



Ordinary Meeting of Council

Agenda

18 April 2024

Shire of Yilgarn NOTICE OF MEETING



Councillors:

Please be advised that the

April 2024

Ordinary Meeting of Council

Will be held in the Council Chambers on

Thursday, 18 April 2024

Commencing at **5pm**

COUNCILLORS PLEASE NOTE:

- *The Discussion Session will start at 4pm*
- *The Ordinary Meeting of Council will start at 5pm*



Nicholas Warren
Chief Executive Officer

12/04/2024

DISCLAIMER

Please note this agenda contains recommendations which have not yet been adopted by Council.

Any Plans or documents in agendas or minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material, as per the Copyright Act 1968.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including the resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Yilgarn must obtain, and should rely on, written notice of the Shire of Yilgarn's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done in a Council meeting.

Any advice provided by an employee of the Shire of Yilgarn on the operation of a written law, or the performance of a function by the Shire of Yilgarn, is provided in the capacity of an employee, and to the best of the persons knowledge and ability. It does not constitute, and should not be relied upon, as legal advice or representation by the Shire of Yilgarn. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Yilgarn should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

Antares Street, SOUTHERN CROSS WA 6426

Tel (08) 90491 001; Fax (08) 90491 429

E-mail: - yilgarn@yilgarn.wa.gov.au

Table of Content

1 Declaration of Opening/Announcement of Visitors.....	3
2 Announcements from the Presiding Member.....	3
3 Attendance.....	3
4 Declaration of Interest.....	3
5 Public Question Time.....	3
6 Confirmation of Minutes.....	3
7 Presentations, Petitions, Deputations.....	4
8 Delegates' Reports.....	4
9 Officers' Reports.....	5
9.1 Chief Executive Officer	
9.1.1 Review of Delegations Register 2024.....	5
9.1.2 Inquiry into Regional Telecommunications in Western Australia.....	9
9.1.3 National Inquiry into Local Government Sustainability.....	12
9.1.4 WAPC Referral-368 Penton Road Bodallin	15
9.1.5 Referral of an Amendment Under the Environmental Protection Act 1986- Invitation to Comment.....	18
9.2 Executive Manager Corporate Services	
9.2.1 Financial Reports March 2024.....	25
9.2.2 Accounts for Payment March 2024.....	28
9.2.3 2024/2025 Differential Rates Objects and Reasons	32
9.2.4 Disposal-80 Spica Street, Southern Cross.....	39
9.2.5 Write Off of Uncollectable Rate Debt A11070.....	46
9.2.6 Write Off of Uncollectable Rate Debt A101128.....	49
9.2.7 Write Off of Uncollectable Rate Debt A101129.....	52
9.2.8 Property Seizures for the Recovery of Unpaid Rates.....	55
9.2.9 2024/25-2028/29 Corporate Business Plan.....	64
9.2.10 2024/25-2033/34 Long Term Financial Plan	68
9.3 Executive Manager Infrastructure	
9.3.1 Plant Replacement Program 2024/25 to 2033/34.....	72
10 Application for leave of absence.....	78
11 Motions for which previous notice has been given.....	78
11.1 Cr Bryan Close-Regional Banking.....	78
12 New business of an urgent nature introduce by decision of the meeting.....	81
13 Meeting closed to the public-Confidential Items	81
14 Closure.....	81

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3. ATTENDANCE

Members Cr W Della Bosca
 Cr B Bradford
 Cr G Guerini
 Cr L Granich
 Cr L Rose
 Cr Newbury

Council Officers	N Warren	Chief Executive Officer
	C Watson	Executive Manager Corporate Services
	G Brigg	Executive Manager Infrastructure
	F Mudau	Finance Manager
	L Della Bosca	Minute Taker

Apologies:

Observers:

Leave of Absence: Cr Close

4. DECLARATION OF INTEREST

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5.1. PUBLIC QUESTION TIME

Nil

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council, Thursday, 21 March 2024- (Minutes Attached)

Recommendation

That the minutes from the Ordinary Council Meeting held on the 21 March 2024 be confirmed as a true record of proceedings.

Voting Requirements: Simple Majority

- 6.2 Yilgarn History Museum Advisory Committee, Wednesday, 3 April 2024- (Minutes Attached)

Recommendation

That the minutes from the Yilgarn History Museum Advisory Committee Meeting held on the 3 April 2024 be received.

Voting Requirements: Simple Majority

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

8. DELEGATES' REPORTS

9.1 Officers Report – Chief Executive Officer

9.1.1 Review of Delegations Register 2024

File Reference	2.3.3.6
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Chief Executive Officer – Nic Warren
Attachments	Draft Delegation Register

Purpose of Report

To present to Council the annual review of the existing delegations to the Chief Executive Officer that is contained within the Shire of Yilgarn’s Delegation Register.

Background

To assist in the effective administration of the Shire, Council has granted various delegations to the Chief Executive Officer. Delegations made under the Local Government Act 1995 can only be made to the Chief Executive Officer or Council Committees. Where appropriate, the Chief Executive Officer can on-delegate to other Officers.

Delegations under other legislation are made directly to the officer concerned.

Council last reviewed the full delegations register in April 2023.

Comment

The Executive staff have reviewed the current Delegations Register, with it being determined no changes are required other than updating the document control sections of each delegation.

Statutory Environment

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
 - (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

* Absolute majority required.
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

9.10. Appointment of authorised persons

- (1) *In this section —*
law means any of the following —
 - (a) *this Act;*
 - (b) *the Caravan Parks and Camping Grounds Act 1995;*
 - (c) *the Cat Act 2011;*
 - (d) *the Cemeteries Act 1986;*
 - (e) *the Control of Vehicles (Off-road Areas) Act 1978;*
 - (f) *the Dog Act 1976;*
 - (g) *subsidiary legislation made under an Act referred to in any of paragraphs (a) to (f);*
 - (h) *a written law prescribed for the purposes of this section;***specified** means specified in the instrument of appointment.
- (2) *The CEO may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws.*
- (3) *An appointment under subsection (2) is subject to any specified conditions or limitations.*
- (4) *The CEO must give to each person appointed under subsection (2) an identity card that —*
 - (a) *on the front of the card, sets out —*
 - (i) *the name and official insignia of the local government; and*
 - (ii) *the name of the person; and*
 - (iii) *a recent photograph of the person;**and*
 - (b) *on the back of the card, specifies each law to which the person's appointment relates.*
- (5) *A person appointed under subsection (2) (the **authorised person**) must —*
 - (a) *carry their identity card at all times when performing functions under a specified law; and*
 - (b) *produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law.*
- (6) *A person who, without reasonable excuse, fails to return their identity card to the*

CEO within 14 days after their appointment ceases to have effect commits an offence.

[Section 9.10 inserted: No. 16 of 2019 s. 64.]

Strategic Implications

Nil.

Policy Implications

Where a Policy exists for an activity/function that has been delegated, the Chief Executive Officer is to adhere to that Policy.

Financial Implications

Nil.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	To ensure that Council Officers are aware of their obligations relating to delegations	Moderate (9)	An up-to-date Delegations Register approved by Council and disseminated to appropriate staff
Financial Impact	Allows Officers to be aware of their delegation responsibilities	Moderate (9)	Approved delegations ensure minimal impact
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with Section 5.42 of the Local Government Act	Moderate (6)	Annual review of Register
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council adopt the reviewed and amended 2024 Shire of Yilgarn Delegations Register as presented.

9.1 Officers Report – Chief Executive Officer

9.1.2 Inquiry into Regional Telecommunications in Western Australia

File Reference	1.6.19.2
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Nil

Purpose of Report

To inform Council of the Western Australian Governments inquiry into regional telecommunications in Western Australia.

Background

The Shire has received advice that the Legislative Council Standing Committee on Public Administration has resolved to undertake an inquiry into regional telecommunications in Western Australia.

The terms of reference are to inquire into and report on issues impacting regional telecommunications in Western Australia.

WALGA have advised they will be providing a submission from a sector-wide perspective that will address issues that occur over significant parts of regional WA, such as resilience and capacity.

This inquiry provides an opportunity to highlight issues specific to the Shire of Yilgarn.

Comment

The deadline for submission is the 26th April 2024, which does not leave a significant amount of time within which to compile local comments, however Councillors are asked to provide the CEO with any comments they may have in relation to telecommunications within the area.

A notice will also be placed in the Crosswords and on the Shire's Facebook page, notifying the public of the inquiry, should they wish to make their own submission, or provide comments to the Shire for submission on their behalf.

Statutory Environment

Nil

Strategic Implications

Strategic Community Plan 2020-2030:

2.1.1 Continue to lobby for improved telecommunications infrastructure to eliminate blackspots in the Shire

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Limited access to telecommunications outside of townsites	Moderate (6)	Advocacy on behalf of community may assist in improving telecommunications in the region.
Financial Impact	Nil	Nil	Nil
Service Interruption	Regular telecommunications interruptions or limited access to	Moderate (6)	Advocacy on behalf of community may assist in improving telecommunications in the region.
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council:

1. *Note the Western Australian State Government inquiry into regional telecommunications in Western Australia, noting that submissions close on 26 April 2024; and*
2. *Shall provide comments, if any, to the Chief Executive Officer for inclusion in the Shire of Yilgarn submission to the inquiry; and*
3. *Note the Yilgarn community will be informed of the inquiry and provided the opportunity to submit comments to the Shire for submission; and*
4. *Endorse the Chief Executive Officer compiling relevant comments received and providing a submission on behalf of the Shire of Yilgarn and Yilgarn community.*

9.1 Officers Report – Chief Executive Officer

9.1.3 National Inquiry into Local Government Sustainability

File Reference	1.6.19.2
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Nil

Purpose of Report

To inform Council that the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport will examine Local Government sustainability in a new inquiry announced at the end of March.

Background

As per the inquiry website:

The Committee adopted an inquiry into local government sustainability on 21 March 2024, following a referral from the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP.

The Committee is seeking written submissions by 3 May 2024 from organisations and individuals that provide recommendations relating to any or all of the inquiry's terms of reference.

The Terms of reference state:

The House of Representatives Standing Committee on Regional Development, Infrastructure and Transport will inquire into and report on local government matters, with a particular focus on:

- The financial sustainability and funding of local government
- The changing infrastructure and service delivery obligations of local government
- Any structural impediments to security for local government workers and infrastructure and service delivery
- Trends in the attraction and retention of a skilled workforce in the local government sector, including impacts of labour hire practices
- The role of the Australian Government in addressing issues raised in relation to the above
- Other relevant issues.

Comment

The deadline for submission is the 3rd May 2024, however WALGA are advocating for an extension until the 31st May 2024.

The Shire intends to provide a submission, and seeks Councillors input, should they choose.

Comments can be provided to the CEO up until 30 April 2024, to allow time to combine into a submission.

The inquiry homepage link is provided: [Inquiry into Local Government Sustainability](#)

Statutory Environment

Nil

Strategic Implications

Strategic Community Plan 2020-2030:

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

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Effect on reputation for not adhering to CSP outcomes	Low (3)	Submission, where practicable, shows commitment to CSP
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council:

1. *Note the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport inquiry that will examine Local Government sustainability; and*
2. *Shall provide comments, if any, to the Chief Executive Officer for inclusion in the Shire of Yilgarn submission to the inquiry; and*
3. *Endorse the Chief Executive Officer compiling relevant comments received and providing a submission on behalf of the Shire of Yilgarn.*

9.1 Officers Report – Regulatory Services Officer

9.1.4 WAPC Referral - 368 Penton Road Bodallin

File Reference	1.6.19.2
Disclosure of Interest	None
Voting Requirements.	Simple Majority
Author	Kelly Watts – Regulatory Services Officer
Attachments	Planning and Development (Local Planning Schemes) Regulations 2015
	Site Map

Purpose of Report

To note and endorse a response to the Western Australian Planning Commission (WAPC), in relation to a proposed subdivision of 368 Penton Road, Bodallin.

Background

The Shire of Yilgarn is in receipt of a referral from the WAPC, relating to the subdivision of Lot 368 Penton Road, Bodallin. The subdivision proposes to create 3 lots. No other information has been provided.

Comment

Councillors are asked to note and endorse the response to the WAPC, being that the Shire of Yilgarn holds no objections to the proposed subdivision of Lot 368 Penton Road Bodallin as per the attached plan.

Statutory Environment

Planning and Development Act 2005
Shire of Yilgarn Town Planning Scheme

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council endorse the response provided to the Western Australian Planning Commission, in relation to the proposed subdivision of Lot 368 Penton Road, Bodallin (Application 200043), being:

The Shire of Yilgarn holds no objections to the proposed subdivision of Lot 368 Penton Road, Bodallin as per the provided plans.

9.1 Officers Report – Regulatory Services Officer

9.1.5 Referral of an Amendment Under the Environmental Protection Act 1986 – Invitation to Comment

Disclosure of Interest	None
Voting Requirements.	Simple Majority
Author	Kelly Watts – Regulatory Services Officer
Attachments	L4597 – Barto Gold Mining January 2024 Licence L4597 – Licence Amendment L4597 – License Amendment supporting documentation

Purpose of Report

For Council to consider a response to the Department of Energy Mines, Industry and Safety (DMIRS) regarding a request from Barto Gold Mining Pty Ltd for a licence amendment for L4597/1988/14 under Division 3 Part V of the Environmental Protection Act 1986 (EP Act) at Southern Cross Operations.

Background

The application includes:

- Addition of mining tenement M77/133 to prescribed premises boundary;
- Construction and operation of additional dewatering pipelines;
- Additional mine dewater discharge locations; and
- Reinstatement of former dewater pipelines.

Licence L4597/1988/14 currently authorises Barto for Prescribed Premise Category 6 ‘Mine Dewatering’ for dewatering to be discharged to Marvel Loch Pit, Glendower Pit, Jacoletti Pit, Nevorla Pit, Fraser’s Pit, Triad Pit, Polaris South Pit, Axehandle Pit, Transvaal complex and the Yilgarn Star Pit.

Barto intends to recommence mining via open pit methods at the historic Achilles open pit in early 2024. A detailed hydrological assessment was completed in 2023, and it determined that groundwater is likely to be encountered in the final few months of mining at Achilles. Barto seeks to construct a dewatering pipeline from Achilles to the adjacent Axehandle pit ahead of the possibility of hitting the water.

Barto is also mining via open pit methods in the Rhapsody pit at its Windmills site. Groundwater may be encountered in the final stages of mining the Rhapsody open pit. To allow safe, stable mining, Barto seeks approval for the construction of a pipeline from Rhapsody to the adjacent Redox pit for discharge should volumes be too significant to be managed in its

approved Windmills Turkeys Nest. This Turkey Nest and pipeline from the Windmills pit was approved under licence amendment DER2014/0008878-1-7 on the 13/05/2022.

This licence amendment application seeks approval to add the Achilles to Axehandle pipeline, the Rhapsody to Windmills/Redox pipeline, tenement M77/133 to the prescribed premise boundary and the inclusion of the Cornishman complex pits, Ruapehu, Maori Lass, Achilles complex pits, GVG, Hercules, Grand National, Southern Star, Haris Find, Windmills, Rhapsody, and Redox Pits are approved discharge locations.

The overall dewatering discharge rate for SXO will remain within the current licence limit (6,000,000 tonnes per annual period).

Comment

The relevant maps are included below for Councillors reference.

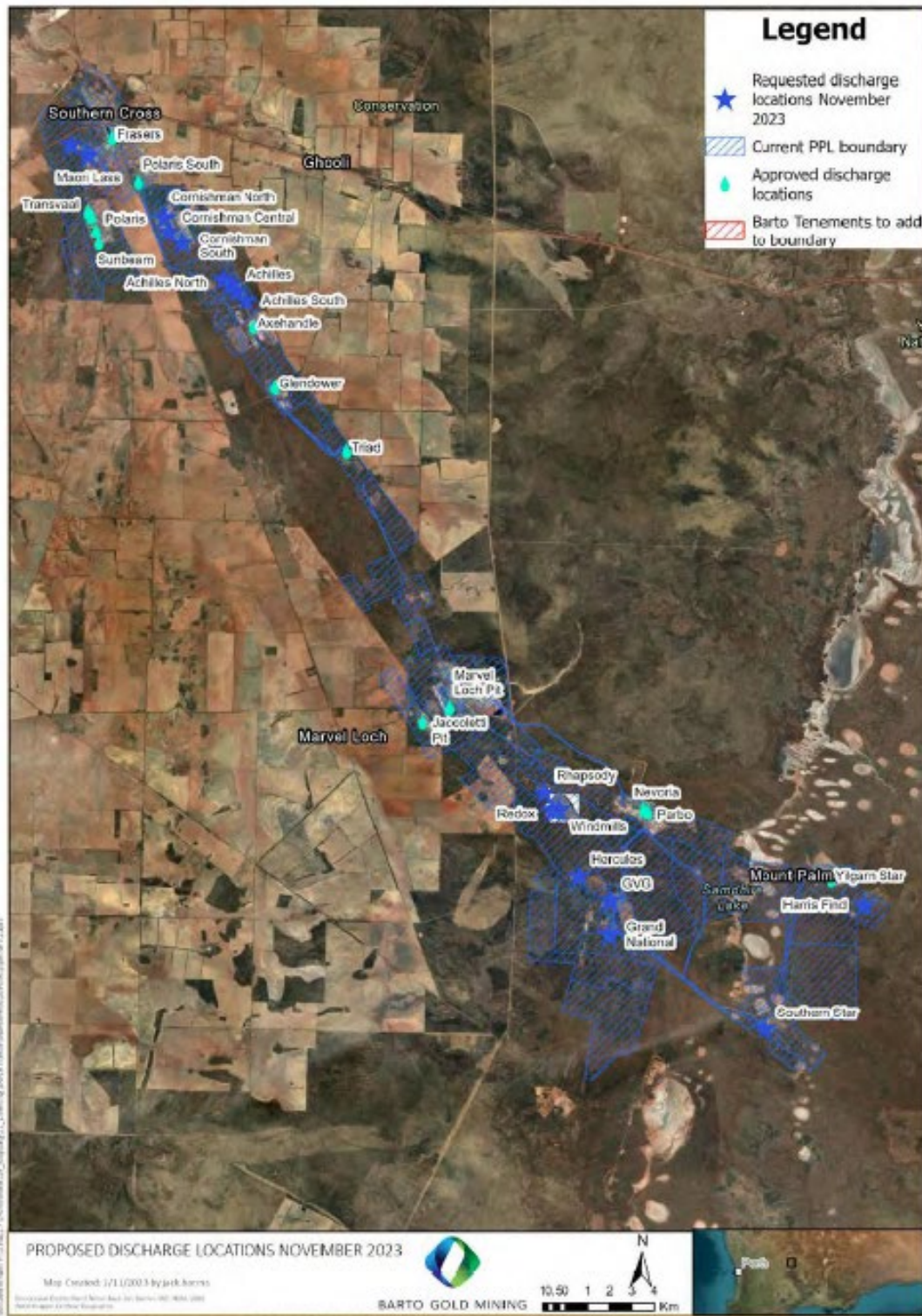


Figure 3: Proposed new discharge locations



Figure 4: Proposed pipeline from Achilles to Axehandle with tenement M77/133 in red.

Table 2 : Proposed Achilles Pipeline specifications

Location	<i>Achilles to Axehandle</i>
Engineering Design	<i>Barto Gold Mining Pty Ltd</i>
Water Quality	<i>Hypersaline (100,000 mg/L)</i>
Length	<i>1.5 kilometres</i>
Diameter	<i>200 mm O.D, 180.6mm I.D</i>
Material	<i>HDPE PN8 SDR21 - White</i>
Pressure Rating	<i>Dictated by location</i>
Flow Rate	<i>30 l/s (maximum design capacity)</i>
Pump Type	<i>Yet to be determined</i>
Spill Detection	<i>Telemetry</i>
Spill Containment	<i>Bunded corridor and sumps</i>
Inspection Regime	<i>6 hourly during regular operation</i>



Cross section between Achilles Pits and Axehandle Pit

Figure 5: Cross section of the proposed pipeline route



Figure 6: Proposed pipeline from the Rhapsody pit to Windmills pit at the Windmills area

Table 3: Proposed Rhapsody pipeline specifications

Location	<i>Rhapsody to Windmills/Redox</i>
Engineering Design	<i>Barto Gold Mining Pty Ltd</i>
Water Quality	<i>Hypersaline (100,000 mg/L)</i>
Length	<i>0.8 kilometres</i>
Diameter	<i>200 mm O.D, 180.6mm I.D</i>
Material	<i>HDPE PN8 SDR21 - White</i>
Pressure Rating	<i>Dictated by location</i>
Flow Rate	<i>30 l/s (maximum design capacity)</i>
Pump Type	<i>Yet to be determined</i>
Spill Detection	<i>Telemetry</i>
Spill Containment	<i>Bunded corridor and sumps</i>
Inspection Regime	<i>6 hourly during regular operation</i>



Section View of the Rhapsody and Windmills/Redgate/Redox Pits



Cross section of the Rhapsody and Windmills/Redgate Pits

Figure 7: Cross sections of Rhapsody to Windmills

Statutory Environment

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Spills & Leaks	Low (4)	Corrective actions to be taken to ensure no escape of water
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Spills & Leaks	Low (4)	Ensure controls are implanted to manage any potential impact to environment, Flora and Fauna, and groundwater.
Property	Nil	Nil	Nil
Environment	Spills & Leaks	Low (4)	Corrective actions to be taken to ensure no escape of water

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council endorse the following response to the Department of Energy, Mines, Industry and Safety :

In relation to the application from Barto Gold Mining Pty Ltd, seeking an amendment to Licence (L4597/1988/14) under Division 3 Part V of the Environmental Protection Act 1986 at Southern Cross Operations, the Shire of Yilgarn have no objections.

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.1 Financial Reports-March 2024

File Reference	8.2.3.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Fadzai Mudau- Finance Manager
Attachments	Financial Reports

Purpose of Report

To consider the Financial Reports

Background

Enclosed for Council’s information are various financial reports that illustrate the progressive position of Council financially on a month-by-month basis.

The following reports are attached and have been prepared as at the 31 March 2024

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity

Councillors will be aware that it is normal practice for all financial reports to be indicative of Council’s current Financial Position as at the end of each month.

Comment

Nil

Statutory Environment

Local Government (Financial Management) Regulations 1996

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Monthly snapshot of Councils financial position	Moderate (6)	Ongoing review of Councils operations
Service Interruption	Nil	Nil	Nil
Compliance	Local Government (Financial Management) Regulations 1996	Moderate (6)	Adherence to statutory requirements
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council endorse the various Financial Reports as presented for the period ending 31 March.

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.2 Accounts for Payment – March 2024

File Reference	8.2.1.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Wes Furney-Finance Officer
Attachments	Accounts for Payment

Purpose of Report

To consider the Accounts Paid under delegated authority.

Background

- Municipal Fund – Cheques 41266 to 41270 totalling \$7,673.47
- Municipal Fund - EFT 15005 to 15042 and 15044 to 15119 totalling \$643,753.23
- Municipal Fund – Cheques 2344 to 2361 totalling \$291,596.38
- Municipal Fund - Direct Debit Numbers:
 - 18654.1 to 18654.14 totalling \$26,513.85
 - 18706.1 to 18706.14 totalling \$25,835.18
- Trust Fund – EFT 15043 totalling \$498.52

The above are presented for endorsement as per the submitted list.

Comment

Nil

Statutory Environment

Local Government Act 1995

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
 - (a) this Act other than those referred to in section 5.43; or
 - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Local Government (Financial Management) Regulations 1996

12. Payments from municipal fund or trust fund, restrictions on making

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Strategic Implications

Nil

Policy Implications

Council Policy 3.11 – Timely Payment of Suppliers

Financial Implications

Drawdown of Bank funds

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Transactions require two senior managers to approve.	Moderate (8)	Transactions require two senior managers to sign cheques or approve bank transfers.
Financial Impact	Reduction in available cash.	Moderate (5)	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Local Government (Financial Management) Regulations 1996	Moderate (6)	Adherence to statutory requirements
Reputational	Non or late payment of outstanding invoices and/or commitments	Moderate (9)	Adherence to Timely Payment of Suppliers Policy
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

- *Municipal Fund – Cheques 41266 to 41270 totalling \$7,673.47*
- *Municipal Fund - EFT 15005 to 15042 and 15044 to 15119 totalling \$643,753.23*
- *Municipal Fund – Cheques 2344 to 2361 totalling \$291,596.38*
- *Municipal Fund - Direct Debit Numbers:*
 - *18654.1 to 18654.14 totalling \$26,513.85*
 - *18706.1 to 18706.14 totalling \$25,835.18*
- *Trust Fund – EFT 15043 totalling \$498.52*

The above are presented for endorsement as per the submitted list.

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.3 2024/2025 Differential Rates – Objects & Reasons

File Reference	8.1.1.5
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Cameron Watson-Exec Manager Corporate Services
Attachments	Attachment 1 – 2024/2025 Rating Strategy Attachment 2 – 2024/2025 Rating Objects & Reasons

Purpose of Report

Council is requested to endorse the 2024/2025 Rating Strategy & Objects & Reasons.

Background

It is proposed to impose Differential Rates for the year ending 30th June 2024 under the various rating categories within the Shire of Yilgarn.

Under Section 6.33 (3) of the Local Government Act 1995, a Local Government is not, without the approval of the Minister, to impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

With the Differential General Rates being proposed in the 2024/2025 Rating Strategy and Objects & Reasons, Council falls under the umbrella of this section of the Act. Note however that it is only applicable to UV Mining. Accordingly, Ministerial approval is required and the proposal to impose this rate must be advertised for a period of not less than 21 days with any submissions received subsequently being presented to Council for consideration.

Comment

The Rates in the dollar being recommended are a result of efficiency measures being implemented over the previous few years. As a result of these measures, Council has significantly reduced the burden on its Ratepayers, in some categories, to the effect of as much as a 61% reduction in the rate in the dollar.

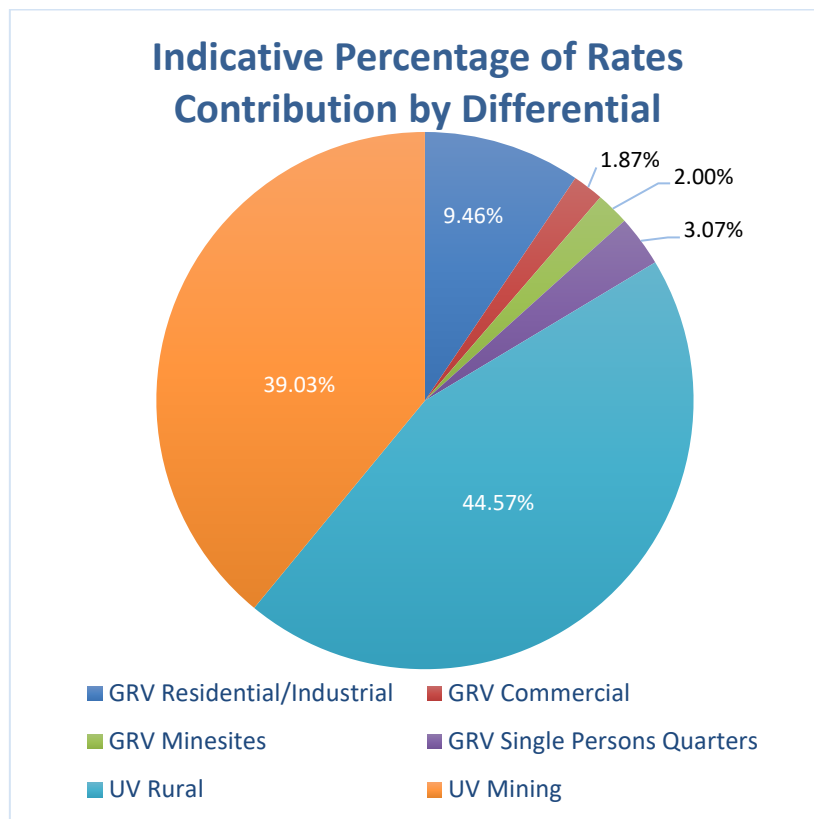
Due to the current economic uncertainties, it will be proposed to recommend that a small 2.5% increase in the Rate in the Dollar and no increase in the minimums be proposed for the 2024/25 financial year.

2024/2025 Proposed Differential Rates

The proposed Differential Rate for each rating category are as follows:

Land Category	Rate – Cents in the Dollar	Minimum Payment
GRV - Residential/Industrial	11.9201	\$600
GRV - Commercial	8.3912	\$450
GRV - Minesites	16.7821	\$450
GRV -Single Persons Quarters	16.7821	\$450
UV - Rural	1.2813	\$450
UV - Mining	15.2914	\$450

The proposed Rates in the dollar for 2024/2025 represents a 2.5% increase over those imposed in 2023/2024. It is proposed to leave the minimums the same as those imposed in 2023/2024.



The recommended Rate in the dollar increase of 2.5% is less than the WA Local Government Cost Index (WALGCI) forecast for 2024/25 of 2.6% and December 2023 Perth CPI of 3.6%. The WALGCI is similar in principle to the Consumer Price Index (CPI) but is weighted towards expenditure types more relevant to Local Governments.

The CPI is based on actual household expenditure data, which is principally derived from the Household Expenditure Survey conducted by the ABS and includes expenditure on areas such

as food and non-alcoholic and alcoholic beverages, tobacco products and clothing & footwear; all of which are not expenditure areas for a Local Government.

The WALGCI is a combination of certain cost items from the CPI and others from the General Construction Index WA (GCIWA). The WALGCI offers an indication of those changes in the WA economy that relate more closely to the functions of Local Government.

Statutory Environment

Attachment 1 - 2024/2025 Rating Strategy, contains a detailed listing of the Local Government Act rating provisions with the addition of:

Local Government Act 1995

1.7. Local public notice

Where under this Act local public notice of a matter is required to be given, notice of the matter must be —

- (a) published on the official website of the local government concerned in accordance with the regulations; and
- (b) given in at least 3 of the ways prescribed for the purposes of this section.

[Section 1.7 inserted: No. 16 of 2019 s. 5.]

6.36. Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1) —
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency; and
 - (b) is to contain —
 - (i) details of each rate or minimum payment the local government intends to impose; and
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and

- (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;
- and
- (c) is to advise electors and ratepayers that the document referred to in subsection (3A) —
 - (i) may be inspected at a time and place specified in the notice; and
 - (ii) is published on the local government’s official website.
- (3A) The local government is required to prepare a document describing the objects of, and reasons for, each proposed rate and minimum payment and to publish the document on the local government’s official website.
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
- (5) Where a local government —
 - (a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or
 - (b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

[Section 6.36 amended: No. 16 of 2019 s. 62.]

[Section 6.36 modified: SL 2020/57^{1M}.]

Local Government (Administration) Regulations 1996

3A. Requirements for local public notice (Act s. 1.7)

- (1) For the purposes of section 1.7(a), notice of a matter must be published on the local government’s official website for —
 - (a) the period specified in or under the Act in relation to the notice; or
 - (b) if no period is specified in relation to the notice — a period of not less than 7 days.
- (2) For the purposes of section 1.7(b), each of the following ways of giving notice of a matter is prescribed —
 - (a) publication in a newspaper circulating generally in the State;
 - (b) publication in a newspaper circulating generally in the district;
 - (c) publication in 1 or more newsletters circulating generally in the district;

- (d) publication on the official website of the Department or another State agency, as appropriate having regard to the nature of the matter and the persons likely to be affected by it, for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days;
- (e) circulation by the local government by email, text message or similar electronic means, as appropriate having regard to the nature of the matter and the persons likely to be affected by it;
- (f) exhibition on a notice board at the local government offices and each local government library in the district for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days;
- (g) posting on a social media account administered by the local government for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days.

[Regulation 3A inserted: SL 2020/213 r. 15.]

Strategic Implications

There are no strategic implications as a result of this report.

Policy Implications

There are no policy implications as a result of this report.

Financial Implications

The outcome of this recommendation will ultimately inform the direction for the 2024/2025 Income Budget as it relates to the raising of Rates.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Non or late payment of Rates by Ratepayers.	High (12)	If funding not received, projects and/or services can't be provided or undertaken.
Service Interruption	Non or late payment of Rates by Ratepayers.	Moderate (8)	Effective and efficient collection action.
Compliance	Act and Ministerial Policy differential rating requirements.	Moderate (9)	Ensure all requirements undertaken.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council:

- 1. Endorse the Differential Rating – Objects and Reasons for the 2024/2025 rating years as presented;*
- 2. Endorse the following proposed Differential General Rates Categories, Rates in*

the Dollar and Minimum amounts for the Shire of Yilgarn for the 2024/2025 financial year:

Land Category	Rate – Cents in the Dollar	Minimum Payment
GRV - Residential/Industrial	11.9201	\$600
GRV - Commercial	8.3912	\$450
GRV - Minesites	16.7821	\$450
GRV -SPQ	16.7821	\$450
UV - Rural	1.2813	\$450
UV - Mining	15.2914	\$450

3. *Endorse a public notice and consultation process on the proposed Differential General Rates and General Minimum Rates as follows:*

- *Local public notice being placed on Councils website on Wednesday, 1st May 2024 with ancillary notices being published as soon as practicable after this, as per the requirements of section 6.36 of the Local Government Act 1995.*
- *Individual ratepayer consultation for all ratepayers in General Rate Categories with less than 30 ratepayers.*

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.4 Disposal – 80 Spica St, Southern Cross

File Reference	10.4.1.13 & A4250
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Cameron Watson-Exec Manager Corporate Services
Attachment	Nil

Purpose of Report

Council is requested to endorse the preferred Expression of Interest received for the sale of 80 Spica St, Southern Cross.

Background

At the November 2023 ordinary meeting of Council, it was resolved that:

184/2023

Moved Cr Close/Seconded Cr Granich

That Council authorises the Chief Executive Officer to undertake the following in respect to the proposed disposal of the property located at 80 Spica Street, Southern Cross:-

- 1. give local public notice of the proposed disposal of the property in accordance with section 3.58 (3) (a) and (b) of the Local Government Act 1995; and***
- 2. subject to NO submissions being received, appoint a suitably qualified and experienced Real Estate Sales Specialist and commence with the sale via a sealed Expressions of Interest process.***

Staff requested a quote from a local real estate agent to undertake the marketing of the property which, when received was quite significant. Management then decided to gauge the local interest in the property by limiting advertising to the “Crosswords” publication and Councils web page, Facebook page and the local communities Facebook buy & sell page. The closing date and time for submission of expressions of interest was Friday 29th March 2024 at 4:00pm.

At the conclusion of the Expression of Interest period, five (5) submissions had been received.

Comment

The five (5) submissions received are as follows:

RECEIVED FROM	INDICATED SALE PRICE \$	DATE RECEIVED
M & L Cunningham	\$60,000	27 th February 2024
R Sing	\$92,750	19 th March 2024
Western Australian Prospector's Pty Ltd	\$55,000	20 th March 2024
J Gill	\$85,000	22 March 2024
W & F Sellars	\$90,000	26 th March 2024

The sealed expressions of interest were opened on Thursday, 4th of April 2024 in the presence of the Chief Executive Officer and the Executive Manager Corporate Services.

It will be recommended that the expression of interest from R Sing be accepted as the most advantageous to Council.

Statutory Environment

Local Government Act 1995

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
 - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended: No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

Local Government (Functions & General) Regulations 1996

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
 - (a) the land is disposed of to an owner of adjoining land (in this paragraph called the *transferee*) and —
 - (i) its market value is less than \$5 000; and

- (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;

or

 - (b) the land is disposed of to a body, whether incorporated or not —
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

or

 - (c) the land is disposed of to —
 - (i) the Crown in right of the State or the Commonwealth; or
 - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
 - (iii) another local government or a regional local government;

or

 - (d) it is the leasing of land to an employee of the local government for use as the employee's residence; or
 - (e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or
 - (f) it is the leasing of land to a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the dental profession or medical profession to be used for carrying on the person's dental practice or medical practice; or
 - (g) it is the leasing of residential property to a person.
- (2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —
- (a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or
 - (b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or
 - (c) the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —
 - (i) the names of all other parties concerned; and

- (ii) the consideration to be received by the local government for the disposition; and
 - (iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.
- (2b) Details of a disposition of property under subregulation (2a) must, for a period of 1 year beginning on the day of the initial auction or tender —
 - (a) be made available for public inspection; and
 - (b) be published on the local government’s official website.
- (3) A disposition of property other than land is an exempt disposition if —
 - (a) its market value is less than \$20 000; or
 - (b) the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.

[Regulation 30 amended: Gazette 25 Feb 2000 p. 974-5; 28 Apr 2000 p. 2041; 31 Mar 2005 p. 1055-6; 27 Sep 2011 p. 3846; 18 Sep 2015 p. 3812; SL 2020/213 r. 41; SL 2023/47 r. 6.]

31. Anti-avoidance provision for Act s. 3.58

If a local government disposes of property by means of 2 or more dispositions in circumstances such that the desire to exclude the application of section 3.58 of the Act is a significant reason for not dealing with the matter in a single disposition, the dispositions are not exempt dispositions.

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Economic Objective

- Outcome 2.3 - Quality and affordable housing is available
 - 2.3.1 - Continue to invest in housing to attract professionals to the region to attract and retain professionals and young people in the Shire.

Civic Leadership Objective

- Outcome 4.1 – A trustworthy and cohesive Council that functions efficiently and effectively
 - 4.1.1 - Ensure compliance whilst embracing innovation and best practice principles.
 - 4.1.2 - Maintain a high level of corporate governance, responsibility and accountability.

Policy Implications

There are no policy implications as a result of this report.

Financial Implications

It will be proposed that any proceeds from the sale of 80 Spica St, Southern Cross be transferred to the Building Reserve for the use in suitable future projects.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with the Local Government Act and Council Policies.	Low (4)	Ensure disposals comply with legislation.
Reputational	Nil	Nil	Nil
Property	Lack of housing stock if needed	Moderate (6)	Replace with new housing stock in a timely manner.
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council:

- 1. accepts the Expression of Interest for the sale of 80 Spica St, Southern Cross submitted by Renae Michelle Sing for the sale price of \$92,750.00;*
- 2. if the preferred offeror is unable to complete the transfer of Title or withdraws their offer, the Chief Executive Officer is authorised to negotiate with next most advantageous expression of interest submitter; and*
- 3. authorises the Chief Executive Officer and Shire President to sign all documents and contracts associated with the disposal and sale of 80 Spica.*

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.5 Write Off of Uncollectable Rate Debt

File Reference	8.2.1.5 & A11070
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Cameron Watson – Exec Manager Corporate Services
Attachments	Nil

Purpose of Report

This report seeks Councils approval for the write off of an outstanding but uncollectable rates debt.

Background

Lot 607, Bullfinch-Evanston Rd, Bullfinch was owned by J Nicoletti from 2004 through to July 2021. In December 2021 a notification from Landgate was received indicating a change of classification, from Residential to Commercial and a change of ownership to J M Caratti.

Further follow-up on the outstanding rates revealed that J M Caratti did not actually own the property as the Certificate of Title has the Department of Planning, Lands and Heritage as the responsible agency and the land status as Unallocated Crown Land.

Comment

Unallocated Crown Land is non ratable and no collection action allowed under the Local Government Act 1995 is possible as the Act does not bind the Crown

The following amounts are currently outstanding for Assessment A11070:

Levies	Receipts	Balance	C/A	Description
600.00	0.00	600.00	C	Rates
500.00	0.00	500.00	A	Rates
103.39	0.00	103.39	C	Interest
9.42	0.00	9.42	C	ESL PENALTY
3.92	0.00	3.92	A	ESL PENALTY
98.00	0.00	98.00	C	EMERGENCY SERVICE LEVY
45.81	0.00	45.81	A	EMERGENCY SERVICE LEVY
				=====
1360.54	0.00	1360.54		*** TOTALS ***

Statutory Environment

Local Government Act 1995

1.6. Crown not generally bound This Act does not bind the Crown except to the extent expressly stated in this Act.

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

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

which is owed to the local government.

* *Absolute majority required.*

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

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Nil

Policy Implications

Council Policy

3.9 - Rates and Charges Recovery Policy (Including Sewerage Rates Financial Hardship Policy)

Financial Implications

Write-off of \$1,360.54 in uncollectable Rates revenue.

The 2023/2024 budget has an inclusion of \$40,000 in Account E03118 – Debtors Written Off of which \$2,579.13 has been utilised.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Loss of Rate Revenue	Low (2)	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with the Local Government Act and Council Policies.	Low (4)	Ensure rate write-offs are endorsed by Council.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council, pursuant to Section 6.12 (1) (c) of the Local Government Act 1995, approve the write off of the amount of \$1,360.54 in outstanding Rates, Interest & Legal Charges for Assessment A11070

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.6 Write Off of Uncollectable Rate Debt

File Reference	8.2.1.5 & A101128
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Cameron Watson – Exec Manager Corporate Services
Attachments	Nil

Purpose of Report

This report seeks Councils approval for the write off of an outstanding but uncollectable rates debt.

Background

Tenement P77/04322 was first granted effective 24th January 2017 to Mt Holland Minin Co Pty Ltd. Initial interim rates were paid in full on the 13th April 2018 bringing the outstanding balance to zero. Since this time no payment of Rates or interest charges have been received. The assessment is rated on a minimum basis.

In 2019, email correspondence from Mr Hong-Jim Saw, the Company Secretary for Gold Valley Holdings Pty Ltd requested a hold on recovery action as the company was having cash flow issues at the time. No further correspondence or contact has been received from either Mt Holland Mining C Pty Ltd or Gold Valley Holding Pty Ltd since.

The tenement death is recorded as effective 1st July 2021.

Comment

Due to the request from Mr Hong-Jim Saw for collection action to be put on hold, no collection action has been undertaken since and as the tenement was surrendered in July 2021 there is nothing to proceed against.

The following amounts are currently outstanding for Assessment A101128:

Levies	Receipts	Balance	C/A	Description
1200.00	0.00	1200.00	A	Rates
480.49	0.00	480.49	C	Interest
=====				
1680.49	0.00	1680.49		*** TOTALS ***

Statutory Environment

Local Government Act 1995

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

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

* *Absolute majority required.*

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

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Nil

Policy Implications

Council Policy

3.9 - Rates and Charges Recovery Policy (Including Sewerage Rates Financial Hardship Policy)

Financial Implications

Write-off of \$1,680.49 in uncollectable Rates revenue.

The 2023/2024 budget has an inclusion of \$40,000 in Account E03118 – Debtors Written Off of which \$3,939.67 has been utilised.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Loss of Rate Revenue	Low (2)	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with the Local Government Act and Council Policies.	Low (4)	Ensure rate write-offs are endorsed by Council.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council, pursuant to Section 6.12 (1) (c) of the Local Government Act 1995, approve the write off of the amount of \$1,680.49 in outstanding Rates, Interest & Legal Charges for Assessment A101128

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.7 Write Off of Uncollectable Rate Debt

File Reference	8.2.1.5 & A101129
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Cameron Watson – Exec Manager Corporate Services
Attachments	Nil

Purpose of Report

This report seeks Councils approval for the write off of an outstanding but uncollectable rates debt.

Background

Tenement P77/04324 was first granted effective 24th January 2017 to Mt Holland Minin Co Pty Ltd. Initial interim rates were paid in full on the 13th April 2018 bringing the outstanding balance to zero. Since this time no payment of Rates or interest charges have been received. The assessment is rated on a minimum basis.

In 2019, email correspondence from Mr Hong-Jim Saw, the Company Secretary for Gold Valley Holdings Pty Ltd requested a hold on recovery action as the company was having cash flow issues at the time. No further correspondence or contact has been received from either Mt Holland Mining C Pty Ltd or Gold Valley Holding Pty Ltd since.

The tenement death is recorded as effective 1st July 2021.

Comment

Due to the request from Mr Hong-Jim Saw for collection action to be put on hold, no collection action has been undertaken since and as the tenement was surrendered in July 2021 there is nothing to proceed against.

The following amounts are currently outstanding for Assessment A101128:

Levies	Receipts	Balance	C/A	Description
1205.94	0.00	1205.94	A	Rates
481.70	0.00	481.70	C	Interest
=====				
1687.64	0.00	1687.64		*** TOTALS ***

Statutory Environment

Local Government Act 1995

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

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

* *Absolute majority required.*

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

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Nil

Policy Implications

Council Policy

3.9 - Rates and Charges Recovery Policy (Including Sewerage Rates Financial Hardship Policy)

Financial Implications

Write-off of \$1,687.64 in uncollectable Rates revenue.

The 2023/2024 budget has an inclusion of \$40,000 in Account E03118 – Debtors Written Off of which \$5,620.16 has been utilised.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Loss of Rate Revenue	Low (2)	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with the Local Government Act and Council Policies.	Low (4)	Ensure rate write-offs are endorsed by Council.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council, pursuant to Section 6.12 (1) (c) of the Local Government Act 1995, approve the write off of the amount of \$1,687.64 in outstanding Rates, Interest & Legal Charges for Assessment A101129

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.8 Property Seizures for the Recovery of Unpaid Rates

File Reference	A7120, A7190, A11010, A11380, A1670 & 8.1.1.6
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Cameron Watson-Exec Manager Corporate Services
Attachments	Nil

Purpose of Report

This report seeks Council’s approval to seize with the intent to sell the land listed, for the purpose of recovering rates and charges outstanding more than three years.

Background


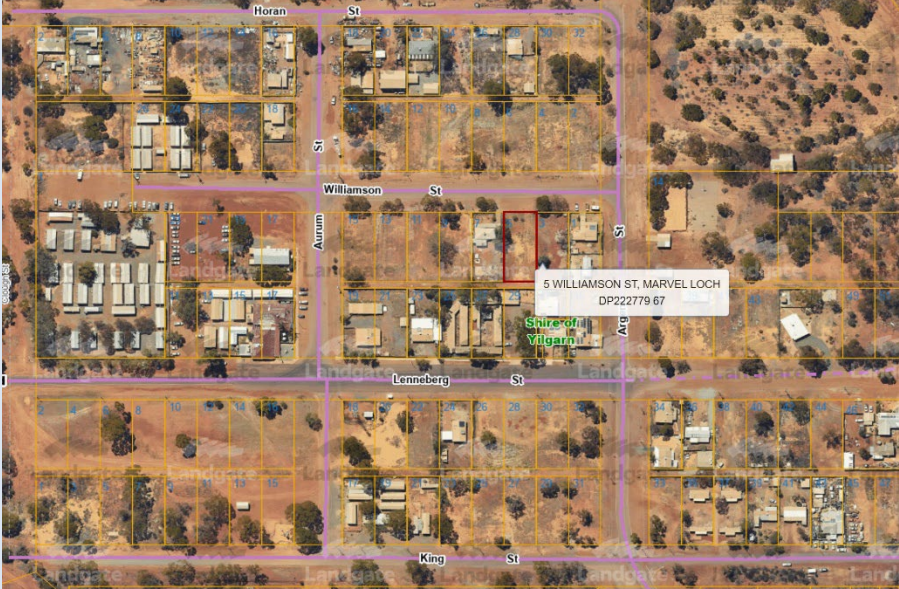
The following assessments have rates outstanding by more than three years and are in the name of a deceased estate where a search for beneficiaries has revealed no results:



- A7120 – 37-39 Lenneberg Street, Marvel Loch – 2 Titles (Lots 127 & 128)
- A7190 – 5 Williamson Street, Marvel Loch – 1 Title (Lot 67)
- A11010 – 18 Jones Street, Bullfinch – 3 Titles (Lots 270, 271 & 272)
- A11380 – 35 Jones Street, Bullfinch – 1 Title (Lot 301)

The following assessments have rate outstanding by more than three years for which it has not been possible to enter an acceptable and successful arrangement for payment of the outstanding balance owing.



- A1670 – 80 Antares Street, Southern Cross – 1 Title (lot 165)

37-39 LENNEBERG ST, MARVEL LOCH	
Assessment	A7120
Ratepayer	Harold George BENNETT (DECD)
Type / Zoning	Residential (Vacant) – Marvel Loch
Period Outstanding	2018 / 2019 – 2023 / 2024 (6 Years)
Amount Outstanding	\$7,097.21
Last Payment	14 th Sept 2017 - \$850.00
Recovery Action	<p>Apr 18 Family notified Council of Mr Bennetts Passing. Mr Bennett & Family residing in NZ.</p> <p>Oct 19 Debt Referred to AMPAC for collection action.</p> <p>Nov 19 AMPAC recommended no further action due to the prohibitive cost of overseas skip trace.</p>
Additional Information	Nil
Location	

5 WILLIAMSON ST, MARVEL LOCH	
Assessment	A7190
Ratepayer	Harold George BENNETT (DECD)
Type / Zoning	Residential (Vacant) – Marvel Loch
Period Outstanding	2018 / 2019 – 2023 / 2024 (6 Years)
Amount Outstanding	\$7,017.71
Last Payment	14 th Sept 2017 - \$850.00
Recovery Action	<p>Apr 18 Family notified Council of Mr Bennetts Passing. Mr Bennett & Family residing in NZ.</p> <p>Oct 19 Debt Referred to AMPAC for collection action.</p> <p>Nov 19 AMPAC recommended no further action due to the prohibitive cost of overseas skip trace.</p>
Additional Information	Nil
Location	
	

18 JONES ST, BULLFINCH	
Assessment	A11010
Ratepayer	Charlotte Ann JONES (DECD)
Type / Zoning	Residential – Bullfinch
Period Outstanding	2018 / 2019 – 2023 / 2024 (6 Years)
Amount Outstanding	\$5,322.14
Last Payment	30 th Nov 2017 - \$329.54
Recovery Action	<p>Oct 21 Revenue WA notified Council that Mrs Jones was deceased.</p> <p>Dec 21 Referred to AMPAC for collection action, skip trace & probate search undertaken. No next of kin found.</p> <p>Apr 21 AMPAC recommends no further action.</p>
Additional Information	Nil
Location	
	

35 JONES ST, BULLFINCH	
Assessment	A11380
Ratepayer	Brian William ARUNDEL (DECD)
Type / Zoning	Residential – Bullfinch
Period Outstanding	2009 / 2010 – 2023 / 2024 (15 Years)
Amount Outstanding	\$393.50
Last Payment	22 nd Jan 2016 - \$3,892.38
Recovery Action	Dec 18 Referred to Council for approval to Return to the Crown. Dec 23 Return to the Crown rescinding motion endorsed by Council due to costs associated with clearing the derelict structures.
Additional Information	Rates and associated charges were written of in Dec 2018 with the assessment being marked as non-rateable since. Only ESL has accrued to date.
Location	

80 ANTARES STREET, SOUTHERN CROSS					
Assessment	A1670				
Ratepayer	Dale Kane LAWS				
Type / Zoning	Residential – Southern Cross				
Period Outstanding	2011 / 2012 – 2023 / 2024 (13 Years)				
Amount Outstanding	\$21,644.12				
Last Payment	1 st Mar 2017 - \$50.00				
Recovery Action	<table border="1"> <tr> <td>May 23</td> <td>Judgement in Council favour received.</td> </tr> <tr> <td>May 23</td> <td>Mr Laws offered to repay at \$50 per fortnight. Offer declined as repayments would be less than interest accruing.</td> </tr> </table>	May 23	Judgement in Council favour received.	May 23	Mr Laws offered to repay at \$50 per fortnight. Offer declined as repayments would be less than interest accruing.
May 23	Judgement in Council favour received.				
May 23	Mr Laws offered to repay at \$50 per fortnight. Offer declined as repayments would be less than interest accruing.				
Additional Information	Between 2012/13 & 2015/16 Mr Laws was eligible for a Pensioner concession on his rates, Mr Laws elected to defer his rates during this period so has \$9,166.57 deferred pensioner rates included in the total outstanding shown above.				
Location					
					

Comment

Nil

Statutory Environment

Local Government Act 1995

6.64. Actions to be taken

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
 - (a) from time to time lease the land; or
 - (b) sell the land; or
 - (c) cause the land to be transferred to the Crown; or
 - (d) cause the land to be transferred to itself.
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

There are no strategic implications as a result of this report.

Policy Implications

Council Policy

3.9 - Rates and Charges Recovery Policy (Including Sewerage Charges Financial Hardship Policy)

Financial Implications

Nil at this time, however, the cost of proceeding to an auction and potential for the write off of rates and charges in the future if the properties remain unsold.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Ongoing cost to Council of not collecting rates for assessments.	High (15)	Seize assessments and sell to new ratepayer/s
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Reputation for inefficient collection of outstanding rates	High (15)	Demonstration of good financial management in the efficient collection of outstanding rates
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council, pursuant to Section 6.64 (1) (b) of the Local Government Act 1995, take possession of the land indicated and proceed to sell the land listed hereunder which have rates in arrears for three or more years.

List of Land by Assessment Number:

*Assessment: A1670 – 80 Antares Street, Southern Cross
A7120 – 37-39 Lenneberg Street, Marvel Loch
A7190 – 5 Williamson Street, Marvel Loch
A11010 – 18 Jones Street, Bullfinch
A11380 – 35 Jones Street, Bullfinch*

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.9 2024/25 - 2028/29 Corporate Business Plan

File Reference	1.1.12.4
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Fadzai Mudau- Finance Manager
Attachments	2024/25 – 2028/29 Corporate Business Plan

Purpose of Report

To consider the modified Shire of Yilgarn 2024/25 – 2028/29 Corporate Business.

Background

The 2024/25 – 2028/29 Corporate Business Plan (CBP) includes a service delivery plan comprising 35 key services provided by Council. Each of these key services includes links to Councils Strategic Community Plan, a background on the service to be provided, expected service level and any anticipated issues that may impact the service being provided and any significant actions necessary to provide/maintain the expected service level or required due to statutory obligations.

The CBP also includes the projected operational income / expenditure necessary to provide the service for the coming budget year and estimates for the next four years.

Comment

The CBP is based on the current year’s budget figures and a long-term historical average (adjusted for any anomalous instances) for the subsequent four years. An anticipated year on year Local Government Cost Index (LGCI) increase is then factored in. For the presented CBP the LGCI rate used is 3.9% as provided by WALGA in their December 2023 economic forecast.

Statutory Environment

Local Government Act 1995

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.

- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
- (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Strategic Implications

Contained within the Corporate Business Plan

Policy Implications

Nil

Financial Implications

The Corporate Business Plan is an informing document for current and future budgets.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Service delivery benefits the residents of the district.	Moderate (6)	Nil
Financial Impact	Funding deficit leads to cuts in service level provision.	Moderate (9)	Maintain adequate reserve funds for high-risk services such as sewers and waste disposal sites.
Service Interruption	Variable from minor inconvenience to significant health issue.	High (12)	For high-risk services such as sewerage and transport infrastructure, continue to maintain to a suitable standard.
Compliance	Local Government (Administration) Regulations 1996	Low (1)	Nil
Reputational	Service delivery not meeting community expectations.	Moderate (9)	Ensure services are adequately resourced.
Property	Various significant community buildings identified.	Moderate (6)	Ensure buildings are adequately maintained and resourced.
Environment	Effluent and putrescible waste treatment/disposal.	Moderate (6)	Well managed effluent treatment systems and waste management sites.

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council adopts the 2024/25 – 2028/29 Corporate Business Plan as presented.

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.10 2024/25 – 2033/34 Long Term Financial Plan

File Reference	8.2.5.6
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Fadzai Mudau- Finance Manager
Attachments	2024/25 – 2033/34 Long Term Financial Plan

Purpose of Report

For Council to consider adopting the revised Long-Term Financial Plan 2024/25 – 2033/34.

Background

In February 2009, the Minister for Local Government announced a package of wide-ranging local government reform strategies that were aimed at achieving greater capacity for local government to better plan, manage and deliver services to their communities with a focus on social, environmental, and economic sustainability.

One of the requirements was to develop and review a long-term financial plan (LTFP) that is a ten-year rolling plan that informs the Corporate Business Plan to activate Strategic Community Plan priorities. From these planning processes, annual budgets that are aligned with the strategic objectives can be developed.

Comment

The operating income and expenditure aspects of the LTFP are primarily developed utilising a CPI increase of 4.5% for the life of the plan, however the historic percentage increase/decrease of a given income or expense item could be utilised if appropriate. All estimates can be manually adjusted were necessary to reflect a realistic valuation for the specific income or expenditure item.

Rate income is calculated utilising a 2.5% increase for the first 5 years with the remaining 5 years being calculated on a CPI Increase.

The Forward Capital Works aspect of the LTFP has been developed in consultation with the senior management team and with Councils Asset Management Officer. It should be noted that many aspects of the proposed forward capital works are currently still under review and as such are estimations. It is anticipated that accurate forward capital works information will be available for 2024/25 onwards.

Statutory Environment

Local Government Act 1996

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

[Section 5.56 inserted: No. 49 of 2004 s. 42(6).]

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Strategic Goal

Civic Leadership

Strategic Outcome

A trustworthy and cohesive Council that functions efficiently and effectively to meet the needs of our community.

Policy Implications

There are no policy implications as a result of this report.

Financial Implications

There are no immediate financial implications because of this report however if adopted will inform in the setting of the 2024/2025 Budgeted.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with the Local Government Act and associated Regulations.	Low (2)	Ensure Long Term Financial Plan Reviewed.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council endorses the Long-Term Financial Plan 2024/25 – 2033/34 as presented.

9.3 Reporting Officer– Executive Manager Infrastructure

9.3.1 Plant Replacement Program 2024/2025 to 2033/2034

File Reference	6.4.1.5
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Glen Brigg-Exec Manager Infrastructure
Attachments	Plant Replacement Program

Purpose of Report

For Council to consider the 10 Year Plant Replacement 2022/2023 to 2033/2034 for adoption.

Background

The Plant Replacement program shall ensure that the Shire’s fleet of machinery and vehicles are kept fully applicable, to meet the Shire’s budgeted construction and maintenance programmes for all assets. This shall involve consideration of new technology, processes and materials as well as the ongoing balance of the Shire’s ownership versus external hire of its machinery and vehicle needs.

The development of a ten-year plant replacement plan is important, as it ensures that the cost of new purchases, are spread over the life of the plan. It also ensures that Council’s fleet remains relevant and in good working condition, thereby minimising maintenance costs and lost productivity due to machine breakdowns.

Comment

Asset lifecycle management (ALM) is a crucial process that shire employs to ensure the smooth operation and longevity of their valuable assets.

Why asset lifecycle management matters. Effective ALM maximizes asset value, minimizes risks, and optimizes resource utilization. By strategically managing assets the Shire is able to enhance operational efficiency to achieve long-term sustainability.

The asset lifecycle refers to the, end-to-end process an asset undergoes from acquisition to disposal. Organizations monitor asset health using methods like real-time performance data and preventive maintenance.

Stages of Asset Lifecycle Management

Planning: staff assess the need for an asset, its projected value, and associated risks. Risks, include likelihood of failure, and resource availability. Valuation involves gauging an asset's overall value, considering its useful life and projected performance.

Acquisition: This phase involves procuring the asset based on the planning stage. Proper acquisition ensures alignment with the Shire's goals and minimizes risks.

Operation and Maintenance: During the asset's useful life, it is operated, maintained, and monitored. Regular maintenance reduces costs, extends asset life, and prevents unplanned downtime.

Disposal: When an asset reaches the end of its useful life, it is disposed of appropriately. Proper disposal ensures compliance with regulations

The 2024/2025 plant replacement does not introduce any extra assets into the fleet. Four light trucks were preordered during 2023/2024 financial year due to long delivery times.

The new 8x4 Mack truck has left the factory and on its way to Blackmans, to build the new side tipping body. Hopefully this truck will be completed before the end of 2023/2024 financial year.

Proposed replacements for the 2024/2025

1. **Grader:** The existing 2017 John Deere grader will be 8 years old and within the upper limit of primary production hours. The machine will be high risk of major component failure.
2. **Small tipper:** Parks and gardens, this unit is due for replacement. All the best asset management lifecycle data indicates a five-year replacement interval for light trucks.
3. **Tandem Dolly:** This tandem dolly was purchased second hand in 1999. This unit is below average condition. The Shire requires a second good quality dolly when running two 8x4 trucks with side tipping dog trailers.
4. **Road maintenance truck:** Preordered in 2023/2024 due to supply issues. This truck is used every day for installing signage, bitumen patching, and general repairs. Unit will include a hydraulic auger.
5. **Light trucks:** two 4x4 personnel carriers, one in construction and one in grader maintenance. These are 6.5 tonne, 4x4 trucks fitted with toolboxes and Kevrek cranes.

6. **Light fleet vehicle:** The Works Supervisor utility is the only light vehicle due for replacement.
7. **Water tank:** This is a slip in water tank which fits inside the 8x4 tipper body. This allows for quick removal when the truck is needed as a tipper.
8. **Ride on mower:** This replaces an existing unit. Maintenance and repairs increase rapidly once these machines start to age.

Statutory Environment

The development and adoption of the 10 Year Plant Replacement Program forms a component of the Council obligation to produce a plan for the future under Section 5.56 (1) of the Local Government Act, 1995.

Strategic Implications

The Plant Replacement shall ensure that the Shire’s fleet of machinery and vehicles are kept fully applicable, to meet the Shire’s budgeted construction and maintenance programmes for all assets. This shall involve consideration of new technology, processes and materials as well as the ongoing balance of the Shire’s ownership versus external hire of its machinery and vehicle needs.

Policy Implications

“Staff Policy N^o 7.12 Motor Vehicle Replacement and Vehicle Standard and Accessories”

Financial Implications

The 10 years Plant Replacement program will be included in the Shire’s long-term financial plan.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Significant financial cost to Council. The Plant Replacement Programme for 2024/2025 financial year is estimated to cost \$800,500 (net)	Moderate (9)	All vehicles listed for replacement in the 2024/2025 replacement program be included in 2024/2025 budget deliberations

Service Interruption	Asset management risks can arise resulting in operational inefficiency, increase in costs, production loss, downtime	Moderate (9)	By strategically managing assets the Shire is able to enhance operational efficiency to achieve long-term sustainability.
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council endorses the Shire of Yilgarn's 2024/2025 Plant Replacement Program, as presented, and as attached to this report.

									(30,000)	20,000				(30,000)	25,000				(30,000)	25,000										
2108	YL 5530	4x2 Ute (P&G)	Isuzu Ute	2022	4	\$32,108	2,354 km			40,000					40,000															
										(20,000)	20,000				(20,000)	20,000														
2032	YL 363	4x2 light truck (builders)	Fuso 4.5t truck	2024	5	\$67,882	2,392kms			80,000					80,000				80,000											
										(30,000)	50,000				(30,000)	50,000			(30,000)	50,000										
2047	YL 645	4 x 4 (Mechanic)	Fuso 4x4 truck	2024	8	\$145,667	2,126kms			140,000					140,000				140,000											
										(50,000)	90,000				(50,000)	90,000			(50,000)	90,000										
2114	YL 5067	4 x 4 Ute (Works)	Lnd Crs	2023	3	\$58,881	125,915 km			90,000					90,000															
										(50,000)	40,000				(50,000)	40,000														
2111	YL 38	4 x 4 Ute (Works)	Lnd Crs	2023	3	\$58,881	126,419 km			70,000					70,000															
										(50,000)	20,000				(50,000)	20,000														
E14630	YL 150	4x4 Ute (EMI)	Toyota Hilux (new)	2024	2	\$66,646	New			80,000					80,000				80,000											
										(60,000)	20,000				(60,000)	20,000														
E14221	YL333	4 x 4 Ute (works)	Toyota Landcruiser	2023	2	\$60,618	116,262 km	90,000		90,000				90,000				90,000												
								(70,000)	20,000	(70,000)	20,000			(70,000)	20,000			(70,000)	20,000	(70,000)	20,000									
J14606	YL 190	Manager of Finance	Mitsubishi Outlander	2023	4	\$37,827	10,000 km			50,000					50,000				50,000											
										(20,000)	30,000				(20,000)	30,000														
E14631	YL 50	SUV (DCEO)	Kluger AWD	2023	2	\$57,980	59,609 km			65,000					65,000				65,000											
										(40,000)	25,000				(40,000)	25,000			(40,000)	25,000										
E14630	YL 1	Sedan (CEO)	Toyota Prado	2024	2	\$73,126	12,300 km			75,000					75,000				75,000											
										(55,000)	20,000				(55,000)	20,000			(55,000)	20,000										
E07113	YL 252	Dual Cab	Works Coordinator (Assets)	2021	4	\$50,882	60,604 km			60,000					60,000				60,000											
										(40,000)	20,000				(40,000)	20,000														
E14631	YL 285	Ford Ranger XLT	Safety/ Reglatory Services	2022	4	\$49,645	3,400 km			55,000					55,000				55,000											
										(35,000)	20,000				(35,000)	20,000														
CAPITAL COST OR OUTRIGHT PURCHASE PRICE										1,170,000		1,445,000		1,200,000		1,140,000		1,340,000		1,245,000		1,250,000		1,205,000		1,020,000		1,180,000		
(ESTIMATED TRADE) NET REPLACEMENT COST										(369,500)	800,500	(560,000)	885,000	(405,000)	835,000	(401,000)	739,000	(460,000)	880,000	(671,000)	574,000	(430,000)	820,000	(425,000)	780,000	(315,000)	705,000	(480,000)	700,000	

10 APPLICATIONS FOR LEAVE OF ABSENCE

11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Cr Bryan Close – Regional Banking

File Reference	1.3.5.12
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Nil

Purpose of Report

For Council to consider a motion put forward by Cr Bryan Close regarding banking services in regional areas.

Background

As per the Shires standing orders, Cr Close has provided the relevant notice upon which to table a motion for decision by Council.

The motion relates to banking in regional areas, and seeks the Shire of Yilgarn to write to the Australian Local Government Association, advising of the Shire's concerns regarding regional banking whilst providing proposed provisions, of which would assist regional community members continue to have access to banking services, amidst the significant decline in face to face banking services.

Comment

Cr Close tables the following motion:

That Council write to the Australian Local Government Association, advising the following:

The Shire of Yilgarn wishes to raise with the Australian Local Government Association, the disruption communities are suffering from banks withdrawing face-to-face branch services and ATMs, not only in rural towns, as impacted communities have testified to the 2023-24 Senate inquiry into bank closures in regional Australia, but also in metropolitan suburbs; and seeks ALGA to call on the Australian Government to establish a Commonwealth Post Office Savings Bank to:

1. *Maintain face-to-face banking services, including cash withdrawals and deposits, for every community in Australia served by Australia Post's network of more than 4,000 post offices and postal outlets (which now exceeds the combined total of all bank branches);*
2. *Increase competition for the Big Four banks on service delivery;*
3. *Expand lending for small businesses and local communities;*
4. *Make low-interest loans to local governments;*
5. *Support the ongoing provision of essential postal and banking services.*

Statutory Environment

Nil

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council write to the Australian Local Government Association, advising the following:

The Shire of Yilgarn wishes to raise with the Australian Local Government Association, the disruption communities are suffering from banks withdrawing face-to-face branch services and ATMs, not only in rural towns, as impacted communities have testified to the 2023-24 Senate inquiry into bank closures in regional Australia, but also in metropolitan suburbs; and seeks ALGA to call on the Australian Government to establish a Commonwealth Post Office Savings Bank to:

- 1. Maintain face-to-face banking services, including cash withdrawals and deposits, for every community in Australia served by Australia Post's network of more than 4,000 post offices and postal outlets (which now exceeds the combined total of all bank branches);*
- 2. Increase competition for the Big Four banks on service delivery;*
- 3. Expand lending for small businesses and local communities;*
- 4. Make low-interest loans to local governments;*
- 5. Support the ongoing provision of essential postal and banking services.*

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

13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

14 CLOSURE