNCIL DECISION:

Council Resolution Number	2163
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Moved	Cr I Baird	Seconded	Cr J Dwyer
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That Council Approve a change of venue for the Ordinary Council Meeting on 24 June 2021 from Menzies to Tjuntjuntjara.

Carried	5/0
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14.1.3 APPOINTMENT OF WORKS MANAGER

14.1.3 APPOINTMENT OF WORKS MANAGER	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	28 April 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Confidential Selection Report

SUMMARY:

Designated senior employees require Council approval for appointment or dismissal. The selection panel, for the position of Works Manager, has nominated a preferred candidate.

BACKGROUND:

Local Government Act (1995) states:

5.37. Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

COMMENT:

The position was advertised in accordance with Local Government (Administration) Regulations 1996 Part 4 Section 18A (2).

Four (4) applications were received. A shortlist of four (4) applicants were interviewed by Mr Brian Joiner (CEO), Mr Kim Edmeades (Contract Works Manager) and Ms Sharlene Mik (Executive Officer). It was the opinion of the selection panel that the persons recommended in the selection report are suitable for the position. An order of preference has been supplied within the report.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act (1995).

Local Government (Administration) Regulations 1996 Part 4 section 18A.

POLICY IMPLICATIONS:

In accordance with Council Policy 5.2 Designated Staff the position of Works Manager is treated as a Designated Position.

FINANCIAL IMPLICATIONS:

The position is included within the Budgets for FY 2020/21.

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.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Approves the appointment to the Works Manager position in accordance with the recommendation of the selection panel within this confidential report.

COUNCIL DECISION:

Council Resolution Number	2164
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Moved	Cr J Dwyer	Seconded	Cr K Mader
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That Council Approves the appointment to the Works Manager position in accordance with the recommendation of the selection panel within this confidential attachment.

Carried	5/0
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15. BEHIND CLOSED DOORS- CONFIDENTIAL REPORTS

Nil

16. NEXT MEETING

27th May 2021

17. CLOSURE OF MEETING

The president declared the meeting closed at 4:23pm