SHIRE OF MENZIES

Agenda

NOTICE OF MEETING

A Special Meeting of the Council will be held in the Council Chambers, 124 Shenton Street, Menzies on Wednesday 11 November 2026 commencing at 12Noon to consider the following Special Business items:

1. Confirmation of Minutes – 15 October Ordinary Council Meeting
2. List of Payments - October 2026
3. Finance Reports - October 2026
4. Local Laws – Periodic Review Status and Proposed Repeal Local Law 2026
5. Roads 2040 – Ratification of Application: Mount Ida Road (6090026)
6. Roads 2040 – Application to Add Pinjin Road (6090001, SLK 0.00–11.91)
7. Roads 2040 – Application to Add Mount Celia Road (6090028, SLK 0.00–52.06)
8. Roads 2040 – Application to Add Davyhurst – Mulline Road (6090012, SLK 0.00–33.91)
9. Roads 2040 – Application to Add Niagara Dam Road (6090059) to the Kookynie – Malcolm Route
10. Roads 2040 – Application to Amend the Menzies North West Road Listing to include Wilson Street and Onslow Street, Menzies
11. Roads 2040 – Application to Add Kookynie – Mount Remarkable Road (6090003, SLK 0.00–29.87)
12. Budget Amendment 2026/27: Water Park
13. Budget Amendment 2026/27: Christmas Events
14. Menzies Post Office proposal
15. Budget Amendment 2026/27: Former Post Office
16. Proposed Organisational Structure
17. Budget Amendment 2026/27: Employee Costs
18. Menzies Aboriginal Corporation - Rates Exemption Application
19. Proposed Town Planning Framework Updates
20. Community Investment Agreements with Mining Companies Operating in the Shire of Menzies – Authority to Negotiate

21. GEDC 2025 Small Grant ($40,000) – Rescope of Community Playground Funding
22. Approval to Discharge Treated Stormwater from Menzies Power Plant
23. Direct Interest Party - New Application Clearing Permit CPS 11741/1 - Carnegie Gold Pty Ltd

Anita Nathan (Anitha Varadaraj)
Chief Executive Officer

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Menzies for any act, omission or statement or intimation occurring during Council / Committee meetings or during formal / informal conversations with staff. The Shire of Menzies disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council / Committee meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

DISCLOSURES OF INTEREST

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

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

RECORDING OF MEETINGS

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

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

(1) A local government is not liable to an action for defamation in relation to any of the following done by the local government as required or authorised under this Part —

(a) publicly broadcasting a meeting;
(b) making a recording of a meeting;
(c) making a recording of a meeting publicly available;
(d) retaining a recording of a meeting or a copy of a recording;
(e) providing a copy of a recording of a meeting to the Departmental CEO.

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1 DECLARATION OF OPENING

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

2 ANNOUNCEMENT OF VISITORS

3 RECORD OF ATTENDANCE

Councillors:	Cr P Warner, Shire President
	Cr S Sudhir, Deputy Shire President
	Cr I Baird
	Cr K Tucker
	Cr J Dwyer
	Cr S Wessely
	Cr A Tucker
Staff:	Ms A Nathan (Varadaraj), Chief Executive Officer
	Ms T Tran, Acting Deputy Chief Executive Officer
	Mr G Marland, Works Manager
	Ms M Yulo-Uy, Executive Officer (Minutes)

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Not Applicable

5 PUBLIC QUESTION TIME

6 APPLICATIONS FOR LEAVE OF ABSENCE

Not Applicable

7 DISCLOSURES OF INTEREST

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

9 CONFIRMATION/RECEIVAL OF MINUTES

9.1 Confirmation of Minutes

(Provided under Separate Cover)

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 15 October 2026 be confirmed as a true and correct record.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

10 PETITIONS/DEPUTATIONS/PRESENTATIONS

Not Applicable

11 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION

Not Applicable

12 REPORTS OF COMMITTEES

Not Applicable

13 REPORTS OF OFFICERS

13.1 Finance Reports

13.1.1	List of Payments - October 2026
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**07 November 2026**
AUTHOR	**Finance Officer, Asoncion Tambis**
RESPONSIBLE OFFICER	**Acting Deputy CEO, Tien Tran**
OFFICER DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. List of Payments - October 2026 [**13.1.1.1** - 9 pages]

SUMMARY:

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

BACKGROUND:

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

COMMENT:

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

CONSULTATION:

Nil

STATUTORY AUTHORITY:

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

POLICY IMPLICATIONS:

Policy 4.7 – Creditors Preparation for Payment.

FINANCIAL IMPLICATIONS:

A total of $748,608.99 has been withdrawn from the Municipal Bank Account.

RISK ASSESSMENT:

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

STRATEGIC IMPLICATIONS:

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

8. An efficient and effective organisation.
8.1 Maintain a high level of corporate governance, responsibility and accountability.
8.1.2 Demonstrate sound financial planning and management, seeking a high level of legislative compliance and effective internal controls.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the list of payments for the month of October 2026 totalling $748,608.99 being:

1. Electronic Funds Transfer from EFT11692 to EFT11817, payments from Municipal Fund totalling $522,093.30
2. Direct Debit payments from the Municipal Fund totalling $83,112.56
3. Payroll payments from the Municipal Fund totalling $139,909.89
4. Credit Card payments for the Statement Month of September 2026 from the Municipal Fund totalling $2,265.04
5. Fuel Card payments from the Municipal Fund totalling $1,228.20

be received.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.1.2	Finance Reports - October 2026
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**07 November 2026**
AUTHOR	**Acting Deputy CEO, Tien Tran**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
OFFICER DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Statement of Financial Activity - October 2026 [**13.1.2.1** - 26 pages] 2. Financial Information Statement - October 2026 [**13.1.2.2** - 9 pages]

SUMMARY:

To receive the Statement of Financial Activity for the period ended 31 October 2026.

BACKGROUND:

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

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

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

COMMENT:

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

CONSULTATION:

No external consultation occurred during the preparation of this report

STATUTORY AUTHORITY:

Local Government (Financial Management) Regulations (1996):
Regulation 34 requires the local government to prepare and provide a statement of financial activity as of the end of the relevant month.

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

POLICY IMPLICATIONS:

There is no policy related to the subject matter.

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

RISK ASSESSMENT:

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

STRATEGIC IMPLICATIONS:

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

8. An efficient and effective organisation.
8.1 Maintain a high level of corporate governance, responsibility and accountability.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the Statement of Financial Activity for the period ending 31 October 2026, as attached, be received.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2 Administration Reports

13.2.1	Local Laws – Periodic Review Status and Proposed Repeal Local Law 2026
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**6 November 2026**
AUTHOR	**Executive Officer, Maureen Yulo-Uy**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

To advise Council that every Shire of Menzies local law has been reviewed within the period required by section 3.16 of the Local Government Act 1995, as amended by the Local Government Amendment Act 2024, and that no further review is required before the transitional deadline of 7 December 2026; and to seek Council's authority to commence the statutory process to repeal the Shire of Menzies Urban Environment and Nuisance Local Law 2007, which Council intended to revoke in 2021 but which remains in force alongside the Health Local Law 2022.

BACKGROUND:

The Local Government Amendment Act 2024 came into operation on 7 December 2024. Section 20 replaced the eight-year periodic review cycle in section 3.16 of the Local Government Act 1995 with a fifteen-year cycle and inserted section 3.16(5), under which a local law for which no determination is made within its fifteen-year period is repealed automatically at the end of that period.

Schedule 9.3 clause 65 governs the transition. A local law that commenced before 7 December 2016 and was not the subject of a section 3.16 review notice between 7 December 2016 and 6 December 2024 must be reviewed within the two-year period beginning 7 December 2024 – that is, by 6 December 2026 – or it is repealed. Where a review notice was given in that window and the review completed before 7 December 2024, the local government is taken to have made its determination on the completion date and the fifteen-year period runs from then (clause 65(3) and (4)).

The Shire's last periodic review was initiated by Council in January 2021, advertised under section 3.16 in Menzies Matters issue 147 (March 2021), and determined by absolute majority at the Ordinary Council Meeting of 27 May 2021 (Resolution 2177). No submissions were received. Council resolved to revoke the former cemetery and health by-laws; to make new Cemeteries, Health and Meeting Procedures local laws; to make replacement Public Places and Local Government Property and Dogs local laws; and to make no change to the Urban Environment and Nuisance Local Law 2007 “unless

revoked through inclusion in a Health Local Law". The resulting local laws were gazetted on 12 January 2022 (Repeal, Cemeteries, Dogs and Meeting Procedures) and 16 February 2022 (Health, and Public Places and Local Government Property), and were corrected by an Amendment Local Law gazetted on 15 July 2022 following review by the Joint Standing Committee on Delegated Legislation.

COMMENT:

The 2021 review satisfies Schedule 9.3 clause 65(3) and (4) for each local law that commenced before 7 December 2016, and the local laws made in 2022 are within the first years of their own fifteen-year period. The Shire's register is set out below.

Local law	**Gazetted**	**Last determination**	**Next review due by**
Bush Fire Brigades Local Law 2015 (as amended 2022)	23 June 2015	27 May 2021	May 2036
Urban Environment and Nuisance Local Law 2007	2007	27 May 2021 (no change)	May 2036
Cemeteries Local Law 2021	12 January 2022	New local law	January 2037
Dogs Local Law 2021	12 January 2022	New local law	January 2037
Meeting Procedures Local Law 2021	12 January 2022	New local law	January 2037
Health Local Law 2022	16 February 2022	New local law	March 2037
Public Places and Local Government Property Local Law 2022	16 February 2022	New local law	March 2037

No action is required to meet the 7 December 2026 deadline. The next review falls due in May 2036 and will be entered in the Compliance Calendar.

One matter remains outstanding from the 2021 review. Council intended the Health Local Law 2022 to absorb and revoke the Urban Environment and Nuisance Local Law 2007. The gazetted Health Local Law contains no repeal clause, and the Public Places and Local Government Property Local Law 2022 repealed only the Activities in Thoroughfares and Public Places Local Law 2007. The 2007 nuisance law therefore remains in force and overlaps the Health Local Law 2022 on dust, light, the keeping of animals and birds, and the storage of vehicles and machinery. Two instruments regulating the same conduct create uncertainty for the community and for enforcement, and expose any notice or infringement issued under either to challenge.

A short Repeal Local Law is the simplest remedy. Under section 3.16(8) a local law that does no more than repeal another local law is not itself subject to periodic review. The

statutory process under section 3.12 and the proposed timeline, if Council resolves to proceed at this meeting, are set out below. The submission period has been extended beyond the six-week minimum to allow for the Christmas period, and the 2027 dates assume Council adopts its 2027 meeting schedule at the December meeting.

Step	Who	Target date	Basis
Council resolves to make the local law	Council	11 November 2026	s.3.12(2)
Local public notice published stating purpose and effect and inviting submissions	CEO	by 18 November 2026	s.3.12(3)(a), s.1.7
Copy of proposed local law and notice given to the Departmental CEO	CEO	18 November 2026	s.3.12(3)(b)
Submission period closes (minimum six weeks; extended over the Christmas period)	—	15 January 2027	s.3.12(3)(a)(iii)
Report to Council on submissions and Departmental comments; Council makes the local law by absolute majority	Council	OCM February 2027	s.3.12(4)
Local law published in the Government Gazette; copy given to the Departmental CEO	CEO	by 12 March 2027	s.3.12(5)
Local public notice of adoption, Gazette date and commencement	CEO	week of 15 March 2027	s.3.12(6)
Local law commences (14 days after gazettal)	—	approx. 26 March 2027	commencement clause
Explanatory memorandum lodged with the Joint Standing Committee on Delegated Legislation	CEO	within 10 working days of gazettal	JSCDL requirements
Shire website updated; 2007 local law removed from the register	CEO	on commencement	s.5.96A

Three administrative corrections to the local laws page of the Shire website will be made under section 5.96A without the need for a Council decision: the Health Local Law entry omits its year; the 2007 nuisance law is published as a scanned image rather than searchable text; and the Bush Fire Brigades compilation cites two different gazettal dates (23 June 2015 and 8 September 2017).

CONSULTATION:

Nil at this stage. Local public notice inviting submissions will be given under section 3.12(3) if Council resolves to proceed.

STATUTORY AUTHORITY:

Local Government Act 1995 –

- s.3.12 – Procedure for making local laws (applies to a local law that repeals another local law);
- s.3.16 – Periodic review of local laws (fifteen-year cycle; s.3.16(5) automatic repeal; s.3.16(8) repeal-only local laws exempt from review);
- Schedule 9.3 clause 65 – Transitional provisions for the Local Government Amendment Act 2024; and
- s.5.96A – Publication of local laws on the official website.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Minor costs for local public notice and Government Gazette publication, within the governance budget for 2026/27.

RISK ASSESSMENT:

Risk Statement	**Level of Risk**	**Risk Mitigation Strategy**
A local law is not reviewed within its statutory period and is repealed automatically under s.3.16(5)	Low	All local laws are within period; next review due May 2036 to be entered in the Compliance Calendar
Overlapping provisions in the Urban Environment and Nuisance Local Law 2007 and the Health Local Law 2022 lead to inconsistent enforcement or a successful challenge to a notice or infringement	Medium	Repeal the 2007 local law through a Repeal Local Law 2026
Published consolidations on the Shire website are inaccurate or inaccessible, contrary to s.5.96A	Low	Correct the listing and republish searchable consolidated copies

STRATEGIC IMPLICATIONS:

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

7. A strategically focused Council, leading our community.

7.1 Provide strategic leadership and governance.

8. An efficient and effective organisation.

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Notes that all Shire of Menzies local laws were reviewed under section 3.16 of the Local Government Act 1995 and determined by Council on 27 May 2021 (Resolution 2177), or commenced after that date, and that no further review is required before the transitional deadline of 7 December 2026 under Schedule 9.3 clause 65 of the Act;
2. In accordance with section 3.12(3) of the Local Government Act 1995, gives local public notice, inviting submissions for a minimum of six weeks, that it intends to make the Shire of Menzies Repeal Local Law 2026 –

   Purpose – to repeal the Shire of Menzies Urban Environment and Nuisance Local Law 2007, the subject matter of which is provided for in the Shire of Menzies Health Local Law 2022.

   Effect – the Urban Environment and Nuisance Local Law 2007 ceases to have effect, and the Health Local Law 2022 becomes the sole local law regulating those matters;
3. Provides a copy of the proposed Repeal Local Law 2026 and the notice to the Departmental CEO in accordance with section 3.12(3)(b), and to any person requesting it; and
4. Requests the Chief Executive Officer to correct the local laws listing on the Shire website under section 5.96A and to enter the next review date for each local law in the Compliance Calendar.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.2	Roads 2040 – Ratification of Application: Mount Ida Road (6090026)
LOCATION	**Mount Ida Road, Menzies North West Road to Leonora – Mount Ida Road (SLK 0.00–38.39)**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**6 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Roads 20240 Submission - Mt Ida Road [**13.2.2.1** - 4 pages]

SUMMARY:

To ratify the Roads 2040 Road Justification and Development Strategy Submission Form for Mount Ida Road (road no. 6090026, SLK 0.00 to 38.39) lodged by the Works Manager with the Main Roads WA Goldfields-Esperance Secretariat on 27 October 2026, and to authorise the Shire's Regional Road Group delegate to support it.

BACKGROUND:

Roads 2040 (Regional Strategies for Significant Local Government Roads with Regional Importance) is the list, maintained for each Regional Road Group (RRG) by Main Roads WA and WALGA, of local roads eligible for Road Project Grant funding under the State Road Funds to Local Government Agreement. Only projects on roads listed in Roads 2040 are eligible for Road Project Grants. Additions are made by the local government lodging a Road Justification and Development Strategy Submission Form with the RRG; after RRG approval the Main Roads Road Classification Manager assesses the road against the Guidelines and Criteria and refers it to the State Road Funds to Local Government Advisory Committee (SAC) for endorsement. The Guidelines note that the local government step of this process includes Council approval.

Following the TWG meeting of 23 October 2026, at which it was understood that the Shires of Wiluna and Menzies each wished to nominate one road, the Works Manager lodged a submission for Mount Ida Road on 27 October 2026. The Secretariat acknowledged receipt on 3 November 2026 and advised that the application had been forwarded to the Main Roads Roads Planning team for review.

Mount Ida Road runs 38.39 km from Menzies North West Road to the junction of Leonora – Mount Ida Road and Lawlers – Mount Ida Road, passing Bottle Creek Access Road (SLK 23.20) and Perrinvale Road (SLK 30.96). It is an Access Road in the Main Roads hierarchy and is approved by Main Roads WA for Tandem Drive RAV Network 10 (concessional 10.1, 10.2 and 10.3) and Tri Drive RAV Network 5 (5.1, 5.2 and 5.3), the highest categories available in Western Australia, permitting road trains to 53.5 m.

Leonora – Mount Ida Road, which it joins, is already listed in Roads 2040 (Leonora – Mt Ida Road, GE034).

COMMENT:

Under the Roads 2040 Guidelines and Criteria a road or route must meet two criteria from at least two of five sections (1 Network/Significance; 2 Road Function/Freight; 3 Traffic Volume; 4 Tourism; 5 RRG discretion). For rural roads, Section 2 is met by any road on the Restricted Access Vehicle (RAV) notice network 2 or above.

Mount Ida Road meets Section 1 (serves major resource sites and connects Menzies North West Road to the Leonora – Mount Ida Road, both existing Roads 2040 roads) and Section 2 (RAV Network 10). Council has resolved to seal Menzies North West Road through to the Mount Ida Road intersection (RFT 01/2025, SLK 54.2–66.9), which will increase heavy-vehicle use of Mount Ida Road as the onward link to the Mount Ida mining area and Leonora.

The application was lodged before this meeting to meet the Secretariat's timetable. The Guidelines treat the local government step as including Council approval, and the Shire's RRG delegate will be asked to speak to the application on 27 November 2026; ratification by Council is therefore sought.

CONSULTATION:

Main Roads WA Goldfields-Esperance Region (Acting Business Services Coordinator); Goldfields-Esperance Regional Road Group Technical Working Group; Shire Works Manager. No community consultation is required for an application to amend Roads 2040.

STATUTORY AUTHORITY:

Local Government Act 1995 – s.2.7 (role of Council: governing the local government's affairs and determining its policies) and s.3.1 (general function: providing for the good government of persons in the district). Roads within the district are local government roads for which the Shire is the responsible road manager.

State Road Funds to Local Government Agreement – Road Project Grants (Category 1) are available only for roads listed in the Roads 2040 Regional Strategies for Significant Local Government Roads.

Main Roads WA, Roads 2040 Guidelines and Criteria for the Identification of Significant Local Government Roads with Regional Importance (D21#507063, October 2021).

POLICY IMPLICATIONS:

There are no Council policy implications arising from this report. The Shire's Strategic Resource Plan 2025–2040 (Asset Management Plan) gives regional and local distributor roads funding priority and identifies a $22.8 million gap between planned and required road renewal over the term of the Plan; external grant funding is identified as essential to road upgrades.

FINANCIAL IMPLICATIONS:

There is no immediate financial impact from lodging the application. Listing in Roads 2040 confers eligibility only; any future Road Project Grant application would be a separate decision, funded two-thirds by the State and one-third by the Shire, and would be brought to Council through the annual budget and the Regional Road Group program.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Application not endorsed by Council before RRG meeting; delegate unable to support it	Low	Ratify at this meeting and advise the Secretariat of the resolution
Road not accepted by Road Classification Manager / SAC	Low	Application addresses two criteria sections; supplement with further information if requested

STRATEGIC IMPLICATIONS:

Council Plan 2025–2035:

- Outcome 3 – An innovative, diverse and prosperous economy: Strategy 3.2 Continue to work with industry and stakeholders for the economic development of the district.
- Outcome 5 – A well maintained, attractive built environment servicing the needs of the community: Strategy 5.2 Maintain and enhance our roads, built infrastructure, parks and reserves; Activity 5.2.4 Maintain transport infrastructure in line with asset management planning.

The Council Plan also records Council's commitment to advocate for and leverage external funding opportunities given the Shire's small ratepayer base and extensive road network.

- Activity 5.2.5 Prioritise Menzies North-West and Evanston roads in asset management planning to provide all season's access – Mount Ida Road is the principal mining link from the Menzies North-West corridor.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Ratifies the lodgement of the Roads 2040 Road Justification and Development Strategy Submission Form for Mount Ida Road (6090026, SLK 0.00–38.39) with the Goldfields-Esperance Regional Road Group;
2. Authorises the Chief Executive Officer to provide any further information requested by the Main Roads WA Road Classification Manager in support of the application; and
3. Authorises the Shire's delegate to the Goldfields-Esperance Regional Road Group to support the application at the Regional Road Group meeting of 27 November 2026.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.3	Roads 2040 – Application to Add Pinjin Road (6090001, SLK 0.00–11.91)
LOCATION	**Pinjin Road, Yarri Road to Mount Celia Road**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**6 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Roads 2040 Submission - Pinjin Road - Shire of Menzies [**13.2.3.1** - 3 pages] 2. Location map - Pinjin – Mount Celia Route [**13.2.3.2** - 1 page]

SUMMARY:

To endorse the Roads 2040 Road Justification and Development Strategy Submission Form for the 11.91 km section of Pinjin Road (road no. 6090001) between Yarri Road and Mount Celia Road, lodged with the Main Roads WA Goldfields-Esperance Secretariat on 9 November 2026 subject to Council endorsement.

BACKGROUND:

Roads 2040 (Regional Strategies for Significant Local Government Roads with Regional Importance) is the list, maintained for each Regional Road Group (RRG) by Main Roads WA and WALGA, of local roads eligible for Road Project Grant funding under the State Road Funds to Local Government Agreement. Only projects on roads listed in Roads 2040 are eligible for Road Project Grants. Additions are made by the local government lodging a Road Justification and Development Strategy Submission Form with the RRG; after RRG approval the Main Roads Road Classification Manager assesses the road against the Guidelines and Criteria and refers it to the State Road Funds to Local Government Advisory Committee (SAC) for endorsement. The Guidelines note that the local government step of this process includes Council approval.

The Goldfields-Esperance Technical Working Group (TWG) met on 23 October 2026. The Shire of Esperance's Director Asset Management advised all local governments on 29 October and 2 November 2026 that proposed additions should be lodged with the Main Roads Goldfields-Esperance Secretariat so that they can be considered at the RRG meeting on 27 November 2026 and endorsed by SAC in time for the next funding round, and the Secretariat issued a reminder on 6 November 2026 that applications were due by Monday 9 November 2026. Because the lodgement date fell before this meeting, the application was lodged on 9 November 2026 expressly subject to Council endorsement at this meeting.

Pinjin Road is an Access Road in the Main Roads hierarchy. The nominated section

runs 11.91 km from Yarri Road (6090039, an existing Roads 2040 road, GE066) to the Mount Celia Road junction; the road continues a further 48.36 km to Kurnalpi – Pinjin Road but that section is not nominated. The nominated section is approved by Main Roads WA for Tandem Drive RAV Network 10 (concessional 10.1, 10.2 and 10.3) and Tri Drive RAV Network 5 (5.1, 5.2 and 5.3), the highest categories available in Western Australia, permitting road trains to 53.5 m. Access is subject to the Main Roads Network Sustainability (NS1) condition: operators must notify the Shire as road manager (copying Main Roads Heavy Vehicle Services) of their planned transport task and tonnages, and must not operate on unsealed sections when visibly wet without the road owner's approval.

The road is an unsealed formed gravel road maintained under the Shire's annual maintenance-grading program for the eastern region (RFT 04-2025). No Main Roads traffic count exists for the road.

COMMENT:

Under the Roads 2040 Guidelines and Criteria a road or route must meet two criteria from at least two of five sections (1 Network/Significance; 2 Road Function/Freight; 3 Traffic Volume; 4 Tourism; 5 RRG discretion). For rural roads, Section 2 is met by any road on the Restricted Access Vehicle (RAV) notice network 2 or above.

Pinjin Road meets Section 1 (serves major resource sites in the Pinjin / Mount Celia area and connects an existing Significant Local Government Road, Yarri Road, to Mount Celia Road and the Shire of Leonora road network) and Section 2 (RAV Network 10). It is the first link in the only heavy-vehicle route from the Yarri Road corridor north to the Mount Celia / Yundamindra mining area, and the Shire has received no Road Project Grant funding for it because it is not listed.

A companion application for Mount Celia Road is the subject of a separate item. The two roads together form a continuous 64 km RAV 10 link; they have been lodged as separate single-road applications so that each can be assessed on its own merits, but Council may alternatively resolve to nominate them as a single "Pinjin – Mount Celia Route".

The proposed development strategy is to bring the section to a uniform Type 3 gravel standard with an 8 m minimum formation, drainage and floodway improvements and junction geometry suited to RAV 10 combinations, funded through Road Project Grants, road-maintenance contribution agreements with mining operators under the Main Roads NS1 framework, Roads to Recovery and municipal funds.

CONSULTATION:

Main Roads WA Goldfields-Esperance Region (Acting Business Services Coordinator); Goldfields-Esperance Regional Road Group Technical Working Group; Shire Works Manager. No community consultation is required for an application to amend Roads 2040.

STATUTORY AUTHORITY:

Local Government Act 1995 – s.2.7 (role of Council: governing the local government's affairs and determining its policies) and s.3.1 (general function: providing for the good government of persons in the district). Roads within the district are local government roads for which the Shire is the responsible road manager.
State Road Funds to Local Government Agreement – Road Project Grants (Category 1) are available only for roads listed in the Roads 2040 Regional Strategies for Significant Local Government Roads.

Main Roads WA, Roads 2040 Guidelines and Criteria for the Identification of Significant Local Government Roads with Regional Importance (D21#507063, October 2021).

POLICY IMPLICATIONS:

There are no Council policy implications arising from this report. The Shire's Strategic Resource Plan 2025–2040 (Asset Management Plan) gives regional and local distributor roads funding priority and identifies a $22.8 million gap between planned and required road renewal over the term of the Plan; external grant funding is identified as essential to road upgrades.

FINANCIAL IMPLICATIONS:

There is no immediate financial impact from lodging the application. Listing in Roads 2040 confers eligibility only; any future Road Project Grant application would be a separate decision, funded two-thirds by the State and one-third by the Shire, and would be brought to Council through the annual budget and the Regional Road Group program.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Application not accepted by TWG/RRG given competition for limited Road Project Grant funding	Medium	Application demonstrates two criteria sections and the absence of any parallel route; delegate briefed to speak to it

STRATEGIC IMPLICATIONS:

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

3. An innovative, diverse and prosperous economy.

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

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Endorses the Roads 2040 Road Justification and Development Strategy Submission Form for Pinjin Road (6090001, SLK 0.00–11.91) lodged with the Goldfields-Esperance Regional Road Group on 9 November 2026;
2. Authorises the Chief Executive Officer to provide any further information requested by the Technical Working Group or the Main Roads WA Road Classification Manager, including, if the Regional Road Group prefers, consolidation of the Pinjin Road and Mount Celia Road applications into a single Pinjin – Mount Celia Route application; and
3. Authorises the Shire's delegate to the Goldfields-Esperance Regional Road Group to support the application at the Regional Road Group meeting of 27 November 2026.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.4	Roads 2040 – Application to Add Mount Celia Road (6090028, SLK 0.00–52.06)
LOCATION	**Mount Celia Road, Pinjin Road to Yundamindra – Linden Road (Shire of Leonora boundary)**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**6 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Roads 2040 Submission - Pinjin – Mount Celia Route - Shire of Menzies [**13.2.4.1** - 3 pages] 2. Location map - Pinjin – Mount Celia Route [**13.2.4.2** - 1 page]

SUMMARY:

To endorse the Roads 2040 Road Justification and Development Strategy Submission Form for Mount Celia Road (road no. 6090028, SLK 0.00 to 52.06), lodged with the Main Roads WA Goldfields-Esperance Secretariat on 9 November 2026 subject to Council endorsement.

BACKGROUND:

Roads 2040 (Regional Strategies for Significant Local Government Roads with Regional Importance) is the list, maintained for each Regional Road Group (RRG) by Main Roads WA and WALGA, of local roads eligible for Road Project Grant funding under the State Road Funds to Local Government Agreement. Only projects on roads listed in Roads 2040 are eligible for Road Project Grants. Additions are made by the local government lodging a Road Justification and Development Strategy Submission Form with the RRG; after RRG approval the Main Roads Road Classification Manager assesses the road against the Guidelines and Criteria and refers it to the State Road Funds to Local Government Advisory Committee (SAC) for endorsement. The Guidelines note that the local government step of this process includes Council approval.

The Goldfields-Esperance Technical Working Group (TWG) met on 23 October 2026. The Shire of Esperance's Director Asset Management advised all local governments on 29 October and 2 November 2026 that proposed additions should be lodged with the Main Roads Goldfields-Esperance Secretariat so that they can be considered at the RRG meeting on 27 November 2026 and endorsed by SAC in time for the next funding round, and the Secretariat issued a reminder on 6 November 2026 that applications were due by Monday 9 November 2026. Because the lodgement date fell before this meeting, the application was lodged on 9 November 2026 expressly subject to Council endorsement at this meeting.

Mount Celia Road is an Access Road in the Main Roads hierarchy, running 52.06 km from the Pinjin Road junction north past Safari Bore Access Road (SLK 27.60) to the Yundamindra – Linden Road (Shire of Leonora, 6080093, RAV 6.2) at the Shire boundary. The full length is approved by Main Roads WA for Tandem Drive RAV Network 10 (concessional 10.1, 10.2 and 10.3) and Tri Drive RAV Network 5 (5.1, 5.2 and 5.3), the highest categories available in Western Australia, permitting road trains to 53.5 m. Access is subject to the Main Roads Network Sustainability (NS1) condition: operators must notify the Shire as road manager (copying Main Roads Heavy Vehicle Services) of their planned transport task and tonnages, and must not operate on unsealed sections when visibly wet without the road owner's approval.

The road is an unsealed formed gravel road maintained under the Shire's annual maintenance-grading program for the eastern region (RFT 04-2025). No Main Roads traffic count exists for the road.

COMMENT:

Under the Roads 2040 Guidelines and Criteria a road or route must meet two criteria from at least two of five sections (1 Network/Significance; 2 Road Function/Freight; 3 Traffic Volume; 4 Tourism; 5 RRG discretion). For rural roads, Section 2 is met by any road on the Restricted Access Vehicle (RAV) notice network 2 or above.

Mount Celia Road meets Section 1 (serves major resource sites in the Mount Celia / Yundamindra area and connects the Yarri Road corridor to the Shire of Leonora road network) and Section 2 (RAV Network 10). It is the only continuous heavy-vehicle link from the Yarri Road corridor to the Yundamindra – Linden Road and, through Yundamindera North Road and Old Laverton Road, to the Leonora – Laverton road network. No parallel route exists.

A companion application for the connecting 11.91 km section of Pinjin Road is the subject of a separate item. The proposed development strategy is a progressive upgrade to a uniform Type 3 gravel standard with 8 m formation, floodway and culvert works at known wet-weather closure points and curve realignment to RAV 10 geometry, funded through Road Project Grants, NS1 road-maintenance contribution agreements with operators, Roads to Recovery and municipal funds.

CONSULTATION:

Main Roads WA Goldfields-Esperance Region (Acting Business Services Coordinator); Goldfields-Esperance Regional Road Group Technical Working Group; Shire Works Manager. No community consultation is required for an application to amend Roads 2040.

STATUTORY AUTHORITY:

Local Government Act 1995 – s.2.7 (role of Council: governing the local government's affairs and determining its policies) and s.3.1 (general function: providing for the good

government of persons in the district). Roads within the district are local government roads for which the Shire is the responsible road manager.

State Road Funds to Local Government Agreement – Road Project Grants (Category 1) are available only for roads listed in the Roads 2040 Regional Strategies for Significant Local Government Roads.

Main Roads WA, Roads 2040 Guidelines and Criteria for the Identification of Significant Local Government Roads with Regional Importance (D21#507063, October 2021).

POLICY IMPLICATIONS:

There are no Council policy implications arising from this report. The Shire's Strategic Resource Plan 2025–2040 (Asset Management Plan) gives regional and local distributor roads funding priority and identifies a $22.8 million gap between planned and required road renewal over the term of the Plan; external grant funding is identified as essential to road upgrades.

FINANCIAL IMPLICATIONS:

There is no immediate financial impact from lodging the application. Listing in Roads 2040 confers eligibility only; any future Road Project Grant application would be a separate decision, funded two-thirds by the State and one-third by the Shire, and would be brought to Council through the annual budget and the Regional Road Group program.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Application not accepted by TWG/RRG given competition for limited Road Project Grant funding	Medium	Application demonstrates two criteria sections and the absence of any parallel route; delegate briefed to speak to it

STRATEGIC IMPLICATIONS:

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

3. An innovative, diverse and prosperous economy.

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

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Endorses the Roads 2040 Road Justification and Development Strategy Submission Form for Mount Celia Road (6090028, SLK 0.00–52.06) lodged with the Goldfields-Esperance Regional Road Group on 9 November 2026;
2. Authorises the Chief Executive Officer to provide any further information requested by the Technical Working Group or the Main Roads WA Road Classification Manager, including, if the Regional Road Group prefers, consolidation of the Mount Celia Road and Pinjin Road applications into a single Pinjin – Mount Celia Route application; and
3. Authorises the Shire's delegate to the Goldfields-Esperance Regional Road Group to support the application at the Regional Road Group meeting of 27 November 2026.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.5	Roads 2040 – Application to Add Davyhurst – Mulline Road (6090012, SLK 0.00–33.91)
LOCATION	**Davyhurst – Mulline Road, Davyhurst (Davyhurst Road / Coolgardie North Road) to Mulline (Evanston – Menzies Road)**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**6 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

To consider whether to endorse, or to withdraw, the Roads 2040 Road Justification and Development Strategy Submission Form for Davyhurst – Mulline Road (road no. 6090012, SLK 0.00 to 33.91), lodged with the Main Roads WA Goldfields-Esperance Secretariat on 9 November 2026 subject to Council endorsement, having regard to the temporary closure of most of the road for Ora Banda Mining haulage.

BACKGROUND:

Roads 2040 (Regional Strategies for Significant Local Government Roads with Regional Importance) is the list, maintained for each Regional Road Group (RRG) by Main Roads WA and WALGA, of local roads eligible for Road Project Grant funding under the State Road Funds to Local Government Agreement. Only projects on roads listed in Roads 2040 are eligible for Road Project Grants. Additions are made by the local government lodging a Road Justification and Development Strategy Submission Form with the RRG; after RRG approval the Main Roads Road Classification Manager assesses the road against the Guidelines and Criteria and refers it to the State Road Funds to Local Government Advisory Committee (SAC) for endorsement. The Guidelines note that the local government step of this process includes Council approval.

The Goldfields-Esperance Technical Working Group (TWG) met on 23 October 2026. The Shire of Esperance's Director Asset Management advised all local governments on 29 October and 2 November 2026 that proposed additions should be lodged with the Main Roads Goldfields-Esperance Secretariat so that they can be considered at the RRG meeting on 27 November 2026 and endorsed by SAC in time for the next funding round, and the Secretariat issued a reminder on 6 November 2026 that applications were due by Monday 9 November 2026. Because the lodgement date fell before this meeting, the application was lodged on 9 November 2026 expressly subject to Council endorsement at this meeting.

Davyhurst – Mulline Road is an Access Road in the Main Roads hierarchy, running

33.91 km from the Davyhurst Road / Coolgardie North Road junction at Davyhurst to the Mulline – Lady Jane Access Road / Evanston – Menzies Road junction at Mulline, passing Lady Gladys Access Road at SLK 29.88. It is an unsealed gravel road, approved by Main Roads WA for Tandem Drive RAV Network 10 (concessional 10.1, 10.2 and 10.3) and Tri Drive RAV Network 5 (5.1, 5.2 and 5.3), the highest categories available in Western Australia, permitting road trains to 53.5 m. Access is subject to the Main Roads Network Sustainability (NS1) condition: operators must notify the Shire as road manager (copying Main Roads Heavy Vehicle Services) of their planned transport task and tonnages, and must not operate on unsealed sections when visibly wet without the road owner's approval. It links two existing Roads 2040 routes – the Coolgardie – Menzies Route (GE011) at Davyhurst and the Menzies – Trainers Rock Route (GE038) at Mulline – and forms part of the Golden Quest Discovery Trail.

The road is the haul road used by Ora Banda Mining (OBM) and its haulage contractor MLG Oz to cart ore from the Riverina Gold Mine to the Davyhurst Mill, proposed in 2020 at 1.8 million tonnes per annum in quad road-train configuration. OBM undertook crest removal, curve widening and sight-distance clearing as conditions of the haulage approval and has maintained the road at no cost to the Shire for about three years.

At its Ordinary Meeting of 24 April 2024 Council endorsed, under s.3.50 of the Local Government Act 1995, the temporary closure of the section of Davyhurst – Mulline Road between the Davyhurst Mill Access Road and Evanston – Menzies Road from 1 June 2024, subject to an agreement with OBM on upgrading, maintenance, operation and remediation and an indemnity, with public access by permit, so that OBM can operate off-road haul units of up to 300 tonnes gross combined mass. A draft Road Access, Operation and Maintenance Agreement with Carnegie Gold Pty Ltd (OBM) was before Council in December 2024 and was still in revision in December 2025; the closure was to be reviewed by Council in November 2025. Under the arrangement, all maintenance and upgrade costs sit with OBM/MLG, ownership and road numbering remain with the Shire, and upgrade works revert to the Shire at the end of the closure period.

COMMENT:

Under the Roads 2040 Guidelines and Criteria a road or route must meet two criteria from at least two of five sections (1 Network/Significance; 2 Road Function/Freight; 3 Traffic Volume; 4 Tourism; 5 RRG discretion). For rural roads, Section 2 is met by any road on the Restricted Access Vehicle (RAV) notice network 2 or above.

On its merits the road meets Section 1 (serves major resource sites and connects two existing Roads 2040 routes), Section 2 (RAV Network 10) and Section 4 (Golden Quest Discovery Trail). The application has been drafted openly: it records the closure and the OBM maintenance arrangement and seeks listing so that the road is eligible for Road Project Grant funding for the section outside the closure and for the whole road when it reverts to full public use.

Council should however weigh two matters. First, the Technical Working Group and Regional Road Group will know that most of the road is currently closed to the public and maintained by a mining company, and may give it low priority against other shires' nominations for a limited funding pool; a weak application could also detract from the Shire's other nominations. Second, the status of the closure and the OBM agreement

should be confirmed before the Shire advances a public-funding case for the road. The officer's view is that the application has merit for the longer term but that Council may prefer to hold it until the closure is reviewed, and to lead with the Pinjin Road, Mount Celia Road, Niagara Dam Road and Wilson Street – Onslow Street applications.
Two options are provided in the recommendation: Option A endorses the application as lodged; Option B withdraws it pending review of the temporary closure and the OBM agreement, with the application to be re-lodged at the next Roads 2040 review.

CONSULTATION:

Main Roads WA Goldfields-Esperance Region (Acting Business Services Coordinator); Goldfields-Esperance Regional Road Group Technical Working Group; Shire Works Manager. No community consultation is required for an application to amend Roads 2040.

STATUTORY AUTHORITY:

Local Government Act 1995 – s.2.7 (role of Council: governing the local government's affairs and determining its policies) and s.3.1 (general function: providing for the good government of persons in the district). Roads within the district are local government roads for which the Shire is the responsible road manager.

State Road Funds to Local Government Agreement – Road Project Grants (Category 1) are available only for roads listed in the Roads 2040 Regional Strategies for Significant Local Government Roads.

Main Roads WA, Roads 2040 Guidelines and Criteria for the Identification of Significant Local Government Roads with Regional Importance (D21#507063, October 2021).

Local Government Act 1995 – s.3.50 (closing certain thoroughfares to vehicles). The CEO holds delegated authority under Delegation 1.1.7 to close a thoroughfare for a period exceeding four weeks and to revoke a closure order; the April 2024 closure was resolved by Council.

POLICY IMPLICATIONS:

There are no Council policy implications arising from this report. The Shire's Strategic Resource Plan 2025–2040 (Asset Management Plan) gives regional and local distributor roads funding priority and identifies a $22.8 million gap between planned and required road renewal over the term of the Plan; external grant funding is identified as essential to road upgrades.

FINANCIAL IMPLICATIONS:

There is no immediate financial impact from the application. While the temporary closure is in force, all maintenance and upgrade costs for the closed section are borne by Ora Banda Mining / MLG Oz under the maintenance arrangement, and the Shire retains eligibility to claim road-user funding for the kilometres as road owner. Listing in Roads 2040 would confer Road Project Grant eligibility only; any future grant application would require a one-third Shire contribution and a separate Council decision.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Application given low priority by TWG/RRG because the road is closed and privately maintained, affecting the Shire's standing with other nominations	Medium	Option B – withdraw pending review of the closure; re-lodge at the next Roads 2040 review
Road reverts to the Shire at end of mining without Roads 2040 listing and therefore without Road Project Grant eligibility	Medium	Option A – endorse now; or re-lodge when the closure is reviewed; ensure the OBM agreement requires return in good condition
Status of the s.3.50 closure and the OBM agreement unconfirmed since November 2025 review date	Medium	CEO to report to Council on the closure and agreement at the December 2026 meeting

STRATEGIC IMPLICATIONS:

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

3. An innovative, diverse and prosperous economy.

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

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

EITHER (Option A)

1. Endorses the Roads 2040 Road Justification and Development Strategy Submission Form for Davyhurst – Mulline Road (6090012, SLK 0.00–33.91) lodged with the Goldfields-Esperance Regional Road Group on 9 November 2026;
2. Authorises the Shire's delegate to the Goldfields-Esperance Regional Road Group to support the application at the Regional Road Group meeting of 27 November 2026; and
3. Requests the Chief Executive Officer to report to the December 2026 Ordinary Meeting on the status of the temporary closure of Davyhurst – Mulline Road and the Road Access, Operation and Maintenance Agreement with Ora Banda Mining.

OR (Option B)

1. Withdraws the Roads 2040 Road Justification and Development Strategy Submission Form for Davyhurst – Mulline Road (6090012) lodged on 9 November 2026, pending review of the temporary closure of the road under s.3.50 of the Local Government Act 1995 and of the Road Access, Operation and Maintenance Agreement with Ora Banda Mining;
2. Requests the Chief Executive Officer to report to the December 2026 Ordinary Meeting on the status of the temporary closure and the Agreement; and
3. Notes that the application may be re-lodged at the next Roads 2040 review once the status of the road is settled.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.6	Roads 2040 – Application to Add Niagara Dam Road (6090059) to the Kookynie – Malcolm Route
LOCATION	**Niagara Dam Road, Kookynie Road (SLK 15.77) to Niagara Dam**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**6 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Roads 2040 Submission - Niagara Dam Road - Shire of Menzies [**13.2.6.1** - 3 pages] 2. Location map - Niagara Dam Road [**13.2.6.2** - 1 page]

SUMMARY:

To endorse the Roads 2040 Road Justification and Development Strategy Submission Form for Niagara Dam Road (Main Roads road name “Niagra Dam Rd”, road no. 6090059, SLK 0.00 to 3.45), lodged with the Main Roads WA Goldfields-Esperance Secretariat on 9 November 2026 subject to Council endorsement, as a proposed addition to the existing Kookynie – Malcolm Route.

BACKGROUND:

Roads 2040 (Regional Strategies for Significant Local Government Roads with Regional Importance) is the list, maintained for each Regional Road Group (RRG) by Main Roads WA and WALGA, of local roads eligible for Road Project Grant funding under the State Road Funds to Local Government Agreement. Only projects on roads listed in Roads 2040 are eligible for Road Project Grants. Additions are made by the local government lodging a Road Justification and Development Strategy Submission Form with the RRG; after RRG approval the Main Roads Road Classification Manager assesses the road against the Guidelines and Criteria and refers it to the State Road Funds to Local Government Advisory Committee (SAC) for endorsement. The Guidelines note that the local government step of this process includes Council approval.

The Goldfields-Esperance Technical Working Group (TWG) met on 23 October 2026. The Shire of Esperance’s Director Asset Management advised all local governments on 29 October and 2 November 2026 that proposed additions should be lodged with the Main Roads Goldfields-Esperance Secretariat so that they can be considered at the RRG meeting on 27 November 2026 and endorsed by SAC in time for the next funding round, and the Secretariat issued a reminder on 6 November 2026 that applications were due by Monday 9 November 2026. Because the lodgement date fell before this meeting, the application was lodged on 9 November 2026 expressly subject to Council endorsement at this meeting.

Niagara Dam Road is a 3.45 km Access Road branching from Kookynie Road (6090025) at SLK 15.77 and ending at Niagara Dam. It is sealed for its full length to a 4 m single-lane seal, which is below the Type 4 (6 m) two-lane standard in the Roads 2040 service levels and narrower than the Type 4 Kookynie Road it leaves. It is not on the RAV network.

Niagara Dam is a concrete gravity dam planned by the Public Works Department in 1897–98 to store water for the Eastern Goldfields railway. It was listed on the State Register of Heritage Places on 1 May 2003 and is the Shire's principal nature-based tourism and camping site, promoted in regional visitor material and on the Golden Quest Discovery Trail, and used by caravanners, prospectors, school groups and community events. Kookynie Road is already listed in Roads 2040 as part of the Kookynie – Malcolm Route (GE028); the strategy for that route notes that Kookynie Road provides access to Niagara Dam and may need sealing if the dam and Kookynie are developed for tourism. The Shire holds a Niagara Dam Reserve for development of the site.

COMMENT:

Under the Roads 2040 Guidelines and Criteria a road or route must meet two criteria from at least two of five sections (1 Network/Significance; 2 Road Function/Freight; 3 Traffic Volume; 4 Tourism; 5 RRG discretion). For rural roads, Section 2 is met by any road on the Restricted Access Vehicle (RAV) notice network 2 or above.

Niagara Dam Road meets Section 4 (access to a tourist attraction and recreation area of State and regional significance, forming part of a regional tourist drive) and, it is submitted, Section 1 (connects an area of significance to the Region to an existing Significant Local Government Road). Should the RRG consider only one section to be satisfied, the application asks that the road be accepted under Section 5 as an addition to the existing Kookynie – Malcolm Route, on the basis that it is the sole access to the dam.

The development need is specific and costable: widening the existing 4 m seal to a Type 4 (6 m) two-lane standard with shoulder reconditioning, edge-break repair, drainage improvements and a sealed parking/turning area at the dam, so that opposing vehicles, including caravans and school buses, no longer need to leave the seal to pass.

CONSULTATION:

Main Roads WA Goldfields-Esperance Region (Acting Business Services Coordinator); Goldfields-Esperance Regional Road Group Technical Working Group; Shire Works Manager. No community consultation is required for an application to amend Roads 2040.

STATUTORY AUTHORITY:

Local Government Act 1995 – s.2.7 (role of Council: governing the local government's

affairs and determining its policies) and s.3.1 (general function: providing for the good government of persons in the district). Roads within the district are local government roads for which the Shire is the responsible road manager.

State Road Funds to Local Government Agreement – Road Project Grants (Category 1) are available only for roads listed in the Roads 2040 Regional Strategies for Significant Local Government Roads.

Main Roads WA, Roads 2040 Guidelines and Criteria for the Identification of Significant Local Government Roads with Regional Importance (D21#507063, October 2021).

POLICY IMPLICATIONS:

There are no Council policy implications arising from this report. The Shire's Strategic Resource Plan 2025–2040 (Asset Management Plan) gives regional and local distributor roads funding priority and identifies a $22.8 million gap between planned and required road renewal over the term of the Plan; external grant funding is identified as essential to road upgrades.

FINANCIAL IMPLICATIONS:

There is no immediate financial impact from the application. Listing would make the seal-widening project eligible for a Road Project Grant (two-thirds State, one-third Shire); the Shire's contribution could be met from the Niagara Dam Reserve or municipal road funds through a future budget. Council is separately considering at this meeting a transfer from the Niagara Dam Reserve; the two matters are not dependent on each other.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Application not accepted because only one criteria section is considered met	Medium	Application invokes RRG discretion under Section 5 and frames the road as an addition to the existing Kookynie – Malcolm Route
Single-lane seal continues to deteriorate under growing visitor and caravan traffic	Medium	Pursue listing; program interim edge repairs through the maintenance budget

STRATEGIC IMPLICATIONS:

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

4. An attractive destination for visitors.

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

4.2 Maintain and enhance our local attractions.

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

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Endorses the Roads 2040 Road Justification and Development Strategy Submission Form for Niagara Dam Road (6090059, SLK 0.00–3.45), as an addition to the Kookynie – Malcolm Route, lodged with the Goldfields-Esperance Regional Road Group on 9 November 2026;
2. Authorises the Chief Executive Officer to provide any further information requested by the Technical Working Group or the Main Roads WA Road Classification Manager; and
3. Authorises the Shire's delegate to the Goldfields-Esperance Regional Road Group to support the application at the Regional Road Group meeting of 27 November 2026.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.7	Roads 2040 – Application to Amend the Menzies North West Road Listing to include Wilson Street and Onslow Street, Menzies
LOCATION	**Wilson Street (6090031, SLK 0.27–0.69) and Onslow Street (6090047, SLK 0.34–0.63), Menzies townsite**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**6 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Roads 2040 Submission - Wilson St – Onslow St Link - Shire of Menzies [**13.2.7.1** - 3 pages] 2. Location map - Wilson St – Onslow St Link, Menzies [**13.2.7.2** - 1 page]

SUMMARY:

To endorse the Roads 2040 Road Justification and Development Strategy Submission Form seeking to amend the existing Menzies North West Road listing so that it commences at Goldfields Highway rather than at Onslow Street, by adding the 0.71 km Wilson Street – Onslow Street link through the Menzies townsite, lodged with the Main Roads WA Goldfields-Esperance Secretariat on 9 November 2026 subject to Council endorsement.

BACKGROUND:

Roads 2040 (Regional Strategies for Significant Local Government Roads with Regional Importance) is the list, maintained for each Regional Road Group (RRG) by Main Roads WA and WALGA, of local roads eligible for Road Project Grant funding under the State Road Funds to Local Government Agreement. Only projects on roads listed in Roads 2040 are eligible for Road Project Grants. Additions are made by the local government lodging a Road Justification and Development Strategy Submission Form with the RRG; after RRG approval the Main Roads Road Classification Manager assesses the road against the Guidelines and Criteria and refers it to the State Road Funds to Local Government Advisory Committee (SAC) for endorsement. The Guidelines note that the local government step of this process includes Council approval.

The Goldfields-Esperance Technical Working Group (TWG) met on 23 October 2026. The Shire of Esperance's Director Asset Management advised all local governments on 29 October and 2 November 2026 that proposed additions should be lodged with the Main Roads Goldfields-Esperance Secretariat so that they can be considered at the RRG meeting on 27 November 2026 and endorsed by SAC in time for the next funding round, and the Secretariat issued a reminder on 6 November 2026 that applications were due by Monday 9 November 2026. Because the lodgement date fell before this

meeting, the application was lodged on 9 November 2026 expressly subject to Council endorsement at this meeting.

Menzies North West Road (6090007, 191.42 km, Local Distributor, RAV 10) is listed in Roads 2040 (GE037) from SLK 0.00 at Onslow Street. Every heavy vehicle using the road enters and leaves it from Goldfields Highway via Wilson Street (Goldfields Highway junction at SLK 0.27 to Onslow Street at SLK 0.69) and Onslow Street (Wilson Street at SLK 0.34 to Menzies North West Road at SLK 0.63). Both sections are sealed townsite streets approved by Main Roads WA for Tandem Drive RAV Network 10 (concessional 10.1, 10.2 and 10.3) and Tri Drive RAV Network 5 (5.1, 5.2 and 5.3), the highest categories available in Western Australia, permitting road trains to 53.5 m, without conditions. Onslow Street is a Local Distributor and Wilson Street an Access Road in the Main Roads hierarchy.

Council has awarded a contract to seal Menzies North West Road from SLK 54.2 to 66.9, through to the Mount Ida Road intersection (RFT 01/2025), and the Council Plan 2025–2035 identifies Menzies North-West Road as a priority for all-seasons access. Heavy-vehicle use of the route, and of the townsite link, will continue to grow.

COMMENT:

Under the Roads 2040 Guidelines and Criteria a road or route must meet two criteria from at least two of five sections (1 Network/Significance; 2 Road Function/Freight; 3 Traffic Volume; 4 Tourism; 5 RRG discretion). For rural roads, Section 2 is met by any road on the Restricted Access Vehicle (RAV) notice network 2 or above. For urban roads, Section 1 is met by a road that is the main connector to a significant hub or that connects a rural Significant Local Government Road through a townsite by the most direct route, and Section 2 by a road on RAV network 4 or above or classified Local Distributor or higher.

The link meets Section 1 (the sole and most direct connector between Goldfields Highway and the Menzies North West Road route through the townsite) and Section 2 (RAV Network 10; Onslow Street is a Local Distributor). Because the Roads 2040 listing for Menzies North West Road begins at Onslow Street, the two short streets that carry the same traffic to the State road are the only part of the route not covered. The application is framed as an amendment extending the existing listing rather than a new entry, which is the simplest outcome for the Road Classification Manager.

Listing would allow intersection widening and turning-radius improvements for RAV 10 swept paths at the Goldfields Highway / Wilson Street, Wilson Street / Onslow Street and Onslow Street / Menzies North West Road intersections, pavement rehabilitation and reseal to a Type 5 (7 m) minimum, and drainage and pedestrian improvements, to be programmed and funded with the route.

CONSULTATION:

Main Roads WA Goldfields-Esperance Region (Acting Business Services Coordinator); Goldfields-Esperance Regional Road Group Technical Working Group; Shire Works Manager. No community consultation is required for an application to amend Roads

2040.

STATUTORY AUTHORITY:

Local Government Act 1995 – s.2.7 (role of Council: governing the local government's affairs and determining its policies) and s.3.1 (general function: providing for the good government of persons in the district). Roads within the district are local government roads for which the Shire is the responsible road manager.

State Road Funds to Local Government Agreement – Road Project Grants (Category 1) are available only for roads listed in the Roads 2040 Regional Strategies for Significant Local Government Roads.

Main Roads WA, Roads 2040 Guidelines and Criteria for the Identification of Significant Local Government Roads with Regional Importance (D21#507063, October 2021).

POLICY IMPLICATIONS:

There are no Council policy implications arising from this report. The Shire's Strategic Resource Plan 2025–2040 (Asset Management Plan) gives regional and local distributor roads funding priority and identifies a $22.8 million gap between planned and required road renewal over the term of the Plan; external grant funding is identified as essential to road upgrades.

FINANCIAL IMPLICATIONS:

There is no immediate financial impact from lodging the application. Listing in Roads 2040 confers eligibility only; any future Road Project Grant application would be a separate decision, funded two-thirds by the State and one-third by the Shire, and would be brought to Council through the annual budget and the Regional Road Group program.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
RRG treats the townsite streets as outside the scope of Roads 2040	Low	Application framed as an amendment to the existing Menzies North West Road listing; urban-road criteria addressed
Townsite intersections and pavement continue to deteriorate under RAV 10 traffic without grant support	Medium	Pursue listing; consider Black Spot funding for intersection treatments if warranted

STRATEGIC IMPLICATIONS:

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

3. An innovative, diverse and prosperous economy.

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

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Endorses the Roads 2040 Road Justification and Development Strategy Submission Form for the Wilson Street (6090031, SLK 0.27–0.69) and Onslow Street (6090047, SLK 0.34–0.63) link, as an amendment extending the Menzies North West Road listing to Goldfields Highway, lodged with the Goldfields-Esperance Regional Road Group on 9 November 2026;
2. Authorises the Chief Executive Officer to provide any further information requested by the Technical Working Group or the Main Roads WA Road Classification Manager; and
3. Authorises the Shire's delegate to the Goldfields-Esperance Regional Road Group to support the application at the Regional Road Group meeting of 27 November 2026.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.8	Roads 2040 – Application to Add Kookynie – Mount Remarkable Road (6090003, SLK 0.00–29.87)
LOCATION	**Kookynie Mt Remarkable Road, Kookynie (Kookynie – Malcolm Rd / Kookynie Rd) to Yerilla – Lake Raeside Road**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**6 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Roads 2040 Submission - Kookynie to Mount Remarkable Road - Shire of Menzies [**13.2.8.1** - 3 pages] 2. Location map - Kookynie to Mount Remarkable Road [**13.2.8.2** - 1 page]

SUMMARY:

To endorse the Roads 2040 Road Justification and Development Strategy Submission Form for the first 29.87 km of Kookynie Mt Remarkable Road (road no. 6090003, SLK 0.00 to 29.87), from Kookynie to the Yerilla – Lake Raeside Road junction, lodged with the Main Roads WA Goldfields-Esperance Secretariat on 9 November 2026 subject to Council endorsement.

BACKGROUND:

Roads 2040 (Regional Strategies for Significant Local Government Roads with Regional Importance) is the list, maintained for each Regional Road Group (RRG) by Main Roads WA and WALGA, of local roads eligible for Road Project Grant funding under the State Road Funds to Local Government Agreement. Only projects on roads listed in Roads 2040 are eligible for Road Project Grants. Additions are made by the local government lodging a Road Justification and Development Strategy Submission Form with the RRG; after RRG approval the Main Roads Road Classification Manager assesses the road against the Guidelines and Criteria and refers it to the State Road Funds to Local Government Advisory Committee (SAC) for endorsement. The Guidelines note that the local government step of this process includes Council approval.

The Goldfields-Esperance Technical Working Group (TWG) met on 23 October 2026. The Shire of Esperance's Director Asset Management advised all local governments on 29 October and 2 November 2026 that proposed additions should be lodged with the Main Roads Goldfields-Esperance Secretariat so that they can be considered at the RRG meeting on 27 November 2026 and endorsed by SAC in time for the next funding round, and the Secretariat issued a reminder on 6 November 2026 that applications were due by Monday 9 November 2026. Because the lodgement date fell before this

meeting, the application was lodged on 9 November 2026 expressly subject to Council endorsement at this meeting.

Kookynie Mt Remarkable Road is a 56.42 km Local Distributor in the Main Roads hierarchy running east from the Kookynie townsite, where it meets Kookynie Road and Kookynie – Malcolm Road (both listed in Roads 2040 as the Kookynie – Malcolm Route, GE028), to Mt Remarkable Yerilla Road and Mount Remarkable Road at the Shire of Leonora boundary. The nominated section is the first 29.87 km, passing Apollo Hill Access Road at SLK 19.42 and ending at the Yerilla – Lake Raeside Road junction, which links north to Glenorn – Yundamindra Road (Shire of Leonora, listed in Roads 2040) and south to Kookynie Yarri Road. The road is not on the RAV network. It is an unsealed gravel road maintained under the Shire's annual grading program (RFT 04-2025).

The road is the access to Saturn Metals' Apollo Hill Gold Project, whose named access road leaves the nominated section at SLK 19.42. Apollo Hill is a proposed 10 million tonne per annum heap-leach operation with a maiden Ore Reserve of 1.59 million ounces (December 2025), a Pre-Feasibility Study net present value of A$973 million and initial capital cost of about A$472 million; the Definitive Feasibility Study is due for completion in 2026, a mining lease has been granted and a DWER works approval was issued in November 2025. Council has already allocated $1.2 million in the 2026-27 capital works program to gravel-sheet SLK 12.00–20.00 of the road and reconstruct four floodways (RFT 03-2026, Project 3), which is currently out to tender.

COMMENT:

Under the Roads 2040 Guidelines and Criteria a road or route must meet two criteria from at least two of five sections (1 Network/Significance; 2 Road Function/Freight; 3 Traffic Volume; 4 Tourism; 5 RRG discretion). For rural roads, Section 2 is met by any road on the Restricted Access Vehicle (RAV) notice network 2 or above.

The road clearly meets Section 1 (serves a major resource site; links Kookynie, an area of significance on an existing Roads 2040 route, to the Yerilla / Mount Remarkable area and, via Yerilla – Lake Raeside Road, to another Roads 2040 road). It does not currently meet Section 2 because it has no RAV network rating, no traffic count exists for Section 3, and it is not a tourist route for Section 4. The application therefore relies on Section 1 together with the Regional Road Group's discretion under Section 5, and commits the Shire to seek a RAV network assessment, which would satisfy Section 2, once the Apollo Hill construction schedule is confirmed. The case for discretion is strong: the road is the sole formed access to a State-significant gold development and the Shire has already committed $1.2 million of its own funds to it.

The nominated extent (29.87 km rather than the first 20 km) was chosen because the Yerilla – Lake Raeside Road junction is the next network node after Apollo Hill Access Road and gives the listing a logical end point that connects to the Roads 2040 network in the Shire of Leonora. The Regional Road Group may prefer to list only SLK 0.00–19.42 (Kookynie to Apollo Hill Access Road); the recommendation allows the CEO to accept that variation.

The development strategy in the application is staged: Stage 1 is the funded 2026-27

gravel sheeting of SLK 12–20; Stage 2 extends gravel sheeting and formation widening over the rest of the nominated length, removes the SLK 20.5 crest and seeks RAV access; Stage 3 considers sealing Kookynie to Apollo Hill Access Road to Type 4 once the mine is in production. Listing would make Stages 2 and 3 eligible for Road Project Grant funding and strengthen the Shire's position in negotiating road-use contributions with the proponent.

CONSULTATION:

Main Roads WA Goldfields-Esperance Region (Acting Business Services Coordinator); Goldfields-Esperance Regional Road Group Technical Working Group; Shire Works Manager. No community consultation is required for an application to amend Roads 2040.

STATUTORY AUTHORITY:

Local Government Act 1995 – s.2.7 (role of Council: governing the local government's affairs and determining its policies) and s.3.1 (general function: providing for the good government of persons in the district). Roads within the district are local government roads for which the Shire is the responsible road manager.

State Road Funds to Local Government Agreement – Road Project Grants (Category 1) are available only for roads listed in the Roads 2040 Regional Strategies for Significant Local Government Roads.

Main Roads WA, Roads 2040 Guidelines and Criteria for the Identification of Significant Local Government Roads with Regional Importance (D21#507063, October 2021).

POLICY IMPLICATIONS:

There are no Council policy implications arising from this report. The Shire's Strategic Resource Plan 2025–2040 (Asset Management Plan) gives regional and local distributor roads funding priority and identifies a $22.8 million gap between planned and required road renewal over the term of the Plan; external grant funding is identified as essential to road upgrades.

FINANCIAL IMPLICATIONS:

There is no immediate financial impact from the application. Stage 1 ($1.2 million, RFT 03-2026 Project 3) is already provided for in the 2026-27 budget. Listing in Roads 2040 confers eligibility only; any future Road Project Grant application for Stages 2 and 3 would be funded two-thirds by the State and one-third by the Shire and would be brought to Council through the annual budget and the Regional Road Group program. Contributions from the Apollo Hill proponent would be the subject of a separate agreement.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Application not accepted because only one criteria section is currently met	Medium	Application invokes RRG discretion under Section 5, cites the Shire's $1.2 million commitment and undertakes to seek RAV access; delegate briefed to speak to it
Apollo Hill does not proceed to construction, reducing the case for upgrade	Low–Medium	Stage 1 works are justified by existing pastoral, exploration and local traffic; Stages 2–3 are contingent on project confirmation
Shire bears full upgrade cost of a mine access road without grant support or proponent contribution	Medium	Pursue listing; pursue RAV assessment and a road-use / maintenance agreement with the proponent in parallel

STRATEGIC IMPLICATIONS:

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

3. An innovative, diverse and prosperous economy.

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

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Endorses the Roads 2040 Road Justification and Development Strategy Submission Form for Kookynie Mt Remarkable Road (6090003, SLK 0.00–29.87) lodged with the Goldfields-Esperance Regional Road Group on 9 November 2026;
2. Authorises the Chief Executive Officer to provide any further information requested by the Technical Working Group or the Main Roads WA Road Classification Manager, including, if the Regional Road Group prefers, reducing the nominated extent to SLK 0.00–19.42 (Kookynie to Apollo Hill Access Road);
3. Requests the Chief Executive Officer to apply to Main Roads WA for a Restricted Access Vehicle network assessment of the nominated section once the Apollo Hill Gold Project construction schedule is confirmed; and
4. Authorises the Shire's delegate to the Goldfields-Esperance Regional Road Group to support the application at the Regional Road Group meeting of 27 November 2026.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.9	Budget Amendment 2026/27: Water Park
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**7 November 2026**
AUTHOR	**Acting Deputy Chief Executive Officer, Tien Tran**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

To adopt an amendment to the 2026/27 Annual Budget to provide $50,000 for infrastructure works at the Menzies Water Park (Job PC002), funded by a transfer from the War Memorial Capital Infrastructure budget (Job C0049).

BACKGROUND:

The 2026/27 Annual Budget does not include an expenditure estimate for Job PC002. Council allocated $100,000 to the job in the 2025/26 budget; however, no works were undertaken and no expenditure was incurred.

There is a priority need to repair and upgrade the Menzies Water Park before the upcoming warm season, when demand for the facility increases.

The 2026/27 Annual Budget includes $200,000 for Job C0049, War Memorial Infrastructure (Capital). No expenditure has been incurred against this job to date, and no works are anticipated at the War Memorial in 2026/27. The funds are therefore not required at the War Memorial this year and can be redirected to a priority need.

COMMENT:

The estimated cost of the works at the Water Park is:

- Concrete pour (Vuk Concrete): $9,295;
- Concrete supply (Holcim): $14,000;
- Fencing (Stratco): $5,289; and
- Sundry items (mesh, timber, plastic and labour): $11,416.

The total estimate is $40,000 and the Works Manager has recommended allowing a maximum of $50,000.

Approving the amendment now will allow the works to be scheduled promptly and completed ahead of the warm season.
The amendment is funded entirely by transferring existing capital budget from the War Memorial (Job C0049) to the Menzies Water Park (Job PC002). No additional municipal funds are required, and there is no change to the overall budget.

If the amendment is not endorsed, there would be no funding for the Water Park works in 2026/27 until the mid-year budget review (February to March), which would delay the works well into the warm season while the War Memorial funds remain unused.

The War Memorial budget will reduce to $150,000. As no works are anticipated in 2026/27, the reduction does not affect the delivery of any planned works, and the project can be reconsidered in the 2027/28 budget.

CONSULTATION:

Works Manager, Garth Marland.

STATUTORY AUTHORITY:

Local Government Act 1995 (WA)

- Section 6.8(1): A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution (section 6.8(1)(b)). Absolute majority required.
- Section 6.8(1a): An additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- Local Government (Financial Management) Regulations 1996, regulation 34(1)(a): The monthly statement of financial activity is to report annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Act.

POLICY IMPLICATIONS:

There are no known policy implications arising from this report.

FINANCIAL IMPLICATIONS:

The proposed amendment increases capital expenditure on Job PC002 by $50,000, funded by a $50,000 decrease in capital expenditure on the War Memorial (Job C0049). There is no net impact on the 2026/27 budgeted surplus/deficit position, and no additional municipal funds are required.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Actual expenditure exceeds the amended budget allocation for Job PC002.	Low	The estimate is $40,000 against a $50,000 allocation, providing a $10,000 contingency. Expenditure will be monitored against the amended budget through the monthly statement of financial activity.
The Water Park works are not completed before the warm season, limiting community use of the facility.	Medium	The amendment is presented for Council decision now so that contractors and materials can be secured and works scheduled promptly.
Site works reveal additional structural or safety defects not covered by the estimate.	Medium	The Works Manager will inspect the site before works commence. Any material additional works would be reported to Council for a further decision.
The War Memorial allocation is reduced to $150,000, which may limit funding for future works at the War Memorial.	Low	No works are anticipated in 2026/27. Funding for the War Memorial will be reconsidered through the 2027/28 budget process.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025 to 2035 outlines the following Outcomes and Strategies:

1. An engaged and inclusive community.

1.3 Provide, maintain and improve community facilities.

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

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

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That the following amendments to the 2026/27 Annual Budget be adopted in accordance with section 6.8(1)(b) of the Local Government Act 1995:

Budget Amendment Recommendation	Budget 2026/27	Budget Amendment 2026/27	Increase / (Decrease)
Increase Capital Expenditure: Job PC002 Menzies Water Park Infrastructure (Capital)	Nil	$50,000	$50,000
Decrease Capital Expenditure: Job C0049 War Memorial Infrastructure (Capital)	$200,000	$150,000	($50,000)
Net change	$200,000	$200,000	$0

Net impact on the 2026/27 Annual Budget: Nil.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried by Absolute Majority	

13.2.10	Budget Amendment 2026/27: Christmas Events
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**7 November 2026**
AUTHOR	**Acting Deputy Chief Executive Officer, Tien Tran**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

To adopt an amendment to the 2026/27 Annual Budget to provide an additional $25,000 towards Christmas Events (Account No. 121107140), funded by a transfer from the War Memorial Capital Infrastructure budget (Job C0049).

BACKGROUND:

The 2026/27 Annual Budget includes $20,000 for Christmas Events (Account No. 121107140).

The Shire will hold a Community Christmas Tree Lighting on Wednesday 2 December 2026 at the Ngalipaku Recreation Centre. The existing budget is not sufficient to purchase a Christmas tree and town lighting for the event and to provide Christmas gift cards to seniors in the Tjuntjuntjarra community, so an additional $25,000 is proposed. The 2026/27 Annual Budget includes $200,000 for Job C0049, War Memorial Infrastructure (Capital). No expenditure has been incurred against this job to date, and no works are anticipated at the War Memorial in 2026/27. Subject to Council adopting the separate budget amendment for the Menzies Water Park (Job PC002), the War Memorial budget is $150,000.

COMMENT:

The Community Christmas Tree Lighting on Wednesday 2 December 2026 will be the first event of its kind in Menzies. It will bring visitors and the whole community together for a special Christmas celebration, in partnership with the Menzies Community School and the Menzies Aboriginal Corporation, and will include a visit from Santa, a water slide, face painting and games for families.

The event responds directly to what the community told Council during the development of the Council Plan 2025 to 2035: a desire for a variety of community events and activities that promote inclusion, connectivity and wellbeing.

The Christmas program also includes a visit to the Tjuntjuntjarra community to present Christmas gift cards to seniors, extending the Shire's Christmas celebrations to the wider community.

The additional $25,000 is proposed to fund the Christmas tree and town lighting for the event, and the Christmas gift cards for Tjuntjuntjarra seniors.

The proposal makes use of funds that are not needed in the current year. It is budget neutral and draws on the War Memorial allocation, against which no expenditure has been incurred and for which no works are anticipated in 2026/27. The funds can therefore be directed to an immediate community benefit without affecting any planned project.

The event is scheduled for 2 December 2026. Should Council support the amendment at this meeting, the Christmas tree and town lighting can be purchased and installed in time for the event, and the gift cards delivered before Christmas.

CONSULTATION:

No external consultation occurred during the preparation of this report.

STATUTORY AUTHORITY:

Local Government Act 1995 (WA)

- Section 6.8(1): A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution (section 6.8(1)(b)). Absolute majority required.
- Section 6.8(1a): An additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- Local Government (Financial Management) Regulations 1996, regulation 34(1)(a): The monthly statement of financial activity is to report annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Act.

POLICY IMPLICATIONS:

There are no known policy implications arising from this report.

FINANCIAL IMPLICATIONS:

The proposed amendment increases operating expenditure on Christmas Events (Account No. 121107140) by $25,000, funded by a $25,000 decrease in capital expenditure on the War Memorial (Job C0049). There is no net impact on the 2026/27 budgeted surplus/deficit position.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Actual expenditure exceeds the amended budget allocation for Christmas Events (Account No. 121107140).	Low	Firm quotes will be obtained before purchase. Expenditure will be monitored against the amended budget through the monthly statement of financial activity.
The Christmas tree and town lighting are not in place for the Community Christmas Tree Lighting on 2 December 2026 because of supplier lead times.	Medium	The amendment is presented for Council decision now so that orders can be placed immediately. Alternative suppliers will be identified in case of delay.
Weather or other conditions prevent the outdoor event proceeding as planned.	Low	The Ngalipaku Recreation Centre provides an indoor alternative. Postponement arrangements will be communicated to the community and partners in advance.
The War Memorial allocation is reduced to $125,000, which may limit funding for future works at the War Memorial.	Low	No works are anticipated in 2026/27. Funding for the War Memorial will be reconsidered through the 2027/28 budget process.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025 to 2035 outlines the following Outcomes and Strategies:

1. An engaged and inclusive community.

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

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

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That the following amendments to the 2026/27 Annual Budget be adopted in accordance with section 6.8(1)(b) of the Local Government Act 1995:

Budget Amendment Recommendation	Budget 2026/27	Budget Amendment 2026/27	Increase / (Decrease)
Increase Operating Expenditure: Christmas Events (Account No. 121107140)	$20,000	$45,000	$25,000
Decrease Capital Expenditure: Job C0049 War Memorial Infrastructure (Capital)	$150,000	$125,000	($25,000)
Net change	$170,000	$170,000	$0

Net impact on the 2026/27 Annual Budget: Nil.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried by Absolute Majority	

13.2.11	Menzies Post Office proposal
LOCATION	**Pt Lot 102 Shenton Street, Menzies (southeast corner of Shenton and Brown Streets)**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**28 October 2026**
AUTHOR	**Heritage Intelligence (WA), Laura Gray**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Conservation Management Strategy - May 2021 [**13.2.11.1** - 33 pages] 2. Heritage Impact Statement [**13.2.11.2** - 3 pages] 3. Appendix 3 [**13.2.11.3** - 8 pages] 4. Conservation Scope, Program and Costing of Works - 28 October 2026 [**13.2.11.4** - 6 pages]

SUMMARY:

To consider rescinding the Council decision of 27 June 2024 to endorse further investigation of Option 4 (refurbishment as a community building with a residential rear element) for the Menzies Post Office, and to endorse urgent conservation works to retain the State-registered building.

The estimated cost of the Stage 1 conservation works is $350,000. Stage 2 interior works and a future use for the building are not included and would be considered in a later report.

BACKGROUND:

• In 2022 a proposal was developed for extensive conservation works and re-purposing of the building. It was not progressed because of the cost and intervention required, and because there was no committed use for the building.
• 27 June 2024: Council endorsed further work on Option 4, with a full investigation and cost report.
• The former tenant, who was accommodated in the rear of the building, has since left. Private residential accommodation is no longer required in the building.
• The building is entered on the State Register of Heritage Places (2009) and is a Category 1 place on the Shire's Local Heritage Survey (2022).
• The 2024 Heritage Impact Statement reports that the building is structurally stable, watertight and secure, but in relatively poor condition, with considerable termite damage. The postal hall floor and walls are damaged, and room 1 is unusable because of the dangerous condition of the west window set.

• Appendix 3 of the Heritage Impact Statement rates many elements as Priority 1 (immediate, within one year), and that is the subject of the estimated cost.
• The Heritage Council of Western Australia would not support demolition by neglect.

COMMENT:

• Stage 1 works are urgent and mostly external, and include structure, subfloor, roof, gutters and drainage, windows and doors, verandas, and asbestos removal. An engineering investigation is included at $20,000.
• The interior is not included in Stage 1 except where structure, asbestos, windows or doors are involved. Stage 2 interior works are not costed.
• The Conservation Management Strategy (May 2021) identifies original Oregon timber floorboards as primary significance, and states that structural alteration to original fabric is generally not acceptable. The proposed restumping, structural intervention and replacement of the postal hall floor need to be checked against those policies. Laura Gray will confirm this and update the Chief Executive Officer.
• The condition assessment states that the structural inspection was not carried out by a person with structural qualifications. The engineering investigation should be completed before Council commits the full Stage 1 budget.
• No works can start until budget funding is confirmed, which is not likely before March 2027. The works are expected to take about six months, including tender, contractor availability and weather.
• This item recommences the project and is not intended to cause further delay. Rescinding the 2024 decision does not commit the Shire to a future use, which will be considered in a later report.

CONSULTATION:

• Heritage & Conservation Consultant (Laura Gray, Heritage Intelligence (WA)), on and off site.
• Specialist conservation contractors are to be appointed by the Chief Executive Officer.
• Council: multiple rounds of extensive consultation with Council have occurred in the past. This item recommences the project and is not intended to cause further delay for the post office works.
• The Shire (local governments) are not eligible for the current Department of Planning, Lands and Heritage / Heritage Council funding round. Further investigation will inform whether Lotterywest offers funding opportunities.

STATUTORY AUTHORITY:

• Heritage Act 2018. The place is on the State Register of Heritage Places. Laura Gray to confirm the Heritage Council approval required for the works and advise the Chief Executive Officer.
• The Conservation Management Strategy requires that any development proposal be referred to the Heritage Council and the Shire for approval. Laura Gray to confirm the approval pathway and whether a Shire development approval is required and advise the Chief Executive Officer.

• Local Government (Administration) Regulations 1996, reg 10: rescinding the 27 June 2024 decision.
• Local Government Act 1995, s 6.8: unbudgeted expenditure requires an absolute majority.
• Local Government (Functions and General) Regulations 1996, reg 11: tendering. Policy 4.2 sets the tender threshold at $250,000 (ex GST); see Policy Implications.

POLICY IMPLICATIONS:

Policy 4.2 Purchasing and Tenders: purchases over $250,000 (ex GST) must go to public tender, or to a Tender Exempt arrangement with a formal Request for Quotation. The works are estimated at $350,000 (ex GST), so a public tender is required. Policy 4.3 Regional Price Preference: applies whenever tenders are called, unless Council resolves otherwise. For construction (building) services it gives a 5% price preference to suppliers that have operated a business from premises in the Shire for at least six months. The preference applies to the local component of the price only. Price is one factor among others, and the cheapest offer is not necessarily accepted. Policy 4.13 Tender Evaluation and Policy 4.12 Asset Management also apply. No Council policy addresses heritage buildings or the Former Post Office reserve.

FINANCIAL IMPLICATIONS:

• Estimated Stage 1 cost: $350,000 plus any GST (investigation $20,000; structure $50,000; asbestos $15,000; subfloor $70,000; roof sheeting $20,000; gutters and downpipes $25,000; drainage $40,000; windows and doors $50,000; verandas $60,000).
• The 2026/27 adopted budget holds a Former Post Office reserve with a projected closing balance of $453,348 at 30 June 2027, held “to fund the restoration and maintenance of the former post office” (Note 8). No capital project for the Stage 1 works is shown in the budget. [Officer to confirm whether use of the reserve requires a Council resolution under s 6.11 of the Local Government Act 1995.]
• The Stage 1 works are not identified in the adopted 2026/27 budget. No transfer from the Former Post Office reserve is budgeted for 2026/27, so using the reserve needs a budget amendment. The 2024/25 budget had a $894,000 capital line for the Old Post Office building and a $410,000 draw from the Former Post Office reserve. The 31 October 2024 report shows no spend on that line to 30 September 2024.
• Stage 2 interior costs are not yet estimated.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Few or no bids are received from builders willing to work in Menzies.	Moderate	Statewide tender with early contact with contractors. [CEO to decide tender route.]

Structural or termite damage is worse than the condition report assumes, increasing cost.	High	Complete the engineering investigation before committing the full Stage 1 budget. Hold a contingency.
Funding not confirmed, leaving the works unfunded or delayed.	High	Confirm the budget position before the works are committed. Stage the works if funding is limited.
Heritage approvals delay the works or change the scope.	Moderate	Early engagement with the Heritage Council before tender.
Continued deterioration while the decision is pending, including risk of demolition by neglect.	High	Priority 1 works and interim make-safe measures to proceed as soon as approvals and funding allow.

STRATEGIC IMPLICATIONS:

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

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

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

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

VOTING REQUIREMENTS:

Absolute majority. Rescinding a previous decision requires a notice of motion supported by at least one third of members, or an absolute majority if a similar motion has failed within the previous three months (reg 10). Unbudgeted expenditure requires an absolute majority (s 6.8).

OFFICER RECOMMENDATION:

That Council:

1. Rescinds its decision of 27 June 2024 to endorse further work on Option 4 for the Menzies Post Office subject to the procedure in Local Government (Administration) Regulations 1996, reg 10;
2. Endorses the retention and conservation of the Menzies Post Office, Pt Lot 102 Shenton Street, Menzies, through Stage 1 urgent conservation works estimated at $350,000 as set out in the Summary of Conservation Scope, Program and Costing of Works (28 October 2026), subject to:

   a) an engineering assessment of the structural condition of the building;

b) approval from the Heritage Council of Western Australia and any other required approvals; and

c) confirmation of budget funding for the works, which may be drawn from the Former Post Office reserve;

3. Authorises the Chief Executive Officer to appoint specialist conservation contractors for the Stage 1 works, in accordance with the tender requirements under the Local Government (Functions and General) Regulations 1996;
4. Requests the Chief Executive Officer to report to Council with a budget amendment, if required, allocating funding for the Stage 1 works from the Former Post Office reserve or other municipal funds; and
5. Requests the Chief Executive Officer to seek any further approvals, funding or advice required for the works, without change to the purpose of the project, which is the conservation of the building.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried by Absolute Majority	

13.2.12	Budget Amendment 2026/27: Former Post Office
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**7 November 2026**
AUTHOR	**Acting Deputy Chief Executive Officer, Tien Tran**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

To adopt an amendment to the 2026/27 Annual Budget to provide $350,000 for the Stage 1 conservation works at the Menzies Post Office (Job BC020), funded by a transfer from the Former Post Office Reserve.

BACKGROUND:

The 2026/27 Annual Budget does not include an expenditure estimate for Job BC020, Old Post Office House.

The preceding item, Menzies Post Office proposal recommends that Council endorse Stage 1 urgent conservation works, estimated at $350,000 (excluding GST), and requests a budget amendment to fund them. This report provides that amendment.

The 2024/25 budget included an $894,000 capital allocation for the building; however, the works did not proceed and no expenditure was incurred. No allocation was made in the 2025/26 or 2026/27 budgets.

COMMENT:

The $350,000 is the Stage 1 estimate in the preceding item. Stage 2 interior works are not costed and are not part of this amendment.

Consistent with the preceding item, the works will not be committed until the engineering investigation is complete and Heritage Council approval has been obtained.

The proposed budget amendment provides $350,000 for capital works at Old Post Office House, funded entirely by a transfer from the Former Post Office Reserve. No municipal funds are required. The works constitute restoration and maintenance of the former post office building, which is the purpose for which the reserve was established. The reserve

has accumulated funds for this purpose, and approval will allow the works to proceed without affecting any other reserve.
The effect on the reserve is as follows:

Former Post Office Reserve	Amount
Opening balance, 1 July 2026	$448,027
Closing balance at 31 October 2026 (including interest)	$450,815
Proposed transfer to municipal fund (Job BC020)	($350,000)
Balance after transfer	$100,815

The reserve has sufficient balance to meet the transfer, and no other reserve is affected. Interest earned on the reserve will reduce as a result of the lower balance. The funds will be transferred to the municipal bank account as the expenditure is required.

CONSULTATION:

No external consultation occurred during the preparation of this report.

STATUTORY AUTHORITY:

Local Government Act 1995 (WA)

- Section 6.8(1): A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution (section 6.8(1)(b)). Absolute majority required.
- Section 6.8(1a): An additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- Section 6.11(1): Where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- Section 6.11(2): Before a local government changes the purpose of a reserve account, or uses the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use. Absolute majority required. As the works are for the restoration and maintenance of the former post office, which is the purpose for which the Former Post Office Reserve was established, the money is being used for its existing purpose and local public notice under section 6.11(2) is not required.
- Section 6.11(4): A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs. The transfer will be disclosed in the 2026/27 annual financial report.
- Local Government (Financial Management) Regulations 1996, regulation 34(1)(a): The monthly statement of financial activity is to report annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Act.

POLICY IMPLICATIONS:

No policy implications arise from this report.

FINANCIAL IMPLICATIONS:

The proposed amendment increases capital expenditure on Job BC020 by $350,000 (excluding GST), funded by a $350,000 transfer from the Former Post Office Reserve. There is no net impact on the 2026/27 budgeted surplus/deficit position, and the reserve balance will reduce by $350,000 to $100,815.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Structural or termite damage is worse than the condition report assumes, increasing the cost of the works.	High	The engineering investigation will be completed before the full Stage 1 budget is committed, and a contingency will be held within the $350,000. Any further funding would require a separate Council decision.
Heritage Council approval or the engineering investigation delays the works beyond 2026/27, so that the amended budget is not expended in the current financial year.	Medium	Lodge the Heritage Council application and engage the engineer promptly on approval. Any unspent amount will be carried forward to 2027/28 through the budget process.
The reserve balance is reduced to $100,815, limiting funding for future works on the building, including Stage 2 interior works.	Medium	Reserve balance will be monitored, and future funding needs, including Stage 2, considered through the annual budget process and external grant opportunities.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025 to 2035 outlines the following Outcomes and Strategies:

5. A well maintained attractive built environment servicing the needs of the community.
5.1 Maintain the integrity of our cultural and heritage assets and places.
5.1.1 Maintain cultural and heritage infrastructure assets in line with asset management plan.
8. An efficient and effective organisation.
8.1 Maintain a high level of corporate governance, responsibility and accountability.

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That the following amendments to the 2026/27 Annual Budget be adopted in accordance with section 6.8(1)(b) of the Local Government Act 1995:

Budget Amendment Recommendation	Budget 2026/27	Budget Amendment 2026/27	Increase / (Decrease)
Increase Capital Expenditure: Job BC020 Old Post Office House, Lot 102 (33) Walsh St, Building (Capital), for Stage 1 conservation works	Nil	$350,000	$350,000
Increase Transfer from Reserve: Former Post Office Reserve, to fund Job BC020	Nil	($350,000)	($350,000)
Net change	Nil	$0	$0

Net impact on the 2026/27 Annual Budget: Nil.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried by Absolute Majority	

13.2.13	Proposed Organisational Structure
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**7 November 2026**
AUTHOR	**Acting Deputy CEO, Tien Tran**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. CONFIDENTIAL - Attachment 1 - Proposed Organisational Structure [**13.2.13.1** - 1 page]

SUMMARY:

To present the proposed organisational structure for the Shire of Menzies (Attachment 1) and to seek Council's endorsement of the structure, including five (5) new positions, so that the Shire has the capacity to deliver its capital works program, meet its governance and compliance obligations, and provide services to the community in a professional and efficient manner.

BACKGROUND:

Under section 5.41 of the Local Government Act 1995, the Chief Executive Officer is responsible for managing the local government's administration and operations, including the employment, management, supervision, direction and dismissal of other employees. Under section 2.7, Council's governing role includes overseeing the allocation of the local government's finances and resources and providing strategic direction to the CEO

.

The organisational structure determines how the Shire's resources are allocated and has a direct bearing on the annual budget. While the design of the structure is an executive function of the CEO, it is presented to Council for endorsement because the additional positions require a budget amendment, which is a decision of Council, and because Council's governing role includes overseeing the allocation of the Shire's finances and resources.

The current structure was established under previous administrations and has not kept pace with the Shire's expanding capital works program and governance obligations. As at 31 October 2026, only $1,257,889 (18%) of the $6,886,221 capital budget had been spent, with 17 of the 20 building projects recording no expenditure. Governance, compliance and records responsibilities are currently spread across positions that also carry operational workloads.

The CEO commenced on 1 October 2026 and has reviewed the structure with the Executive Leadership Team. The proposed structure is at Attachment 1.

COMMENT:

Proposed structure

The proposed structure provides for three positions reporting directly to the CEO: the Executive Manager Corporate Community and Commercial, the Executive Manager Works and the Executive Manager Governance. Each has a defined span of responsibility:

- Executive Manager Corporate Community and Commercial: finance, community and commercial services, through an Accounts Coordinator (rates and debtors, accounts receivable and payroll, accounts payable and asset accounting) and a Community Development Coordinator (community engagement, visitor services and community projects). The Executive Manager Corporate Community and Commercial is the existing Deputy Chief Executive Officer position, retitled to reflect its responsibilities in the proposed structure.
- Executive Manager Works: delivery of the capital works and maintenance programs, through a Works Coordinator Building and Maintenance (building maintenance supervisor, two gardeners and two cleaners) and a Works Coordinator Outside Crew (foreman, five general hands and a grader operator).
- Executive Manager Governance: governance, compliance, council support and records, supported by an Executive Assistant and a Corporate Services Assistant, who also provide direct support to the CEO.

New positions

The proposed structure adds five (5) new positions:

Position	Reports to	Purpose
Executive Manager Governance	Chief Executive Officer	Dedicated responsibility for governance, statutory compliance, Council meeting support, policy, records, risk, human resources, communications and information technology.
Works Coordinator	Executive Manager Works	Separates building and maintenance from the outside crew so that both programs have a coordinator and the capital works program is actively managed.
Gardener	Works Coordinator Building and Maintenance	Increases capacity to maintain parks, gardens, ovals and townscape to the standard the community expects.

General Hand (two positions)	Works Coordinator Outside Crew	Increases outside crew capacity to deliver the roads, footpaths and infrastructure programs within the financial year.

All other positions in the proposed structure are existing positions. Reporting lines for existing positions have been clarified so that each employee reports to one coordinator or manager.

Why the changes are needed

The capital works program cannot be delivered with the current level of resourcing. Separating the works function into two coordinated teams gives the Executive Manager Works the capacity to plan, procure and supervise projects rather than carry day to day crew supervision. The additional field positions provide the labour to deliver the program.

The Executive Manager Governance position addresses a gap in the current structure. Governance and compliance responsibilities, including Council meeting support, policy and delegation reviews, statutory returns, records and risk, are currently dispersed and are not adequately resourced. The same applies to human resources, communications and information technology, which have no clear owner in the current structure. A dedicated senior position provides accountability for these functions and supports Council's own governing role under section 2.7 of the Act.

Cost and funding

The estimated cost of the five positions for the remainder of 2026/27 is $300,000, inclusive of salary, superannuation, leave, oncosts, recruitment and housing. A separate item on this agenda (Item 13.2.14, Budget Amendment 2026/27: Employee Costs) proposes to fund this amount from capital budget savings and deferrals, with no net impact on the budgeted surplus/deficit position and no increase in rates or borrowings. The full year cost will be included in the 2027/28 budget.

Implementation

Subject to Council's endorsement and adoption of the budget amendment, recruitment for the new positions will commence immediately so that they are in place for the second half of 2026/27, when the majority of the capital works program is to be delivered. Recruitment will be carried out in accordance with the principles in section 5.40 of the Act, including selection on merit and equity. Existing employees will be consulted on any change to reporting lines. Position descriptions will be prepared or updated for all positions.

CONSULTATION:

Executive Leadership Team. Affected employees will be consulted on changes to reporting lines before implementation.

STATUTORY AUTHORITY:

Local Government Act 1995 (WA)

- Section 2.7(2): The council's governing role includes overseeing the allocation of the local government's finances and resources, determining the services and facilities to be provided, and providing strategic direction to the CEO.
- Section 2.7(3): The council's governing role is separate from the CEO's executive role as described in section 5.41, and the council must respect that separation.
- Section 2.7(5): The council must have regard to the need to support an organisational culture that promotes the respectful and fair treatment of the local government's employees.
- Section 5.36(1)(b): A local government is to employ such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- Section 5.36(3): A person is not to be employed in a position other than CEO unless the CEO believes the person is suitably qualified and is satisfied with the proposed employment arrangements.
- Section 5.40: Principles affecting employment, including selection and promotion on merit and equity, fair and consistent treatment, and no unlawful discrimination.
- Section 5.41(1) and (2)(d): The CEO is responsible for managing the local government's administration and operations, including the employment, management, supervision, direction and dismissal of other employees. The Shire has not designated any senior employees under section 5.37, so the CEO holds full authority over the employment of all other employees.
- Section 6.8(1)(b): Expenditure for an additional purpose requires authorisation in advance by resolution. Absolute majority required. This is addressed in the separate budget amendment item.

POLICY IMPLICATIONS:

No policy implications arise from this report. Position descriptions and the Shire's employment procedures will be updated to reflect the endorsed structure.

FINANCIAL IMPLICATIONS:

The estimated cost of the five new positions is $300,000 for the remainder of 2026/27, to be funded through the budget amendment at Item [Item No.]. The ongoing full year cost will be reflected in the 2027/28 Annual Budget and the Strategic Resource Plan. There is no net impact on the 2026/27 budgeted surplus/deficit position.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
The structure is not endorsed or funded and the capital works program continues to fall behind, with projects carried over into 2027/28 and governance obligations not adequately resourced.	High	Present the structure and the budget amendment together so that Council can make an informed decision. Report delivery progress monthly through the statement of financial activity.
Suitable candidates cannot be recruited to a remote location within the intended timeframe.	Medium	Commence recruitment immediately on approval. Include housing in the employment package. Consider interim contract or labour hire arrangements while permanent recruitment proceeds.
Changes to reporting lines affect existing employees and workplace culture.	Medium	Consult affected employees before implementation, provide updated position descriptions and apply the employment principles in section 5.40 of the Act.
The ongoing cost of the new positions places pressure on future budgets.	Medium	Full year cost to be included in the 2027/28 budget and Strategic Resource Plan. Structure to be reviewed annually by the CEO.
Council's involvement extends beyond its governing role into the CEO's executive role under section 5.41.	Low	The recommendation is limited to endorsement of the structure and the associated funding. Recruitment and management of all employees remain with the CEO under section 5.41.

STRATEGIC IMPLICATIONS:

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

8. An efficient and effective organisation.

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Endorses the proposed Shire of Menzies Organisational Structure at Attachment 1, including the following new positions: Executive Manager Governance; Works Coordinator; Gardener; and two General Hands.
2. Notes that the employment, management, supervision and direction of employees under the endorsed structure is the responsibility of the Chief Executive Officer under section 5.41 of the Local Government Act 1995.
3. Notes that the funding of the new positions for 2026/27 is addressed in the separate budget amendment at Item [Item No.], and that the full year cost will be included in the 2027/28 Annual Budget.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.14	Budget Amendment 2026/27: Employee Costs
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**7 November 2026**
AUTHOR	**Acting Deputy Chief Executive Officer, Tien Tran**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

To adopt an amendment to the 2026/27 Annual Budget to increase funding for employee costs by $300,000, so that the five new positions in the proposed organisational structure can be filled and the Shire has the people it needs to deliver its capital works program and meet its governance obligations.

BACKGROUND:

At this meeting, Council is being asked to consider a proposed organisational structure. The proposed structure adds five (5) new positions: one (1) Executive Manager Governance, one (1) Works Coordinator, one (1) Gardener and two (2) General Hands. The current 2026/27 Annual Budget includes employee costs of $3,269,844. This allocation was based on the previous organisational structure and does not provide for the additional costs of the proposed structure.

As at 31 October 2026, more than a third of the financial year has elapsed, yet only $1,257,889 (18%) of the $6,886,221 capital budget has been spent. This covers buildings, roads, footpaths, parks and ovals and other infrastructure, and excludes plant and equipment. Progress on buildings is of most concern: only $97,591 (7%) of the $1,380,000 budget has been spent, and 17 of the 20 building projects have recorded no expenditure. No expenditure has been recorded for footpaths, and parks and ovals and other infrastructure are only 11% and 14% spent respectively.

COMMENT:

The total estimated cost of the five positions for the half year 2026/27 is $300,000 inclusive of salary, superannuation, leave, oncosts, recruitment and housing.

Approving the amendment now allows recruitment to start immediately, so that the new positions are in place for the second half of 2026/27 when most of the capital works program is to be delivered. The increase in employee costs is funded entirely from

capital budget savings and deferrals, so there is no impact on the surplus/deficit position and no increase in rates or borrowings.
Without additional capacity, there is a risk that the capital works program continues to fall behind, that projects carry over into 2027/28, that existing staff continue to carry workloads beyond their positions, and that governance and compliance responsibilities are not adequately resourced. Investing in the workforce now is the most direct way to deliver the projects Council has already approved and the community expects.

The $300,000 is proposed to be funded from reductions to the following capital budgets. The reductions reflect lower actual and anticipated costs against the capital budget for 2026/27.

Job	Project	Reduction
CP019	New Hydraulic Excavator	$114,000
BC028	Lady Shenton/CRC, Lot 41 (37) Shenton St	$100,000
BC021A	Caravan Park Upgrade	$70,000
BC037C	Depot Workshop	$16,000
Total		**$300,000**

CONSULTATION:

Executive Leadership Team.

STATUTORY AUTHORITY:

Local Government Act 1995 (WA)

- Section 5.36(1)(b): A local government is to employ such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- Section 6.8(1): A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution (section 6.8(1)(b)). Absolute majority required.
- Section 6.8(1a): An additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- Local Government (Financial Management) Regulations 1996, regulation 34(1)(a): The monthly statement of financial activity is to report annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Act.
- Local Government (Financial Management) Regulations 1996, regulation 33A: The local government is to carry out a review of its annual budget between 1 January and 31 March each financial year and consider the results of that review.

POLICY IMPLICATIONS:

No policy implications arise from this report.

FINANCIAL IMPLICATIONS:

The proposed amendment increases operating expenditure on employee costs by $300,000, funded by capital expenditure decreases totalling $300,000. There is no net impact on the 2026/27 budgeted surplus/deficit position, and no increase in rates or borrowings is required.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Actual employee costs exceed the amended budget.	Medium	Employee costs will be monitored monthly against the amended budget through the statement of financial activity and the budget review under regulation 33A.
If the positions are not funded, capital projects and governance responsibilities may not be delivered on time, and projects may carry over into 2027/28.	Medium	Approve the budget amendment so recruitment can start immediately. Delivery progress will be reported to Council through the monthly financial activity statements.
Recruitment is delayed and the positions are not filled in time to deliver the second half capital works program.	Medium	Commence recruitment immediately on approval. Consider interim contract or labour hire arrangements if permanent recruitment is delayed.
Reduced budgets for BC028, BC021A and BC037C may limit funds available to complete those projects as planned.	Low	The remaining budgets exceed expenditure to 31 October 2026. Project costs will be monitored through the monthly statement of financial activity and considered in the budget review and the 2027/28 budget.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025 to 2035 outlines the following Outcomes and Strategies:

8. An efficient and effective organisation.
8.1 Maintain a high level of corporate governance, responsibility and accountability.
8.2 Provide appropriate services to the community in a professional and efficient manner.
8.3 Provide a positive and safe workplace.

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That, subject to Council's prior approval of the proposed organisational structure, the following amendments to the 2026/27 Annual Budget be adopted in accordance with section 6.8(1)(b) of the Local Government Act 1995:

Budget Amendment Recommendation	**Budget 2026/27**	**Budget Amendment 2026/27**	**Increase / (Decrease)**
Increase Operating Expenditure: Employee Costs	$3,269,844	$3,569,844	$300,000
Decrease Capital Expenditure: Job BC028 Lady Shenton/CRC, Lot 41 (37) Shenton St	$150,000	$50,000	($100,000)
Decrease Capital Expenditure: Job BC021A Caravan Park Upgrade	$120,000	$50,000	($70,000)
Decrease Capital Expenditure: Job CP019 New Hydraulic Excavator	$400,000	$286,000	($114,000)
Decrease Capital Expenditure: Job BC037C Depot Workshop	$85,000	$69,000	($16,000)
Net change	$4,024,844	$4,024,844	$0

Net impact on the 2026/27 Annual Budget: Nil.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried by Absolute Majority	

13.2.15	Menzies Aboriginal Corporation - Rates Exemption Application
LOCATION	**Various properties in the Shire of Menzies**
APPLICANT	**Menzies Aboriginal Corporation**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**7 November 2026**
AUTHOR	**Acting Deputy Chief Executive Officer, Tien Tran**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Letter from Menzies Aboriginal Corporation [**13.2.15.1** - 3 pages]

SUMMARY:

To consider a request from Menzies Aboriginal Corporation (MAC) that Council progress an application for rates exemption under section 6.26(2)(g) of the Local Government Act 1995, and place its rates accounts on a temporary hold.

BACKGROUND:

At its meeting on 29 November 2018 (Item 12.2.7, Resolution 1561, carried 5/2), Council refused an application from MAC to exempt seventeen properties. The grounds were that the properties were primarily used for rental housing or commercial enterprise, and that an exemption would place an unfair burden on other ratepayers in the townsite. The resolution also advised that MAC could apply to the Minister for an exemption of those properties.

In October 2026, MAC expressed its intention to re-apply for rates exemption. The Administration advised MAC of the documents required before an application can go to Council: the address and assessment number of each property; MAC's constitution, ACNC registration and any ATO endorsement; a description of how each property is used, including any leasing or commercial activity; a copy of any lease; and the latest annual report.

MAC replied by letter dated 4 November 2026 (Attachment 1). The letter does not include any of these documents and does not identify the properties. MAC states that, given the number of properties and the historical records involved, it needs more time to compile. MAC requests that Council endorse the application in principle, allow time to provide the documents, authorise officers to assist, reconsider the 2018 application, support the exemption (including any Ministerial process) where the requirements are met, and consider retrospective exemption. MAC also requests that recovery actions be temporarily put on hold while the application is being progressed.

COMMENT:

Section 6.26(2)(g) of the Local Government Act 1995 provides that land used exclusively for charitable purposes is not rateable land. Status as a not-for-profit organisation or registered charity does not, of itself, establish an entitlement to exemption. Eligibility is determined by the actual use of each property. Where only part of a property is used for charitable purposes, only that part may qualify. Under section 6.26(6), occasional use of land for another charitable, benevolent, religious or public purpose does not defeat the exclusivity requirement.

The endorsement recommended in this report is a procedural step only. This is stated expressly so that no expectation is created about the outcome. The recommendation requests the supporting documents from MAC, authorises officers to work with MAC on the assessment, and provides for the matter to be brought back to Council at the February 2027 Ordinary Council Meeting.

Council has no power to waive rates or interest owing on rates under its general waiver power (section 6.12(2)). Any such relief would require a resolution under section 6.47, which must be passed by an absolute majority.

The Administration has deferred formal recovery action on the affected properties until the matter is considered at the February 2027 Ordinary Council Meeting. Interest continues to accrue in accordance with section 6.51, and no waiver of rates, interest or costs is proposed at this stage. Should MAC so request, officers will discuss a payment arrangement under section 6.49.

MAC has also requested reconsideration of its 2018 application, support for a Ministerial declaration of exemption under section 6.26(2)(k) and (4), and retrospective adjustment of rates. These requests will be addressed in the report to Council in February 2027. Any retrospective adjustment is limited to the five financial years preceding the current financial year (section 6.39(2)(b)).

As rateability depends on the actual use of each property, the properties will be assessed on current evidence rather than on the outcome of the 2018 decision.

CONSULTATION:

No external consultation occurred during the preparation of this report.

STATUTORY AUTHORITY:
Local Government Act 1995:

- Section 6.12(2): General power to waive rates or service charges (subject to section 6.47)
- Section 6.26(2)(g): Land used exclusively for a charitable purpose is not rateable land
- Section 6.26(6): Occasional use for another charitable, benevolent, religious or public purpose does not defeat exclusivity
- Section 6.26(2)(k) and (4): Power of the Minister to declare land exempt from rates

- Section 6.39(2)(b): Amendment of rate record limited to five preceding financial years
- Section 6.47: Absolute majority required for waiver of rates, interest or costs
- Section 6.49: Acceptance of payment in accordance with an agreement
- Section 6.51: Interest on overdue rates

POLICY IMPLICATIONS:

Policy 4.10 Rating Strategy

FINANCIAL IMPLICATIONS:

No financial implications at this stage. The financial impact of any exemption (annual revenue loss and potential retrospective relief) will be quantified in the February 2027 report to Council.

RISK ASSESSMENT:

Risk Category	Risk Statement	Probability	Residual Risk
Documentation	MAC does not provide requested documents by deadline	Low to Med	Low
Compliance	Property use verification challenges; mixed use not clearly documented	Med to High	Medium
Governance	Council decision appears to reverse 2018 decision (Resolution 1561)	High	Medium
Expectation	Endorsement perceived as approval, creating false expectations	Medium	Low
Financial	Revenue impact from exemption unquantified; affects Shire budget	High	Medium
Financial	Pressure for retrospective adjustment and interest waiver (5 years)	Med to High	Medium
Precedent	Approval establishes precedent for future exemption applications	High	Medium
Fairness	Exemption shifts rates burden to other	High	Low to Med

	ratepayers; perceived unfairness		
Process	Ministerial declaration process is dependent on Minister's discretion	High	Low
Authority	Waiver of rates or interest requires separate absolute majority resolution	Medium	Low
Timeline	Interest accrues during assessment period (Nov 2026 to Feb 2027)	High	Low

Key mitigation priorities: (1) Property use verification with documentation and site inspection; (2) Financial impact quantification before February 2027 decision; (3) Rates Exemption Policy development for consistent framework; (4) Clear written communication to MAC and Council; (5) Separate absolute majority resolutions for exemption and any waiver.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025-2035 outlines the following Outcomes and Strategies:
8. An efficient and effective organisation.
8.1 Maintain a high level of corporate governance, responsibility and accountability.
Accordingly, the officer's recommendation aligns with the Shire of Menzies Council Plan.

VOTING REQUIREMENTS:
Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Receives the letter from Menzies Aboriginal Corporation dated 6 November 2026 requesting endorsement to progress a rates exemption application under section 6.26(2)(g) of the Local Government Act 1995;
2. Endorses the progress of the application for rates exemption, noting that this is a procedural step only and that no determination is made on whether any property is exempt;
3. Notes the Administration's decision to defer formal recovery action on the affected properties until the matter is considered at the February 2027 Ordinary Council Meeting, and that interest continues to accrue in accordance with section 6.51, and that no rates, interest or costs are waived;
4. Requests Menzies Aboriginal Corporation to provide the documents as outlined in the email dated 27 October 2026: the address and assessment number of

each property; MAC's constitution, ACNC registration and any ATO endorsement; a description of how each property is used, including any leasing or commercial activity; a copy of any lease; and the latest annual report;

5. Authorises the Chief Executive Officer and relevant officers to work with Menzies Aboriginal Corporation to assess each property on its actual use against the requirements of section 6.26(2)(g); and
6. Brings the matter, including the reconsideration of the 2018 application (Resolution 1561), any retrospective adjustment under section 6.39(2)(b), and any support for a Ministerial declaration under section 6.26(2)(k) and (4), back to Council at the February 2027 Ordinary Council Meeting, based on the documents provided.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.16	Proposed Town Planning Framework Updates
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**4 November 2026**
AUTHOR	**Town Planner, Joe Douglas**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

This report provided details of various updates required to the Shire's current town planning framework including reasons why and recommends Council allocate additional funding in its 2026/27 annual budget to cover the cost of all the work required.

BACKGROUND:

This report has been prepared pursuant to instructions received from the Shire's Chief Executive Officer regarding various updates required to the Shire's current town planning framework to ensure it is relevant, legally enforceable and fit for purpose.

COMMENT:

A recent review of the Shire's current town planning framework by the reporting officer has confirmed the following:

a. Delegation 9.2 entitled 'Local Planning Scheme – Council to CEO' is not lawful because it references the Shire of Menzies Town Planning Scheme No.1 which was formally revoked on 24 May 2023 when Local Planning Scheme No.2 was published in the Government Gazette and came into full legal effect (i.e. a new delegation for decision making by the Shire's Chief Executive Officer under Local Planning Scheme No.2 is required);

b. The following Local Planning Policies previously prepared and adopted under Local Planning Scheme No.1 have not been formally revoked or reviewed and adopted under Local Planning Scheme No.2 in accordance with the procedural requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and cannot therefore be lawfully applied when considering and finally determining development applications:

   - LPP12 – Outbuildings;
   - LPP13 – Temporary Occupation of Moveable Buildings or Outbuildings; and
   - LPP14 – Development of Unserviced Land – Water and Power.

c. The Shire's development application form and checklist are outdated and need to be amended to provide improved guidance for those needing to seek and obtain the Shire's development approval. A more comprehensive 'Development Application Package' inclusive of all regulated development application forms and updated guidance for applicants is recommended; and

d. The Planning, Environmental Health and Building section of the Shire's website is outdated and also needs to be amended to provide improved guidance for those needing to seek and obtain the Shire's development approval including the preparation of topic specific Planning Information Sheets.

CONSULTATION:

The review, preparation and adoption of local planning policies to support Local Planning Scheme No.2 must be undertaken in accordance with the procedural requirements prescribed in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* which includes public consultation for a minimum required period of 21 days.

All other changes proposed to the Shire's town planning framework do not require public consultation.

STATUTORY AUTHORITY:

Delegations - Part 10, Division 2, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*
Local Planning Policies - Part 2, Division 2, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*
Application Forms – Parts 7 and 11, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*

POLICY IMPLICATIONS:

The review, preparation and adoption of new local planning policies will provide improved guidance for landowners and developers when planning for new development and will assist the Shire's assessment and final determination of development applications received where the policies are applicable.

FINANCIAL IMPLICATIONS:

An allowance of $20,000 excluding GST is recommended to cover the cost of all work required to address the existing shortcomings with the Shire's local planning framework and ensure it is relevant, lawful and fit for purpose.

RISK ASSESSMENT:

The proposed updates to the Shire's current town planning framework will ensure:

a. all future town planning related decisions by the Chief Executive Officer under delegated authority are lawful and enforceable
b. the Shire's local planning policies are relevant and enforceable;
c. information published by the Shire is current and provides improved guidance for those needing to seek and obtain the Shire's development approval;
d. there is no reputational damage for making unlawful decisions and/or providing incorrect advice.

STRATEGIC IMPLICATIONS:

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

7. A strategically focused Council, leading our community.

7.1 Provide strategic leadership and governance.

8. An efficient and effective organisation.

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council authorise the allocation of an additional $20,000 in the 2026/27 budget for town planning related matters to undertake the following tasks including all associated reporting as required:

- Preparation of a new town planning delegation to support future decision making by the Shire's Chief Executive Officer under the Shire of Menzies Local Planning Scheme No.2;
- Review of the Shire's existing local planning policies and preparation and adoption of new updated local planning policies under the Shire of Menzies Local Planning Scheme No.2 in accordance with the procedural requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*;

- Preparation of a more comprehensive ‘Development Application Package’ inclusive of all regulated development application forms and updated guidance for applicants; and
- Review and update the Planning, Environmental Health and Building section of the Shire’s website to provide improved guidance for those needing to seek and obtain the Shire’s development approval including the preparation of topic specific Planning Information Sheets.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.17	Community Investment Agreements with Mining Companies Operating in the Shire of Menzies – Authority to Negotiate
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**1 November 2026**
AUTHOR	**Chief Executive Officer, Anita Nathan**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. CONFIDENTIAL - Register of Mining Companies [**13.2.17.1** - 2 pages]

SUMMARY:

To seek Council's authority for the Chief Executive Officer to approach the mining companies operating in the Shire of Menzies and open discussions on community investment agreements, with any resulting agreement to be returned to Council for adoption before execution.

BACKGROUND:

The Shire of Menzies covers about 125,000 square kilometres and has a small resident population and rate base. Mining is the district's principal industry, yet the Shire has no formal community investment agreement with any operator. Community contributions to date have been ad hoc, project by project, and have not kept pace with the growth in mining activity across the district.

A review completed by the CEO in October and November 2026 identified fourteen companies with mining or exploration interests in the Shire (Attachment 1). Five are producing, seven are approved or in development, and two are exploring. Their locations, operations and stages are set out in Attachment 1.

Community investment agreements between local governments and mining companies are established practice in Western Australia. Recent examples include the South32 Community Investment Agreement with the Shire of Boddington (2023, $2 million plus GST over its term), the Rio Tinto partnership with the Shire of Ashburton (10 years, $37.5 million), the Mount Gibson Mining public benefit agreement with the Shire of Perenjori ($100,000 a year), and the Chalice Mining Community Fund Heads of Agreement with the Shire of Toodyay (2023). These agreements typically set a fixed annual or lump-sum contribution, a term, a governance committee including Shire and company representatives, reporting and acknowledgement requirements, and a list of eligible community purposes.

The Council Plan 2025–2035 commits the Shire to work with industry and stakeholders for the economic development of the district (Strategy 3.2) and specifically to work with

the mining industry to leverage opportunities for the towns and local business (Activity 3.1.4). This report proposes the first structured step towards that commitment.

COMMENT:

The CEO proposes to write to each company listed in Attachment 1, inviting its Chief Executive, Chief Operating Officer and Chief Financial Officer to meet in person, preferably at the Shire's Administration Office in Menzies, and to open discussions on a community investment agreement. Attachment 1 lists the companies in order of scale and proximity to the Shire's communities.

The approach is deliberately staged. The producing companies, and the companies whose activity most directly affects the Menzies and Kookynie townsites, would be approached first. Development and exploration companies would follow, with the aim of establishing contact early so that community benefit is discussed before a project is designed rather than after.

What the CEO is seeking authority to do is to open discussions and negotiate terms. The CEO is not seeking authority to bind the Shire. Any memorandum of understanding, heads of agreement or community investment agreement that results would be brought back to Council for consideration and adoption before execution, consistent with the Shire's practice for agreements of this kind. Council will therefore retain the final decision on the scale, term, governance and purposes of each agreement.

It is recommended that the Shire President be invited to attend the first meeting with each of the major companies. Mining executives generally expect the elected head of the local government to be visible at the opening of a relationship of this kind, and the President's presence will signal that the approach has Council's support.

Traditional Owner and heritage parties should be involved from the outset. Two Traditional Owner corporations, the Watarra Aboriginal Corporation and the Wangkatja Tjungula Aboriginal Corporation, hold heritage agreements with companies operating in the Shire. Both will be copied on the Shire's relevant letters. The native title and heritage counterparts for the other projects are not public, and the CEO proposes to ask each company at the first meeting to identify them so they can be included in later discussions. This is consistent with Council Plan Activity 7.3.1, regular communication and engagement with community, including Aboriginal people.

The matters the CEO proposes to raise with each company are: the Shire's community priorities under the Council Plan; the structure, scale, term, governance and reporting of a community investment agreement; roads, haulage, water, airstrips and other infrastructure shared between the Shire and the operation; local employment, procurement and the use of Menzies and Kookynie as service bases; and workforce accommodation. The CEO will report progress to Councillors through the weekly CEO report and will bring any proposed agreement back to Council as a further report.

CONSULTATION:

Shire President (briefed prior to the meeting)
Executive Leadership Team
Published information from each company, the Department of Mines, Petroleum and Exploration, the Department of Water and Environmental Regulation and ASX announcements (Attachment 1)
No consultation has yet occurred with the companies or with Traditional Owner bodies; that is the purpose of the authority sought.

STATUTORY AUTHORITY:

Local Government Act 1995:

- Section 2.7 – the role of the council is to govern the local government's affairs, be responsible for the performance of its functions, oversee the allocation of its finances and resources, and determine its policies.
- Section 3.1 – the general function of a local government is to provide for the good government of persons in its district.
- Section 3.18 – a local government is to perform its functions in a manner that is integrated and coordinated with other bodies and does not duplicate services.
- Section 5.41 – the CEO's functions include advising the council, implementing council decisions, managing the day-to-day operations of the local government and liaising with the mayor or president on the local government's affairs.
- Section 5.23 – council meetings are open to members of the public. The confidential basis for Attachment 1 is to be confirmed under this section before the agenda is published.

The resolution sought is an authority to negotiate. It does not delegate to the CEO any power to enter into an agreement on the Shire's behalf; execution of any resulting agreement will require a further decision of Council.

POLICY IMPLICATIONS:

Nil at this stage. Should Council adopt one or more community investment agreements, a Community Investment Fund policy or amendment to the Community Financial Assistance Grants policy may be required to govern the allocation of funds received. That would be the subject of a separate report.

FINANCIAL IMPLICATIONS:

Nil direct cost. The CEO's time and travel for meetings can be met within the adopted 2026–27 budget. Any contribution offered by a company would be considered by Council when the relevant agreement is presented for adoption, and would be brought to account through a budget amendment or in the subsequent annual budget. Agreements of this kind elsewhere in Western Australia range from around $100,000 a year for a single mid-sized operation to multi-million-dollar, multi-year partnerships with major producers.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Reputational: companies perceive the approach as a demand rather than a partnership, damaging relationships with the Shire's largest ratepayers.	Moderate	Letters framed as an invitation to meet; President involved; emphasis on shared infrastructure and community outcomes rather than a figure.
Governance: the CEO is seen to commit the Shire without Council authority.	Moderate prior to treatment; Low after	Resolution limits authority to negotiation; any agreement returns to Council for adoption; progress reported through the CEO weekly report.
Financial: contributions are received without a framework for their allocation, creating expectations the Shire cannot manage.	Moderate	Policy framework to be developed and adopted before funds are received; agreements to specify eligible purposes and governance.
Relationship with Traditional Owners: heritage parties feel bypassed by a Shire–company arrangement.	Moderate	Watarra and WTAC copied on the relevant letters; each company asked to identify its heritage counterpart; Traditional Owner bodies invited into later discussions.
Opportunity cost: no approach is made and the Shire continues without any formal community investment while mining activity grows.	High if untreated	Proceed with the staged approach recommended in this report.

This item has been evaluated against the Shire of Menzies' Risk Management Strategy and Risk Assessment Matrix. The perceived level of risk is moderate prior to treatment and low with the mitigations above in place.

STRATEGIC IMPLICATIONS:

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

3. An innovative, diverse and prosperous economy.

3.1 Support and facilitate opportunities for new business development.

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

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

7. A strategically focused Council, leading our community.

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

7.3 Encourage and support community engagement and collaboration.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Notes the Register of Mining Companies, Operations, Tenements and Contacts in the Shire of Menzies (Attachment 1).
2. Authorises the Chief Executive Officer to write to, and meet with, the mining companies listed in Attachment 1 and any other company that commences mining or advanced exploration in the district, for the purpose of opening discussions and negotiating the terms of community investment agreements with the Shire of Menzies.
3. Requests that the Shire President be invited to attend the initial meeting with each of the major companies listed in Attachment 1.
4. Requires that Traditional Owner and heritage bodies holding agreements over each project area, including the Watarra Aboriginal Corporation and the Wangkatja Tjungula Aboriginal Corporation, be informed of the Shire's approach and invited to participate in discussions where they wish to do so.
5. Notes that the authority in item 2 does not extend to executing any agreement, and that any memorandum of understanding, heads of agreement or community investment agreement negotiated under this authority will be presented to Council for consideration and adoption before execution.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.18	GEDC 2025 Small Grant ($40,000) – Rescope of Community Playground Funding
LOCATION	**Children's Playground, Menzies Recreation Oval**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**1 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. GEDC correspondence [**13.2.18.1** - 4 pages]

SUMMARY:

To consider rescoping the $40,000 GEDC 2025 Small Grant from a new nature-based playground to renewal and upgrade of the existing Children's Playground at the Menzies Recreation Oval, and to authorise the CEO to seek GEDC's written confirmation of eligibility and submit a formal request to the Local Member and the Ministers.

BACKGROUND:

GEDC allocated $40,000 under the 2025 Small Grant election commitment, described as "Replacing the current Menzies playground with a nature-based playground". The project has not progressed beyond the planning stage.

• 12 October 2026: GEDC (Director Regional Development) asked whether Council and the Shire Executive supported a rescope. GEDC advised that a formal request to the Local Member, Ali Kent MLA, and the Ministers for Goldfields-Esperance would be required.
• 20 October 2026: The CEO advised GEDC that the preferred option is to renew and upgrade the existing children's playground at the recreation oval (repairs, equipment renewal, soft fall and safety works). The 2023 independent asset valuation rated the equipment and soft fall in poor condition, with limited remaining useful life. The CEO advised the change would be presented to Council on 11 November 2026.
• 27 October 2026: GEDC advised that the work is still meant for the original playground and that the change requires Local Member support and Ministerial approval. Before a grant agreement, the Shire must provide Council approval; an approved budget if the works exceed $40,000; detailed designs; engineering if required; quotes; and any development approval or building permit. GEDC asked whether the works include water or power provisions. There is no strict timeframe, but completion as soon as practicable is preferred.

COMMENT:

• The existing playground is the main play space for Menzies children, and its equipment and soft fall are rated in poor condition. Renewing it would deliver a practical benefit to local families and keep the funds in community infrastructure in the townsite.
• Eligibility is not yet confirmed. GEDC has not confirmed in writing that renewal and upgrade of an existing playground is eligible under the 2025 Small Grant. Its 27 October advice treats the commitment as a nature-based playground and requires Ministerial approval of any change. Written confirmation should be obtained before the formal request is lodged.
• Cost is not yet confirmed. An indicative scope and cost estimate is being prepared by Works. If the estimate exceeds $40,000, a budget amendment and a funding source will be required before any grant agreement is signed.
• Water and power provisions are to be confirmed with Works before the scope is finalised, as GEDC has asked.
• Pending the works, the existing equipment should be inspected and any unsafe items made safe or closed off.

CONSULTATION:

• Goldfields-Esperance Development Commission: Regan Brewer (Director Regional Development), Marta Perona (Senior Regional Development Officer) and Michele Campbell (Project Officer), by correspondence 12 to 27 October 2026.
• Shire staff: Deputy CEO (Ti Tran) and Works (Garth Marland).
• Local Member (Ali Kent MLA) and the Ministers for Goldfields-Esperance: a formal request for consideration is required if Council supports the rescope.
• Community: no community consultation on the proposed change has been undertaken. Council may wish to consider whether consultation is required.

STATUTORY AUTHORITY:

• Local Government Act 1995 s 2.7(2): role of Council, including determining the Shire's policies and resource allocation.
• Local Government Act 1995 s 6.8: expenditure not included in the adopted 2026/27 budget requires a budget amendment authorised by absolute majority. [Officer to confirm once the cost estimate is received.]

POLICY IMPLICATIONS:

There is no policy related to the subject matter.

FINANCIAL IMPLICATIONS:

• Grant income: $40,000 under the GEDC 2025 Small Grant (election commitment), subject to GEDC approval of the change.
• Expenditure: the full cost of the renewal and upgrade is not yet known. GEDC requires an approved budget where works exceed $40,000.

• Any shortfall will require a budget amendment and an identified funding source, approved by Council before a grant agreement is signed.
• Ongoing maintenance and renewal of new equipment and soft fall to be included in the asset management plan and long-term financial plan.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
GEDC does not confirm that renewal and upgrade of the existing playground is eligible; the grant is not varied.	Medium	Obtain written eligibility confirmation from GEDC before the formal request is lodged.
Cost of works exceeds $40,000 and the Shire must fund the shortfall without a budget allocation.	Medium	Obtain an indicative scope and cost from Works before the agenda is finalised. Stage works to available funds or present a budget amendment.
Existing playground in poor condition presents a safety risk while funding is pending.	High	Inspect equipment and soft fall now. Close or barricade unsafe items and install signage as required. Schedule priority repairs.
Change from the original election commitment leads to community or stakeholder criticism.	Low	Record the decision and reasons in the Council minutes. Explain the outcome in community communications.
Approval delays by the Local Member and Ministers prevent the funds being committed or spent within GEDC timeframes.	Medium	Lodge the formal request promptly after the Council decision. Confirm the commitment timeframe with GEDC.

STRATEGIC IMPLICATIONS:

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

1. An engaged and inclusive community.

1.3 Provide, maintain and improve community facilities.

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

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Supports rescoping the $40,000 GEDC 2025 Small Grant (Menzies Community Playground election commitment) from a new nature-based playground to renewal and upgrade of the existing children's playground at the Menzies recreation oval, including repairs, equipment renewal, soft fall and associated safety works;

2. Authorises the Chief Executive Officer to seek written confirmation from the Goldfields-Esperance Development Commission of the eligibility of the proposed works and the timeframe for committing and spending the funds;

3. Authorises the Chief Executive Officer, once item 2 is satisfied, to submit a formal request for consideration to the Local Member, Ali Kent MLA, and the Ministers for Goldfields-Esperance;

4. Requires that any project cost above $40,000, including any budget amendment, be presented to Council for approval before a grant agreement is entered into.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.19	Approval to Discharge Treated Stormwater from Menzies Power Plant
LOCATION	**Menzies Power Plant site (Lots 560 and 561 DP 424406) and Menzies town dam**
APPLICANT	**Pacific Energy**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**1 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Pacific Energy Correspondence [**13.2.19.1** - 3 pages] 2. EHO advice [**13.2.19.2** - 3 pages] 3. Site civil layout [**13.2.19.3** - 1 page]

SUMMARY:

To consider Pacific Energy's request for written confirmation that treated stormwater from the Spillceptor at the Menzies Power Plant may be discharged into the Menzies town dam, and to set conditions for that discharge.

BACKGROUND:

• 22 July 2026: Pacific Energy says the former Acting CEO gave verbal approval at a meeting to discharge treated stormwater to the town dam. No written record of that approval has been located.
• 26 to 27 August 2026: The Shire's Environmental Health Officer (EHO), Bill Atyeo, asked Pacific Energy whether it claimed any exemption from planning, building, health, local law or other approvals, how the oil and water would be managed, and who owns Lots 560 and 561. Pacific Energy replied on 27 August. The EHO's advice is at Attachment 2.
• 31 August 2026: Pacific Energy requested written confirmation of its authority to discharge, and advised that the site would be monitored biannually under its HSE Management Plan.
• 1 October 2026: Pacific Energy's request was forwarded to the CEO following the change of CEO.
• 20 October 2026: The CEO asked Pacific Energy for expected discharge volumes and frequency, the monitoring limits and parameters, and its reporting method. The CEO also asked the EHO for advice on approvals and conditions, and the Works Manager for current uses of the town dam water.
• 21 October 2026: The EHO advised that a Spillceptor is a stormwater treatment device, that the key issue is whether the discharge is an emission from prescribed premises under Part V of the Environmental Protection Act 1986, and that the discharge should be reviewed with Terry Sargent. The CEO asked Terry Sargent to take over the matter.

• 30 October 2026: Pacific Energy provided the discharge volume, treatment standard, monitoring limit and reporting method (see Comment).

COMMENT:

• Design: the Spillceptor treats events up to and including the 1 in 5 (20%) Annual Exceedance Probability. Pacific Energy estimates an untreated exceedance about every 4.5 years.
• Volume: for the design event, the maximum treated volume discharged is about 60 m³ (runoff coefficient 0.9, a conservative assumption). Discharge flows through the drainage swale on the northern perimeter of the site and directly into the town dam.
• Water quality: the monitored limit is Total Recoverable Hydrocarbons at 5 mg/L, under the Regulations and the design specification. Sampling is biannual under the HSE Management Plan. Results will be reported to the Shire by exception only.
• Oil: oil captured by the Spillceptor is contained and removed by a licensed controlled waste contractor.
• Dam use: the Works Manager advises the town dam water is used only for irrigation, roadworks or dust. There is no potable supply, and he has no concerns about treated stormwater.
• Regulatory position: the EHO advises that wastewater approval provisions under the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 generally apply to sewage rather than stormwater treatment devices. Permits may be required if oil or wastewater is sent to the proposed holding tank. Pacific Energy says it does not claim exemptions under planning or building legislation, and that the discharge is managed under the EP Act and Department of Health regulations.
• Shire responsibility: once water enters an open town dam, the Shire becomes responsible for managing foreseeable risks from its reuse, as the EHO has noted.
• Open items: lot ownership (Pacific Energy says Lots 560 and 561 are vested in Horizon Power); status of the wastewater holding tank application; whether a works approval or licence is required under Part V of the EP Act; and advice on conditions from Terry Sargent.
• No written approval should be given until the open items are resolved and the conditions are confirmed.

CONSULTATION:

• Pacific Energy: Vanessa Barrable (Project Manager), Candace Willison (Senior Environmental Advisor), and Pushkar Madan (Project Coordinator).
• Shire staff: Environmental Health Officer Bill Atyeo and Works Manager Garth Marland.
• Terry Sargent: advice requested on 21 October 2026. [Outstanding at the date of this report.]
• Department of Health and DWER: [not yet contacted; officer to confirm whether referral is required].

STATUTORY AUTHORITY:

• Environmental Protection Act 1986, Part V: prescribed premises, works approvals and licences. [Terry Sargent to confirm whether this applies and which agency assesses it.]
• Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974: wastewater and holding tank approval. [To be confirmed.]
• Local Government Act 1995 s 2.7(2): role of Council in determining the Shire's policies and decisions.

POLICY IMPLICATIONS:

There is no policy related to the subject matter.

FINANCIAL IMPLICATIONS:

• No direct cost to the Shire has been identified in the correspondence.
• Any application fees, monitoring or compliance inspection costs are to be confirmed. Shire testing of town dam water, if required, would be unbudgeted.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Discharge begins on the strength of a verbal approval, without the required approval under Part V of the EP Act.	High	Obtain Terry Sargent's advice first. Give no written confirmation until the approval position is settled.
Oil or hydrocarbons reach the town dam and affect its use for irrigation, roadworks or dust.	Medium	Limit of 5 mg/L; biannual sampling; prompt reporting of exceedances; Spillceptor maintenance and servicing.
The Shire becomes responsible for risks from reuse of town dam water once the discharge enters it.	Medium	Set conditions and monitoring before approval. Restrict dam water reuse to approved uses.
Lot tenure (Lots 560 and 561 vested in Horizon Power) and the holding tank application remain unresolved.	Medium	Confirm tenure and approve the holding tank application before the works are commissioned.
Delay in responding to Pacific Energy, which has followed up twice, damages the relationship or causes project delay.	Low	Give Pacific Energy a timeframe for advice. Advise it in writing once the Council decision is made.

STRATEGIC IMPLICATIONS:

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

3. An innovative, diverse and prosperous economy.

3.3 Advocate for reliable essential utility services to the district.

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

6.2 Promote reduced environmental impact within the Shire.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Authorises the Chief Executive Officer to advise Pacific Energy in writing that the Shire does not object to the discharge of treated stormwater from the Spillceptor at the Menzies Power Plant into the Menzies town dam, subject to the following conditions [conditions to be confirmed by Terry Sargent]:
    a) Total Recoverable Hydrocarbons in the discharge not to exceed 5 mg/L;
    b) Biannual sampling as set out in the HSE Management Plan, with results reported to the Shire by exception;
    c) Pacific Energy to notify the Works Manager and the Chief Executive Officer within 7 days of any exceedance, spill or Spillceptor failure;
    d) Any approval required under the Environmental Protection Act 1986 to be obtained before discharge begins;
    e) Approval of the wastewater holding tank application before the tank is installed;
    f) Written confirmation of tenure for Lots 560 and 561 DP 424406;
2. Authorises the Chief Executive Officer to confirm the approval in writing to Pacific Energy once the conditions in item 1 are met; and
3. Notes that the verbal approval reported as given on 22 July 2026 is not recorded in writing, and that no written approval has been given to date.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

13.2.20	Direct Interest Party - New Application Clearing Permit CPS 11741/1 - Carnegie Gold Pty Ltd
LOCATION	**Mining Lease 30/255 (Golden Eagle TSF Expansion), Shire of Menzies**
APPLICANT	**Carnegie Gold Pty Ltd**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**1 November 2026**
AUTHOR	**Works Manager, Garth Marland**
RESPONSIBLE OFFICER	**Chief Executive Officer, Anita Nathan**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. New Application Letter - Direct Interest Party - New Application Clearing Permit CPS 11741 1 - Carne [**13.2.20.1** - 1 page] 2. 11741 - 1- natmap [**13.2.20.2** - 1 page] 3. 11741 - 1- Photomap [**13.2.20.3** - 1 page] 4. Correspondence regarding request for extension [**13.2.20.4** - 3 pages]

SUMMARY:

To consider the Shire's submission to the Department of Mines, Petroleum and Exploration (DMPE) on Carnegie Gold Pty Ltd's application to clear 160.8 hectares of native vegetation on Mining Lease 30/255 for the Golden Eagle TSF Expansion (CPS 11741/1). DMPE has extended the submission period to Friday 20 November 2026. The officer recommends that the Shire advise DMPE that it has no objection to the application.

BACKGROUND:

• 9 October 2026: DMPE gave the Shire notice of the application as a direct interest party under s 51E(4) of the Environmental Protection Act 1986 (EP Act). Submissions were originally due 30 October 2026.
• Application details: applicant Carnegie Gold Pty Ltd; clearing purpose "Mineral production and associated activities"; permit type Purpose Permit; area 160.8 hectares; tenure Mining Lease 30/255.
• 18 October 2026: The CEO wrote to DMPE requesting an extension. The Shire had not placed the matter before Council in time because of the high volume of correspondence and the recent CEO changeover. The letter noted that a Council resolution is required before the Shire can make a submission.
• 19 October 2026: DMPE advised that an extension of the submission period to Friday 20 November 2026 can be granted (Attachment 3).

COMMENT:

• DMPE has granted the extension to 20 November 2026. Council considers the application at the ordinary meeting on 11 November 2026, and the CEO can then advise DMPE before the closing date.
• Under s 51O and s 51P of the EP Act, DMPE must take into account any submissions received before deciding whether to grant or refuse the permit and under what conditions. The Shire's advice will be considered as a direct interest party.
• The application area is 160.8 hectares on Mining Lease 30/255. [Officer to confirm from the attached maps that the clearing raises no concerns for Shire roads, reserves, the townsite or waterways.]
• The recommended position is that the Shire has no objection. The Shire is not the decision-maker. DMPE decides whether to grant the permit and any conditions.

CONSULTATION:

• Carnegie Gold Pty Ltd: [officer to confirm whether the applicant has been contacted].
• Department of Mines, Petroleum and Exploration, Native Vegetation Team: the CEO wrote to DMPE on 18 October 2026 requesting the extension, and DMPE replied on 19 October 2026.
• Shire staff: Works Manager Garth Marland and Chief Executive Officer Anita Nathan. [Officer to confirm any further input from Shire staff.]

STATUTORY AUTHORITY:

• Environmental Protection Act 1986, Part V: clearing permits, including s 51E(4) (notice to direct interest parties), s 51O and s 51P (decision on the application).
• Local Government Act 1995 s 2.7(2): role of Council in determining the Shire's policies and making decisions on matters such as submissions to State agencies.

POLICY IMPLICATIONS:

There is no policy related to the subject matter.

FINANCIAL IMPLICATIONS:

• No direct cost to the Shire has been identified. Officer time to prepare the submission is within the existing budget.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
The Shire's advice is not lodged by 20 November 2026, so DMPE does not consider it.	Medium	Council resolution at the 11 November 2026 meeting. CEO to lodge the advice promptly after the meeting,

		with DMPE acknowledgement obtained.
Haulage and clearing impacts on Shire roads or townsite amenity are not identified before the advice is lodged.	Low	Officer to check the attached maps and any proposed haulage routes before the meeting.
Rehabilitation and mine closure for the TSF expansion are not secured, leaving costs or liabilities for the Shire.	Medium	Officer to confirm whether Council wishes DMPE to be asked to secure rehabilitation and closure conditions.

STRATEGIC IMPLICATIONS:

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

3. An innovative, diverse and prosperous economy.

3.1 Support and facilitate opportunities for new business development.

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

6.2 Promote reduced environmental impact within the Shire.

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Notes that the Department of Mines, Petroleum and Exploration (DMPE) has given the Shire notice of an application by Carnegie Gold Pty Ltd for a permit to clear native vegetation under the Environmental Protection Act 1986 (the Act) (CPS 11741/1), being 160.8 hectares on Mining Lease 30/255 for the Golden Eagle TSF Expansion, and has extended the submission period to 20 November 2026;

2. Authorises the Chief Executive Officer to advise DMPE that the Shire has no objection to the application (CPS 11741/1) for a permit to clear native vegetation under the Environmental Protection Act 1986 (the Act), and to lodge that advice by 20 November 2026; and

3. Requests that DMPE advise the Chief Executive Officer in writing of its decision on the application and of any conditions attached to a clearing permit.

COUNCIL DECISION:

Council Resolution Number	

Moved		**Seconded**	

Carried	

14 CLOSURE OF MEETING

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