MINUTES OF THE SPECIAL MEETING OF THE COUNCIL HELD ON

WEDNESDAY, 30 SEPTEMBER 2026

Commencing at 3.30pm

At the Council Chambers,
124 Shenton Street, Menzies

Pascoe Durtanovich
Acting Chief Executive Officer

Resolution Numbers 147/26 to 154/26

DISCLAIMER

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DECLARATIONS 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 3.33pm.

2 ANNOUNCEMENT OF VISITORS

Nil

3 RECORD OF ATTENDANCE

Cr I Baird confirmed that he was alone in a secure location at the PTAC CEO's Office in Tjuntjuntjara, which was suitable for discussing confidential matters. Accordingly, he applied for approval to attend the meeting by electronic means.

The Presiding Member was satisfied that Cr I Baird was in a secure location appropriate for discussing confidential matters and allowed him to participate fully in the meeting at 3.33pm.

Councillors:	Cr P Warner, Shire President
	Cr I Baird (joined electronically at 3.33pm)
	Cr K Tucker
	Cr J Dwyer
	Cr S Wessely
	Cr A Tucker
Apology:	Cr S Sudhir
Staff:	Mr P Durtanovich, Acting Chief Executive Officer
	Ms M Yulo-Uy, Executive Officer (Minutes)

4 PUBLIC QUESTION TIME

Nil

5 DISCLOSURES OF INTEREST

Nil

6 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

9.1 Environmental Health and Building Services

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8 REPORTS OF OFFICERS

8.1 Administration Reports

8.1.1	2027 Schedule of Ordinary and Committee Meetings of the Council and Change of Venue for the November 2026 Council Meeting
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**23 September 2026**
AUTHOR	**Executive Officer, Maureen Yulo-Uy**
RESPONSIBLE OFFICER	**Acting Chief Executive Officer, Pascoe Durtanovich**
OFFICER DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

To consider the schedule for the Ordinary Council Meetings and Committee Meetings to be held in 2027 and to endorse the meeting venue for the November 2026 Council Meeting.

BACKGROUND:

In accordance with Regulation 12(2) of the Local Government (Administration) Regulations 1996, the CEO must publish on the local government's official website the meeting details for Ordinary Council Meetings and Committee Meetings. Regulation 12(3) provides that any change to the meeting details must be published on the local government's website as soon as practicable after the change is made.

Council Policy 3.5 provides that Council meetings will be held in the Menzies Council Chambers with the exception of two Ordinary Council Meetings, which may be held in either Tjuntjuntjara or Kookynie, at a time and date as determined by the Council

For December, the Ordinary Council Meeting is generally held earlier due to the Christmas shutdown and to allow sufficient time for administration to complete the minutes of the meeting.

The Council Committees are the Audit, Risk and Improvement Committee (ARIC) and the Tourism and Economic Development Advisory Committee (TEDAC).

ARIC meetings are generally scheduled to consider the following matters:

a) Risk Management Updates
b) Final Audit Exit Meeting – normally held around November
c) Mid-Year Budget Review – normally considered around February

d) Compliance Audit Return – normally considered around February

The Acting CEO recommends that ARIC meetings be held at least three times per year, while TEDAC meetings are held as required.

COMMENT:

This report proposes that the following schedule for the Ordinary Council Meetings and ARIC Meetings be held in 2027:

Ordinary Council Meetings:

Thursday, 18 February 2027	1 PM	Menzies
Thursday, 18 March 2027	1 PM	Menzies
Thursday, 15 April 2027	1 PM	Menzies
Thursday, 20 May 2027	9AM	Tjuntjuntjara
Thursday, 17 June 2027	1 PM	Menzies
Thursday, 15 July 2027	1 PM	Menzies
Thursday, 19 August 2027	1 PM	Menzies
Thursday, 16 September 2027	9 AM	Tjuntjuntjara
Thursday, 21 October 2027	1 PM	Menzies
Thursday, 18 November 2027	1 PM	Menzies
Wednesday, 15 December 2027	1 PM	Menzies

Audit, Risk and Improvement Committee Meetings:

Thursday, 18 February 2027	1 PM	Menzies
Thursday, 17 June 2027	1 PM	Menzies
Thursday, 18 November 2027	1 PM	Menzies

The publication of the Ordinary Council Meetings and Committee Meetings will be undertaken in accordance with Regulation 12(2) of the Local Government (Administration) Regulations 1996.

CONSULTATION:

No external consultation was conducted in the preparation of this report.

STATUTORY AUTHORITY:

Local Government Act 1995:

Section 5.25 (1)(g) of the Act relates to the giving of public notice of the date and agenda for council and committee meetings

Local Government (Administration) Regulations 1996:

Regulation 12(2) of the Regulations relates to publication of meeting details
Regulation 12(3) sets out the requirements for changes to meeting details

POLICY IMPLICATIONS:

Meeting Venue Policy

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Failure to adhere to the legislation can affect public trust and may lead to legal action, including investigations or penalties.	Low	Endorse the proposed schedule or approve an alternative and publish it as required.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025-2035 outlines the following Outcome and Strategy:

8. An efficient and effective organisation.

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That:

1. The schedule of Ordinary Council Meetings and Committee Meetings for the year 2027, as follows:

Ordinary Council Meetings:

Thursday, 18 February 2027	1 PM	Menzies
Thursday, 18 March 2027	1 PM	Menzies
Thursday, 15 April 2027	1 PM	Menzies
Thursday, 20 May 2027	9AM	Tjuntjuntjara
Thursday, 17 June 2027	1 PM	Menzies
Thursday, 15 July 2027	1 PM	Menzies
Thursday, 19 August 2027	1 PM	Menzies
Thursday, 16 September 2027	9 AM	Tjuntjuntjara
Thursday, 21 October 2027	1 PM	Menzies
Thursday, 18 November 2027	1 PM	Menzies
Wednesday, 15 December 2027	1 PM	Menzies

Audit, Risk and Improvement Committee Meetings:

Thursday, 18 February 2027	1 PM	Menzies
Thursday, 17 June 2027	1 PM	Menzies
Thursday, 18 November 2027	1 PM	Menzies

Tourism and Economic Development Advisory Committee to meet as required

be adopted.

2. The agenda reports for the Ordinary Council Meetings be distributed to the Council on Friday preceding the meeting.

3. The November 2026 Council Meeting be held in Tjuntjuntjara.

COUNCIL DECISION:

Council Resolution Number:	147 / 26

Moved: **Cr S Wessely** **Seconded:** **Cr J Dwyer**

That:

1. **The schedule of Ordinary Council Meetings and Committee Meetings for the year 2027, as follows:**

Ordinary Council Meetings:

Thursday, 18 February 2027	**1 PM**	**Menzies**
Thursday, 18 March 2027	**1 PM**	**Menzies**
Thursday, 15 April 2027	**1 PM**	**Menzies**
Thursday, 20 May 2027	**9AM**	**Tjuntjuntjara**
Thursday, 17 June 2027	**1 PM**	**Menzies**
Thursday, 15 July 2027	**1 PM**	**Menzies**
Thursday, 19 August 2027	**1 PM**	**Menzies**
Thursday, 16 September 2027	**9 AM**	**Tjuntjuntjara**
Thursday, 21 October 2027	**1 PM**	**Menzies**
Thursday, 18 November 2027	**1 PM**	**Menzies**
Wednesday, 15 December 2027	**1 PM**	**Menzies**

Audit, Risk and Improvement Committee Meetings:

Thursday, 18 February 2027	**1 PM**	**Menzies**
Thursday, 17 June 2027	**1 PM**	**Menzies**
Thursday, 18 November 2027	**1 PM**	**Menzies**

Tourism and Economic Development Advisory Committee to meet as required

be adopted.

2. **The agenda reports for the Ordinary Council Meetings be distributed to the Council on Friday preceding the meeting.**

3. **The November 2026 Council Meeting be held in Menzies.**

Carried	**6 / 0**

For: Cr P Warner, Cr I Baird, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

Reason for change in Officer Recommendation:

Cr I Baird will not be in Tjuntjuntjara during the November 2026 Council Meeting. The meeting venue has therefore been changed from Tjuntjuntjara to Menzies.

8.1.2	Menzies Old Post Office Building
LOCATION	**Portion of Lot 102 Shenton Street, Menzies**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**23 September 2026**
AUTHOR	**Acting Chief Executive Officer, Pascoe Durtanovich**
RESPONSIBLE OFFICER	**Acting Chief Executive Officer, Pascoe Durtanovich**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. 2021 October Meeting [**8.1.2.1** - 16 pages] 2. 2024 June Meeting [**8.1.2.2** - 8 pages] 3. 2024 September Meeting [**8.1.2.3** - 5 pages]

SUMMARY:

The purpose of this report is to seek Council approval for the Chief Executive Officer to investigate the option of Archival Recording of the heritage-listed Old Post Office Building, Lot 102 Shenton Street, Menzies.

BACKGROUND:

This project has been ongoing for a number of years, without resolution. The main stumbling block appears to be the cost of restoration. Different options have been considered over the time, with the latest being at the Council Meeting on 26 September 2024. Wherein it was resolved:

> *'That the scope of works for Stage 1 (reinstate the structural and aesthetic integrity) of the Old Post Office Restoration, is noted and that the method of tender be in the form of a schedule of rates for works up to a total value of $500,000.'*

It appears that this decision of council has not been implemented, although the matter has been discussed at subsequent Council Discussion meetings.

COMMENT:

Whilst administration can proceed to implement the decision of 26 September 2024, it may be worthwhile investigating the option of Archival Recording.

An archival recording of heritage-listed buildings is a comprehensive report that documents a historic site's current physical form, condition and history. A detailed photographic survey is also a core component of archival recording. This option can only be pursued if the Heritage Council of WA approves the demolition of the building.

CONSULTATION:

Not Applicable

STATUTORY AUTHORITY:

Heritage Act 2018
Heritage Council of WA

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

There are no financial implications at this stage. If the Council resolves to pursue this action, quotes will be obtained from suitably qualified Heritage Consultants to undertake the required work.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Failure of the Structure – Public Liability	High	Timely decision on restoration or demolition work.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025-2035 outlines the following Outcome and Strategy:

1. An engaged and inclusive community.

1.3 Provide, maintain and improve community facilities.

4. An attractive destination for visitors.

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

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 of Menzies Council Plan.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the Chief Executive Officer investigate the option of Archival Recording and Demolition of the Old Post Office building, situated on Lot 102 Shenton Street, Menzies, including the cost of Heritage Consultants to undertake the necessary work, and further, prepare a report on the matter for the November 2026 Ordinary Council Meeting.

COUNCIL DECISION:

Council Resolution Number:	**148 / 26**

Moved: **Cr J Dwyer** **Seconded:** **Cr S Wessely**

That the Chief Executive Officer investigate options for the conservation, stabilisation and presentation of the Old Post Office building, situated on Lot 102 Shenton Street, Menzies, including the potential retention of the building as a maintained ruin for public viewing, and the associated costs of engaging appropriately qualified Heritage Consultants to undertake the necessary assessments and works, and further, prepare a report on the matter for consideration at the November 2026 Ordinary Council Meeting.

Carried	**6 / 0**

For: Cr P Warner, Cr I Baird, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

Reason for Change in Officer Recommendation:

The Officer Recommendation has been amended to provide for further consideration of options for the future management and conservation of the Old Post Office building, including the potential retention and maintenance of the remaining structure for public viewing.

8.1.3	Water Corporation - Asset Transfer
LOCATION	**Crown Pastoral Lease No 50457, Reserves 9834 and 5064**
APPLICANT	**Internal**
DOCUMENT REF	**IE20084**
DATE OF REPORT	**23 September 2026**
AUTHOR	**Acting Chief Executive Officer, Pascoe Durtanovich**
RESPONSIBLE OFFICER	**Acting Chief Executive Officer, Pascoe Durtanovich**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

The purpose of this report is for Council to formally resolve to accept ownership of Water Corporation assets no longer required by the Corporation and to accept vesting of the subject Crown Land.

BACKGROUND:

Over the past two to three years, Council staff have been liaising with the Water Corporation on the future of the Corporation's assets in Menzies, specifically the five bores and Menzies Dam No. 1.

These assets have become surplus to the Water Corporation's requirements given that the town water supply will be trucked in from Kalgoorlie.

COMMENT:

This matter has also been discussed by Council at Council discussion meetings.

The proposal has now reached the stage that a formal resolution of council is required to accept the assets and to accept vesting of the subject reserves.

The majority of the bore field resides primarily on Crown Pastoral lease N050457 and some of the infrastructure runs through Crown Reserve 9834. The dam is located on Water Corporation Crown Reserve 5064 (513ha).

It is intended that the water from the bores and the two dams (one dam is already vested in Shire of Menzies) will be used for reticulation purposes only so depending on rainfall and runoff in any given year, the use of the bores could be minimal.

Whilst it is assumed that the bores are in working order, there will be ongoing costs associated with the assets in question.

The issue of an abstraction licence will need to be resolved also. Water Corporations licence has lapsed, and they are not in the position to assist Council in this regard. Council will have to submit an application to the Department of Water and Environment Regulation for an abstraction licence; however, this can only be done once an annual quantity figure is known. This can be calculated by administration.

CONSULTATION:

No external consultation has been undertaken. Discussions have been between the Shire administration and Water Corporation representatives.

STATUTORY AUTHORITY:

Department of Planning, Lands and Heritage for Land tenure and Department of Water and Environment Regulation for abstraction licence.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

There will be ongoing maintenance and upgrading costs, as with any reticulation system. An annual budget allocation will be determined.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Insufficient water supply impacting the Shire's Greening Program.	Medium	Acquisition of the bores and additional storage dam.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025-2035 outlines the following Outcome and Strategy:

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:

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

Council Resolution Number:	**149 / 26**

Moved: **Cr S Wessely** **Seconded:** **Cr J Dwyer**

That:

1. **Council agree to the transfer of the following assets from the Water Corporation to the Shire of Menzies:**
   - **Bores 15/86, 22/86, 33/86, 1/99 and 2/99**
   - **Dam No 1**
2. **Council accept the vesting of Reserves 9834 and 5064 in the Shire of Menzies, legal access to Crown Pastoral Lease N050457 (bore field), and any required easements for pipeline corridors.**

Carried	**6 / 0**

For: Cr P Warner, Cr I Baird, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

8.1.4	Ora Banda Mining Land and Pit Access Requests
LOCATION	**Davyhurst / Coolgardie North Road**
APPLICANT	**Ora Banda Mining**
DOCUMENT REF	**Not applicable**
DATE OF REPORT	**24 September 2026**
AUTHOR	**Tony Chisholm (WML Consultants)**
RESPONSIBLE OFFICER	**Acting Chief Executive Officer, Pascoe Durtanovich**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	1. Letter - Davyhurst Cemetery access and Davyhurst Townsite encroachment [**8.1.4.1** - 5 pages] 2. Letter - Borrow Pits [**8.1.4.2** - 2 pages] 3. Borrow Pits [**8.1.4.3** - 2 pages]

SUMMARY:

This agenda item is for the consideration of requests from Ora Banda Mining relating to:

1. Proposed construction of a tailings storage facility over the eastern extent of the gazetted Davyhurst townsite
2. Proposed construction of alternative public access to Davyhurst cemetery from Coolgardie North Road
3. Undertaking of mining operations over an unnamed road reserve at Round Dam project
4. Access to materials available from Shire gravel / borrow pits along the Ora Banda-Davyhurst Rd

BACKGROUND:

Ora Banda Mining (OBM) is a major mining company that has been operating in the Shire of Menzies for a number of years in the Riverina – Davyhurst – Mulline area located to the south west of the Menzies townsite primarily accessed via the Evanston-Menzies Road. Council previously deliberated over an agenda item in March 2024 relating to the temporary closure of Shire roads and resolved to provide its conditional approval also to OBM on that occasion.

Since that time, OBM has continued to expand its exploration and mining operations and is again seeking the appropriate approvals to facilitate its proposed future operations.

The Shire is in receipt of a letter from OBM (included at Attachment 1) which outlines the proposed mining operations and their impacts on various parcels of land that the Shire has interest in and/or jurisdiction over. A second letter has also been received (included at Attachment 2) relating to a request to access and obtain road building materials from three existing Shire pits located along the Ora Banda-Davyhurst Rd.

The details within these letters are discussed under 'Comments' below.

COMMENT:

Each of OBMs requests is discussed as follows:

Letter (Attachment 1)

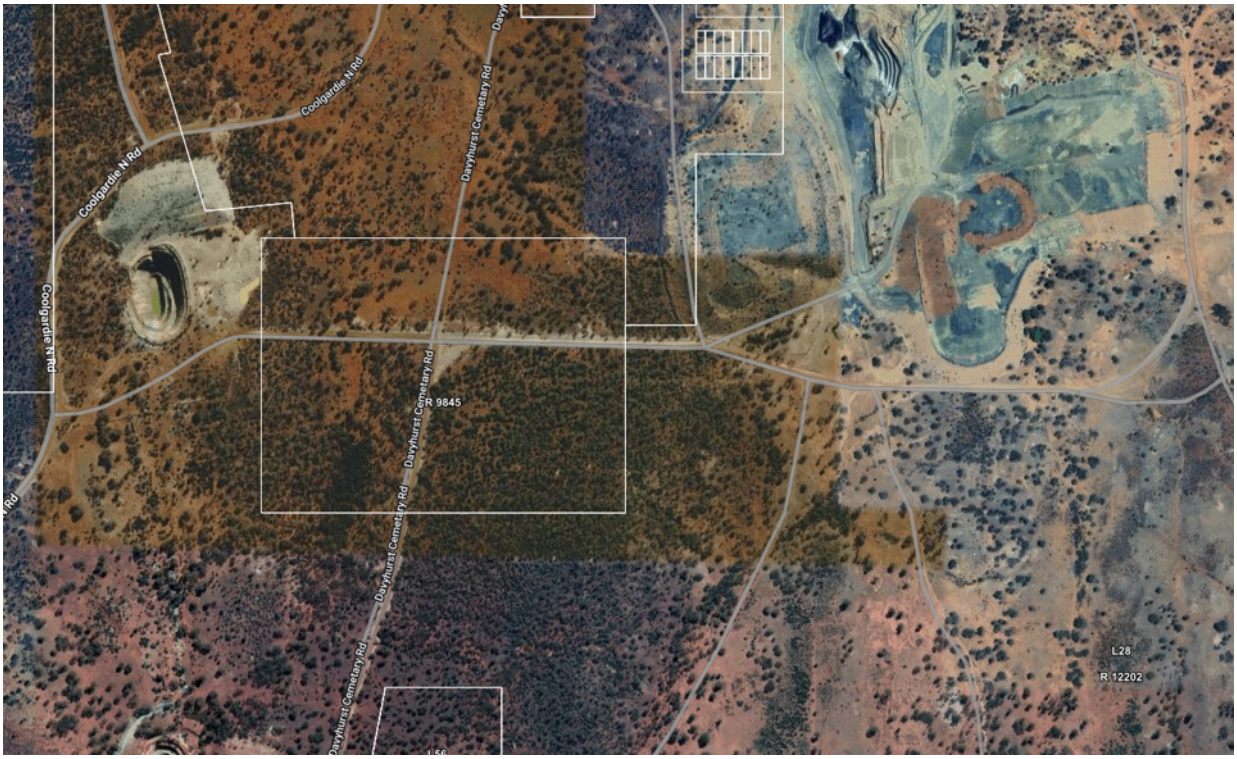
i. **Proposed construction of a tailings storage facility (TSF) over the eastern extent of the gazetted Davyhurst townsite**

It is noted in the letter that reference is also made to the proposed installation of monitoring bores and topsoil storage to the west of the proposed TSF, also within the gazetted townsite. These are hereinafter referred to as associated activities.

The image included within the OBM letter has been extracted and inserted below to indicate the extent of the proposed tailings storage facility and its encroachment onto the gazetted Davyhurst townsite.

Attachment 2: Proposed Tailings Storage Facility Encroachment onto Davyhurst Townsite Reserve

To gain an indication of the potential land parcels and services (including reserves, lots and roads), other than and/or within the gazetted Davyhurst townsite boundary, which may be impacted by the proposal, the following images have been extracted from the MNG Access platform – a cloud-based system that provides real-time, multi-layered mapping and land parcel data.



In Western Australia, mining activities over gazetted townsites require multiple approvals from both state and Commonwealth agencies, in addition to standard mining environmental approvals. The process is governed by the Mining Act 1978 (WA), the Mining Regulations 1981 (WA), and related environmental (Environmental Protection Act 1986 including Part V – Native vegetation clearing permit) and heritage (Aboriginal Heritage Act 1972 (WA)) legislation.

Should the proposed TSF or associated activities encroach upon any public or gazetted road reserves (whether within or outside the gazetted townsite) then permanent closure and relocation of part of the road may need to be considered. The permanent closure process is governed by Section 58 of the Land Administration Act and administered by the Department of Planning, Lands and Heritage (DPLH), with Local Government and service authorities involved in the process.

Consideration may also need to be given to the purpose, permitted use and activities within any reserves impacted by the TSF or associated activities. This can be determined by referencing the vesting of the reserve and confirming compliance and approval with the vestee which is most likely the Shire of Menzies unless vested with a Service Authority.

It is recommended that the Shire support this proposal subject to confirming any statutory requirements as referenced above and requiring any associated statutory approval processes to be completed prior to commencement of construction.

ii. Proposed construction of alternative public access to Davyhurst cemetery from Coolgardie North road

The image included within the OBM letter has been extracted and inserted below to indicate the location of the cemetery site and the proposed alternate access route from the Coolgardie North Road, crossing the Davyhurst Cemetery Road.

Attachment 1: Proposed public access to Davyhurst Cemetery

To gain an indication of the potential land parcels and services (including reserves, lots and roads) which may be impacted by the proposal, the following image has been extracted from the MNG Access platform.

Noting that the intention of this proposal is to facilitate the use of part of the Davyhurst cemetery road for mining haulage operations and includes the proposed construction of an alternative public access to the cemetery site it is assumed that it is desirable to exclude the use of part of this road by all public traffic by way of a temporary closure of the relevant section.

Should that be the case the process for temporary closure of a road is to be undertaken in accordance with Section 3.50 of the Local Government Act 1995. This would likely involve similar Shire Council resolutions and conditions as was the case in March 2024 relating to the temporary closure of a section of Davyhurst – Mulline road. That included conditions relating to upgrading, maintenance, operation and remediation of the road section, indemnification of the Shire and access by other parties via a permit system administered by the Shire.

Other than the matter of public use of the Davyhurst cemetery road consideration needs to be given to the approvals required for the construction of the alternative access to the cemetery. As construction of this road may be considered ancillary to mining activities it may be necessary to check the requirements under the Mining Act 1978 (WA) and the Mining Regulations 1981 (WA) as to whether this is the governing process. In any case there would still be the requirement to follow the processes under related environmental (Environmental Protection Act 1986 including Part V – Native vegetation clearing permit) and heritage (Aboriginal Heritage Act 1972 (WA)) legislation.

The Shire would also need to include in any approval a condition relating to the required standard of construction and maintenance for this public access road and also for the designation of the land corridor it is to sit within. Noting that it will be for use by the

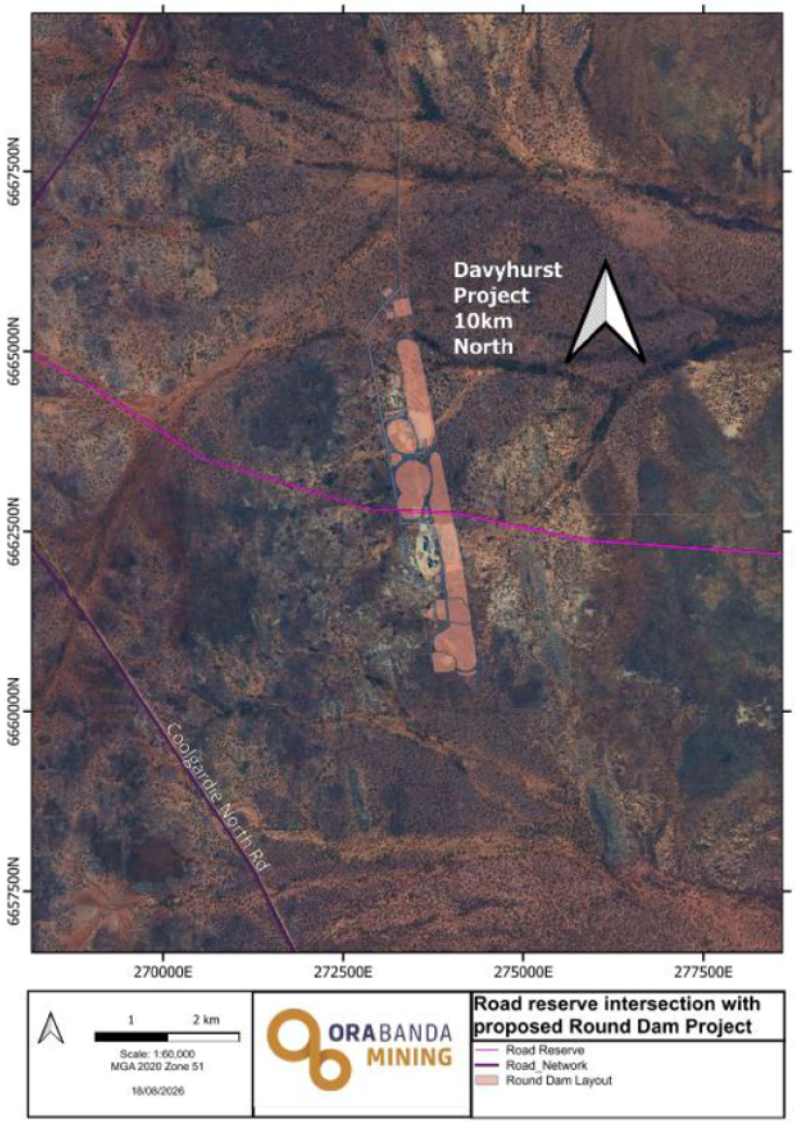
public it may need to be a road reserve vested with the Shire having jurisdiction over it and responsibility for it.

It is recommended that the Shire support this proposal subject to confirming any statutory requirements as referenced above and requiring any associated statutory approval processes to be completed prior to commencement of construction.

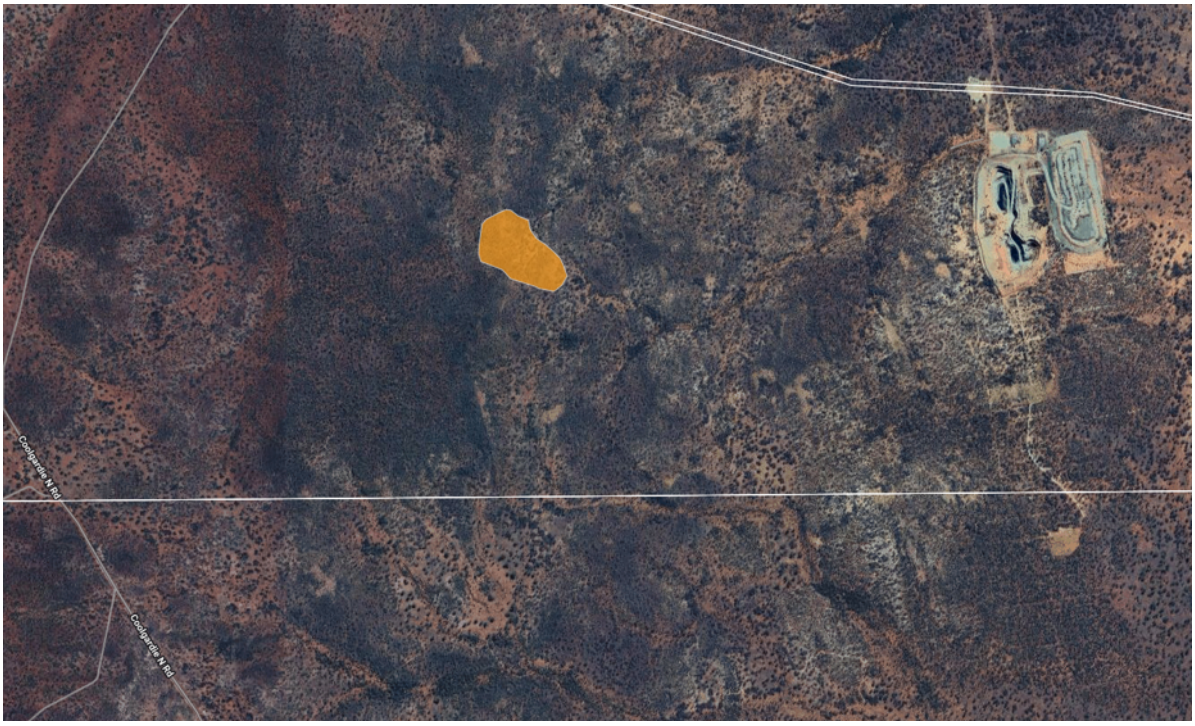
iii. Undertaking of mining operations over an unnamed road reserve

The image included within the OBM letter has been extracted and inserted below to indicate the location of the Round Dam project relative to the Davyhurst project and the nearby Coolgardie North Road as well as the alignment of the unnamed road reserve.

Attachment 3: Un-Named Road Reserve intersection with Proposed Round Dam Project footprint



To gain an indication of the potential land parcels and services (including reserves, lots and roads) which may be impacted by the proposal, the following image has been extracted from the MNG Access platform.



The orange colored area is an Aboriginal heritage site which is not impacted. The unnamed road reserve is clearly shown with a designated width of approximately 30m where it crosses the Round Dam project area.

The planned activities associated with the Round Dam project will prevent a section of this road reserve from being used to construct a road. With there being no existing road constructed it is recommended that the Shire have no objections to the proposal subject to any provisions of the Land Administration Act being complied with. Depending on confirmation of the status of this unnamed road reserve there may or may not be a requirement for a permanent closure process to be followed, which is governed by Section 58 of the Land Administration Act and administered by the Department of Planning, Lands and Heritage (DPLH), with Local Government and service authorities involved in the process.

It is recommended that the Shire support this proposal subject to confirming any statutory requirements as referenced above and requiring any associated statutory approval processes to be completed prior to commencement of construction.

Letter (Attachment 2)

i. **Access to materials available from three Shire gravel / borrow pits along the Ora Banda-Davyhurst Rd**

The Three (3) nominated pits are existing pits located at SLK 7.31, 20.73 and 21.33 along the Ora Banda – Davyhurst Rd as indicated in the attachment, previously used by the Shire for sourcing pavement gravel primarily used for construction and re-sheeting

of unsealed roads in the area. Inspections and visual geotechnical investigation of these pits earlier this year indicated that they are virtually exhausted of pavement gravel material within the current cleared footprint area with the base presenting a hard white rock.

Should OBM wish to pursue sourcing of further material from the existing base or by clearing vegetation and extending the pits for potential use as pavement gravel or embankment fill / subgrade material it is recommended that this can be supported by the Shire subject to compliance with appropriate legislative requirements relating to Heritage, Environmental and Land Access clearances.

It is noted in OBMs letter that these three pits have been selected for initial material sourcing but that this request may extend to other locations should further suitable material be required. As part of the earlier inspections and visual geotechnical investigation there were two potential new gravel pit areas identified and mapped at SLK 7 and SLK 23 on the Ora Banda Davyhurst Rd and it was recommended at the time that OBM, in consultation with the Shire of Menzies, commence the approvals process for gaining access to these areas. It is further recommended that the Shire agrees to conditionally support OBM should it become desirable to extend this request for access to potential gravel and road construction material pits in the area.

CONSULTATION:

No community consultation was considered necessary in relation to the recommendations of this report, noting that the conditions included will require consultation in accordance with legislative requirements.

STATUTORY AUTHORITY:

Local Government Act 1995:
Relevant Sections relating to the authority of the Local Government to approve or otherwise determine on matters relating to activities, use of and access to gazetted and reserve land which falls under the jurisdiction of the Shire.

POLICY IMPLICATIONS:

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

FINANCIAL IMPLICATIONS:

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

The facilitation of and the costs associated with all statutory requirements will be the responsibility of the proponent.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Loss of access to Davyhurst Cemetery	Low	Condition requiring alternate public access to be constructed prior to use of the existing Davyhurst Cemetery Rd for mining construction and operation haulage access to the Round Dam project.

STRATEGIC IMPLICATIONS:

The Shire of Menzies 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.

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

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

Council Resolution Number:	**150 / 26**

Moved: **Cr K Tucker** **Seconded:** **Cr I Baird**

That:

1.
   a) the proposed construction of a tailings storage facility over the eastern extent of the gazetted Davyhurst townsite
   b) the proposed construction of alternative public access to Davyhurst cemetery from Coolgardie North road
   c) the undertaking of mining operations over an unnamed road reserve at Round Dam project
   d) access to materials available from Shire gravel / borrow pits along the Ora Banda-Davyhurst Rd

be supported subject to facilitation of and costs associated with all statutory requirements be undertaken by the proponent at the proponent's cost and further no on ground works to be undertaken until all statutory approvals are in place.

2. **Council support each of the proposals subject to confirming any statutory requirements and requiring any associated statutory approval processes to be completed prior to commencement of construction;**
3. **The Chief Executive Officer be authorised to negotiate with Ora Banda Mining to develop an agreement in relation to these matters and refer that agreement to Council for adoption;**
4. **The Chief Executive Officer be authorised to undertake all necessary actions in accordance with the statutory requirements and approval processes.**

Carried	**6 / 0**

For: Cr P Warner, Cr I Baird, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

8.1.5	Budget Amendment 2026-27
LOCATION	**Not Applicable**
APPLICANT	**Internal**
DOCUMENT REF	**Not Applicable**
DATE OF REPORT	**24 September 2026**
AUTHOR	**Acting Deputy CEO, Tien Tran**
RESPONSIBLE OFFICER	**Acting Chief Executive Officer, Pascoe Durtanovich**
DISCLOSURE OF INTEREST	**Nil**
ATTACHMENT	**Nil**

SUMMARY:

To adopt the budget amendment for the year 2026/27 by reallocating funds from projects that are not considered a priority for completion in the current financial year to other projects and activities requiring additional funding.

BACKGROUND:

At the Council Discussion Meeting held on 15 September 2026, Council discussed potential amendments to the 2026/27 Annual Budget to reallocate funding between projects.

The proposed amendments are as follows:

- Removing $50,000.00 from Outdoor Gym;
- Removing $200,000.00 from Recreation Precinct Upgrade;
- Providing additional funding for Perth Symphony Orchestra Event; and
- Providing additional funding towards the delivery of capital projects currently on hold and intended to be completed during the 2026/27 financial year.

COMMENT:

The proposed budget amendment will reallocate $250,000 from the Outdoor Gym and Recreation Precinct Upgrade to other priority activities and projects during the current financial year.

The two projects will be reconsidered as part of the 2027/28 annual budget preparation process.

Of the funds being reallocated, $150,000 will support the delivery of the Perth Symphony Orchestra Event. This includes $50,000 towards employee costs associated with engaging an Event Coordinator and an additional $100,000 for event contingencies and infrastructure requirements.

A further $60,000 will be allocated towards employee costs associated with the recruitment of a fixed-term Project Manager to assist with the delivery of capital projects currently planned for 2026/27.

The remaining $40,000 will be $15,000 for the purchase and installation of new smiley speed signs on the main street in Menzies and $25,000 for the purchase of a street sweeper.

CONSULTATION:

No external consultation occurred during the preparation of this report.

STATUTORY AUTHORITY:

Local Government Act 1995, section 6.8(1)(b) provides for expenditure that is not included in the annual budget to be incurred where the expenditure is authorised in advance by resolution of Council.

*Absolute Majority required.

POLICY IMPLICATIONS:

There are no known policy implications arising from this report.

FINANCIAL IMPLICATIONS:

The proposed amendments represent a reallocation of the existing 2026/27 Annual Budget and do not result in an overall increase in budgeted expenditure.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Actual expenditure may exceed the amended budget allocations for the identified projects and activities.	Medium	Expenditure will be monitored against the amended budget, with any material variations addressed through the Shire's normal budget monitoring and review processes.

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025-2035 outlines the following Outcome and Strategy:

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

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

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That the following amendments to the 2026/27 Annual Budget:

Budget Amendment Recommendation	Budget 2026/27	Budget Amendment 2026/27	Increase / (Decrease)
Reduce Capital Expenditure - PC004 Outdoor Gym to support the delivery of Perth Symphony Orchestra Event	$50,000.00	$0	($50,000.00)
Reduce Capital Expenditure - PC006 Recreation Precinct Upgrade to support the delivery of Perth Symphony Orchestra Event and the recruitment of a fixed-term Project Manager for the delivery of capital works	$200,000.00	$0	($200,000.00)
Increase Operating Expenditure 121302000 TOUR - Employee Costs for the engagement of an Event Coordinator to support the delivery of the Perth Symphony Orchestra Event	$112,778.44	$162,778.44	$50,000.00
Increase Operating Expenditure EV011 Perth Symphony Orchestra Event for contingencies and infrastructure during the event	$50,000.00	$150,000.00	$100,000.00
Increase Operating Expenditure W0027 - purchase and installation of new smiley street signs	$149,121	$164,121	$15,000.00
Increase Operating Expenditure for 121403000 PWO – Employee Costs for the	$407,513.40	$467,513.40	$60,000.00

recruitment of a fixed-term Project Manager to assist with the delivery of planned capital projects			
Increase Capital Expenditure – plant purchases – purchase of street sweeper	Nil	$25,000.00	$25,000.00

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

be adopted.

COUNCIL DECISION:

Council Resolution Number:	**151 / 26**

Moved: **Cr J Dwyer** **Seconded:** **Cr I Baird**

That the following amendments to the 2026/27 Annual Budget:

Budget Amendment Recommendation	**Budget 2026/27**	**Budget Amendment 2026/27**	**Increase / (Decrease)**
Reduce Capital Expenditure - PC004 Outdoor Gym to support the delivery of Perth Symphony Orchestra Event	**$50,000.00**	**$0**	**($50,000.00)**
Reduce Capital Expenditure - PC006 Recreation Precinct Upgrade to support the delivery of Perth Symphony Orchestra Event and the recruitment of a fixed-term Project Manager for the delivery of capital works	**$200,000.00**	**$0**	**($200,000.00)**
Reduce Capital Expenditure – BC026 Town Hall (Building) to provide additional contribution to Outback Grave Markers	**$100,000.00**	**$80,000.00**	**($20,000)**
Increase Operating Expenditure 121302000 TOUR - Employee Costs for the engagement of an Event Coordinator to support the delivery of the Perth Symphony Orchestra Event	**$112,778.44**	**$162,778.44**	**$50,000.00**
Increase Operating Expenditure EV011 Perth	**$50,000.00**	**$150,000.00**	**$100,000.00**

Symphony Orchestra Event for contingencies and infrastructure during the event			
Increase Operating Expenditure W0027 - purchase and installation of new smiley street signs	**$149,121**	**$164,121**	**$15,000.00**
Increase Operating Expenditure for 121403000 PWO – Employee Costs for the recruitment of a fixed-term Project Manager to assist with the delivery of planned capital projects	**$407,513.40**	**$467,513.40**	**$60,000.00**
Increase Capital Expenditure – plant purchases – purchase of street sweeper	**Nil**	**$25,000.00**	**$25,000.00**
Increase the contribution to Outback Grave Markers – 121107230 - to assist with the repair of their lathe	**$50,000**	**$70,000**	**$20,000**

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

be adopted.

Carried by Absolute Majority	**6 / 0**

For: Cr P Warner, Cr I Baird, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

Reason for Change in Officer Recommendation:

Information was provided to the meeting concerning the lathe used by Outback Grave Markers.

The Officer Recommendation has been amended to provide an additional contribution of $20,000 to Outback Grave Markers, in addition to the $50,000 already budgeted, to assist with the repair of their lathe.

9 BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS

Item 9.1 Environmental Health and Building Services

This agenda item is confidential in accordance with Section 5.23 (4)(c) of the Local Government Act 1995 which permits the meeting to be closed to the public, for business relating to the following:

> (c) information contained in a tender received by the local government for a contract to the extent that the information—
>
> > (i) is a tendered price; or
> > (ii) a tendered methodology for calculating price

OFFICER RECOMMENDATION/COUNCIL DECISION:

Council Resolution Number:	**152 / 26**

Moved: **Cr K Tucker** **Seconded:** **Cr I Baird**

That in accordance with Section 5.23 (4)(c) of the Local Government Act 1995, the meeting be closed to members of the public to consider Item 9.1 'Environmental Health and Building Services'.

Carried	**5 / 0**

For: Cr P Warner, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

The meeting was closed to the public at 4.23pm.

Item 9.1 Environmental Health and Building Services

OFFICER RECOMMENDATION/COUNCIL DECISION:

Council Resolution Number:	**153 / 26**

Moved: **Cr J Dwyer** **Seconded:** **Cr S Wessely**

That the Chief Executive Officer obtain quotes for the provision of Environmental Health and Building Services to the Shire of Menzies.

Carried	**6 / 0**

For: Cr P Warner, Cr I Baird, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

MEETING REOPENED TO THE PUBLIC

Council Resolution Number:	**154 / 26**

Moved: **Cr S Wessely** **Seconded:** **Cr J Dwyer**

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

Carried	**6 / 0**

For: Cr P Warner, Cr I Baird, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

The meeting was reopened to the public at 4.29pm

10 CLOSURE OF MEETING

The Shire President, as Presiding Member, declared the meeting closed at 4.30pm.