



Ordinary Meeting of Council

Agenda

20 June 2024

Shire of Yilgarn NOTICE OF MEETING



Councillors:

Please be advised that the

June 2024

Ordinary Meeting of Council

Will be held in the Council Chambers on

Thursday, 20 June 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

14/06/2024

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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 CWA of WA Southern Cross- Waiver of Community Centre Hire Fees.....	5
9.1.2 Local Roads & Community Infrastructure Program Round 4 Part B.....	9
9.1.3 National Inquiry into Local Government Sustainability-Submission.....	12
9.1.4 Inquiry into Regional Telecommunications in Western Australia.....	15
9.1.5 WALGA Annual General Meeting 2024.....	18
9.2 Executive Manager Corporate Services	
9.2.1 Financial Reports May 2024.....	21
9.2.2 Accounts for Payment May 2024.....	24
9.2.3 Write Off of Uncollectable Rate Debt.....	28
9.3 Executive Manager Infrastructure	
9.3.1 Construction of One New Executive House.....	31
10 Application for leave of absence.....	36
11 Motions for which previous notice has been given.....	36
12 New business of an urgent nature introduce by decision of the meeting.....	36
13 Meeting closed to the public-Confidential Items.....	36
14 Closure.....	36

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3. ATTENDANCE

Members Cr W Della Bosca
 Cr Close
 Cr B Bradford
 Cr G Guerini
 Cr L Granich
 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: Cr L Rose Councillor

Observers:

Leave of Absence:

4. DECLARATION OF INTEREST

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5.1. PUBLIC QUESTION TIME

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council, Thursday, 16 May 2024- (Minutes Attached)

Recommendation

That the minutes from the Ordinary Council Meeting held on the 16 May 2024 be confirmed as a true record of proceedings.

Voting Requirements: Simple Majority

6.2 Special Meeting of Council, Thursday, 29 May 2024- (Minutes Attached)

Recommendation

That the minutes from the Special Council Meeting held on the 29 May 2024 be confirmed as a true record of proceedings.

Voting Requirements: Simple Majority

6.3 Wheatbelt East Regional Organisation of Council (WEROC) Board Meeting, Thursday, 9 May 2024- (Minutes Attached)

Recommendation

That the minutes from the WEROC Board Meeting held on the 9 May 2024 be received.

Voting Requirements: Simple Majority

6.4 Central East Accommodation and Care Alliance Inc (CEACA) Management Committee Meeting, Monday, 13 May 2024- (Minutes Attached)

Recommendation

That the minutes from the CEACA Management Committee Meeting held on the 13 May 2024 be received.

Voting Requirements: Simple Majority

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

8. DELEGATES' REPORTS

9.1 Officers Report – Chief Executive Officer

9.1.1 CWA of WA Southern Cross – Waiver of Community Centre Hire Fees

File Reference	8.2.6.27
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Nic Warren-Chief Executive Officer
Attachments	Nil

Purpose of Report

To submit to Council a request from the CWA of WA Southern Cross (CWA), for the waiving of fees associated with hire of the Southern Cross Community Centre for the 2024 Ladies Day event as well as accommodation at the Southern Cross Caravan Park for their guest speaker.

Background

The CWA have lodged an application for the waiver of hire fees associated with the use of the Southern Cross Community Centre for the 2024 Ladies Day to be held on 14 September 2024.

A request is also received for providing two nights accommodation at the Southern Cross caravan Park for their guest speaker.

The Ladies Day event started in Southern Cross in 2017, and in the various iterations of the event over the years, has provided significant social and wellbeing benefits to ladies throughout the Yilgarn district.

Being relatively isolated from the metropolitan area, the Yilgarn community is often limited in access to events such as this. This makes the Ladies Day event so important to the community, as it provides a social networking opportunity, provides access to guest speakers who can enrich and at times motivate attendees to try new endeavors, raises topics around general health and wellbeing, and at its core, provides an opportunity for regional women to feel connected with their peers and to share and discuss the challenges they are facing and the successes they have experienced.

Comment

The CWA have booked the Community Centre from 9 September 2024 to 16 September 2024 to allow sufficient time for setting up and packing down.

The hire fee for the community centre for a “Private Function Per Day” is \$230, and if taking from the 9 to 16 September, the total hire fee to be waived will be \$1,840.00.

Two nights at the Caravan Park at \$120 per night will be \$240.00 waived.

The total amount to be waived is \$2080.00.

The CWA are a non-profit volunteer run organisation, of which reinvest their funds back into community events. By waiving the fees, Council are not just assisting with the running of the 2024 Ladies Day function, but are also reinvesting in future community events.

The hire fee value is greater than the amount permitted to be waived by the CEO under delegation, as such, the matter has been referred to Council.

Statutory Environment

Delegation Register

LGA14 Donations and Waiver of Hire Fees

<i>Date Adopted:</i>	17 March 2016
<i>Date Last Reviewed:</i>	21 April 2022
<i>Policy Reference:</i>	
<i>Delegate:</i>	CEO
<i>Sub-Delegated:</i>	No
<i>Chief Executive Instruction/Procedure:</i>	N/A
<i>History:</i>	Previously LGA30

Legal (Parent):

- Local Government Act 1995 (As Amended) – Section 5.42

Legal (Subsidiary):

- Local Government Act 1995, Sections 6.12

Extent of Delegation:

Council delegates its authority and power to the Chief Executive Officer to consider requests for Donations and Waiver of Hire Fees,

Subject to-

- a) The donation and /or waiver of hire fees request is:
 - a. less than \$500
 - b. for a non-profit group that is located in the Shire of Yilgarn
 - c. for an event that will be held within the Shire and is a general community benefit
- b) All Donations and Waiver of Hire Fees to be recorded in the Annual Report each year.

Conditions Imposed:

Nil

Legislation:

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.

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Social – Maintain/increase percentage of residents engaged in recreation, cultural and leisure activities for all demographics in the Shire.

Policy Implications

Nil.

Financial Implications

Waiving of Hire Fees, valued at \$1,610.00.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Yilgarn community disadvantaged by location from many sport and cultural activities	Moderate (8)	A contribution in the form of a waiver of fees, assists with providing opportunities for Yilgarn community.

Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Reputation damage by not seizing an opportunity to adhere to the Strategic Community Plan in relation to Social outcomes	Low (3)	Waiver enables the shire to continue it's commitment to the Strategic Community Plan.
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, by absolute majority, waives the following fees and charges for the Country Women's Association of WA Southern Cross Branch 2024 Ladies Day function:

- *Eight days hire of the Southern Cross Community Centre - \$1,810.00; and*
- *Two nights accommodation at the Southern Cross Caravan Park - \$240.00.*

Council are to note the hire bond will still be payable.

9.1 Officers Report – Chief Executive Officer

9.1.2 Local Roads & Community Infrastructure Program – Round 4 Part B

File Reference	8.2.6.13
Disclosure of Interest	None
Voting Requirements	Absolute Majority
Author	Nic Warren-Chief Executive Officer
Attachments	Nil

Purpose of Report

For Council to endorse the proposed allocation of the Australian Governments Round 4 Part B funding of the Local Roads and Community Infrastructure (LRCI) Funding Program.

Background

As part of the Local Roads and Community Infrastructure (LRCI) Funding Program, the Shire of Yilgarn have been offered \$544,244 for Phase 4 Part B funding.

Part B funding is for “approved road projects in regional, rural and outer-urban areas only, and lists the following as suitable projects:

- traffic signs;
- traffic calming/control equipment;
- street lighting equipment;
- a bridge or tunnel;
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
- facilities off the road that support the visitor economy; and
- road and footpath maintenance, where additional to normal capital works schedules.

Comment

The Shire’s asset pickup, currently being completed, has identified a significant amount of work is required in relation to culverts across the Shire’s Road network, as well as kerbing throughout the townsite of Southern Cross.

Is it therefore suggested the funds are utilised as follows:

Project	Value
Culvert Repairs Across Road Network	\$272,122.00
Kerbing Replacement Throughout Southern Cross Townsite	\$272,122.00

To funding guidelines state that funding allocated for road and footpath maintenance must be additional to normal capital works schedules.

These works will be surplus to the standard allocations applied to culvert replacement across the road network and kerbing works within Southern Cross.

Statutory Environment

Australian Government Guidelines in respect to COVID-19 Local Roads and Community Infrastructure Program.

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Civic Leadership – Maintain a high level of corporate governance, responsibility and accountability.

Policy Implications

Nil

Financial Implications

Nil impact upon Council's Budget as projects fully funded by the Australian Government under the LRCI Program.

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	Australian Government's LRCI Funding Program	Low (4)	Requirement to provide Progress Reports to

				Funding Provider
Reputational		Nil	Nil	Nil
Property		Deteriorating culvert and kerbing assets	Moderate (6)	Upgrade will reduce amount of poor condition culverts and kerbing.
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, by absolute majority, endorses the Shire of Yilgarn's \$544,244 allocation of Phase 4 Part B funding under the Federal Governments Local Roads and Community Infrastructure program as follows:

<i>Project</i>	<i>Value</i>
<i>Culvert Repairs Across Road Network</i>	<i>\$272,122.00</i>
<i>Kerbing Replacement Throughout Southern Cross Townsite</i>	<i>\$272,122.00</i>

9.1 Officers Report – Chief Executive Officer

9.1.3 National Inquiry into Local Government Sustainability - Submission

File Reference	1.6.6.5
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Shire of Yilgarn submission to the National Inquiry into Local Government Sustainability

Purpose of Report

For Council to receive and note the Chief Executive Officer’s submission on behalf of the Shire of Yilgarn to the National Inquiry into Local Government Sustainability.

Background

At the April 2024 Ordinary meeting of Council, the following resolution was carried:

37/2024

Moved Cr Guerini/Seconded Cr Bradford

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.**

CARRIED (6/0)

The closing date for submissions was extended to the 31st May 2024.

Comment

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

The resolution of Council sought the Chief Executive Officer to compile and submit a response to the inquiry, of which is attached.

Council are asked to receive and note the submission provided by the Chief Executive Officer.

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)

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
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 receives and notes the submission compiled by the Chief Executive Officer on behalf of the Shire of Yilgarn for the National Inquiry into Local Government Sustainability.

9.1 Officers Report – Chief Executive Officer

9.1.4 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	2024 Inquiry into Regional Telecommunications in Western Australia Submission

Purpose of Report

For Council to receive and note the Chief Executive Officer’s submission on behalf of the Shire of Yilgarn to the Western Australian State Government inquiry into regional telecommunications in Western Australia.

Background

At the April 2024 Ordinary meeting of Council, the following resolution was carried:

36/2024

Moved Cr Newbury/ Seconded Cr Rose

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.***

CARRIED (6/0)

Comment

The resolution of Council sought the Chief Executive Officer to compile and submit a response to the inquiry, of which is attached.

Council are asked to receive and note the submission provided by the Chief Executive Officer.

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)
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 receives and notes the submission compiled by the Chief Executive Officer on behalf of the Shire of Yilgarn for the Western Australian State Government inquiry into regional telecommunications in Western Australia.

9.1 Officers Report – Chief Executive Officer

9.1.5 WALGA Annual General Meeting 2024

File Reference	1.6.21.11
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	WALGA 2024 AGM Notice of Meeting

Purpose of Report

To advise Council of the Notice of Western Australian Local Government Association (WALGA) 2024 Annual General Meeting and to endorse voting delegates.

Background

The Shire has received notification that the 2024 WALGA Annual General Meeting will be held on Wednesday, 9 October 2024 at 2:30pm at the Perth Convention and Exhibition Centre.

The notice is attached for Councillors perusal.

Comment

Council are asked to consider voting delegates for the 2024 AGM, with the Shire able to select 2 voting delegates and 2 proxy's.

Notice of Motions are able to be lodged with WALGA for consideration during the AGM up until 5.00pm on Friday, 23 August 2024.

Statutory Environment

Nil

Strategic Implications

Shire of Yilgarn Strategic Community Plan – Civic Leadership Strategy – Ensure training programs for Elected Members and Staff.

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 nominates Crs _____ and _____
as the Shire of Yilgarn Voting Delegates at the 2024 WALGA Annual General Meeting.*

And

*That Council nominates Crs _____ and _____
as the Shire of Yilgarn Proxy Voting Delegates at the 2024 WALGA Annual General
Meeting, in the event voting delegates are absent.*

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.1 Financial Reports-May 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 May 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 May 2024.

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.2 Accounts for Payment – May 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 41274 to 41277 totalling \$12,730.20
- Municipal Fund - EFT 15202 to 15350 totalling \$1,446,572.56
- Municipal Fund – Cheques 2379 to 2396 totalling \$298,530.57
- Municipal Fund - Direct Debit Numbers:
 - 18819.1 to 18819.14 totalling \$27,475.96
 - 18855.1 to 18855.14 totalling \$25,241.50
- Trust Fund – EFT 15201 totalling \$56.65

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 41274 to 41277 totalling \$12,730.20*
- *Municipal Fund - EFT 15202 to 15350 totalling \$1,446,572.56*
- *Municipal Fund – Cheques 2379 to 2396 totalling \$298,530.57*
- *Municipal Fund - Direct Debit Numbers:*
 - *18819.1 to 18819.14 totalling \$27,475.96*
 - *18855.1 to 18855.14 totalling \$25,241.50*
- *Trust Fund – EFT 15201 totalling \$56.65*

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

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.3 Write Off of Uncollectable Rate Debt

File Reference	8.2.1.5 & A100973
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 P77/04275 was first granted effective 27th March 2015 to Mr Jeremy Strang. Initial rates were paid in full on the 24th February 2016 bringing the balance to zero. Since this time rate payments have been sporadic with some years having the rates partially or fully paid and others where no payments are received, the tenement has changed hands several time over the past 9 years. The assessment is rated on a minimum basis.

The last time the rates on the assessment were fully paid was 15th October 2021. The tenement death is recorded as effective 16th December 2022.

Comment

The following amounts are currently outstanding for Assessment A101128:

Levies	Receipts	Balance	C/A	Description
202.94	0.00	202.94	A	Rates
42.88	0.00	42.88	C	Interest
=====				
245.82	0.00	245.82		*** TOTALS ***

As the amount outstanding is minimal, debt collection on this assessment has not been initiated as the costs associated would be larger than the amount outstanding with little prospect of collecting.

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 \$245.82 in outstanding Rates and Interest for Assessment A100973

9.3 Reporting Officer– Executive Manager Infrastructure

9.3.1 Construction of One New Executive House

File Reference	6.6.8.12
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Glen Brigg-Executive Manager Infrastructure
Attachments	Nil

Purpose of Report

Council to consider tenders receive to construct One Executive home

Background

Council allocated \$626,476.84 in the 2023/2024 budget to construct One New Executive House at 9-11 Libra Place Southern Cross. Staff utilized the preferred supplier platform offered by WALGA to seek a wider range of builders within the preferred suppliers.

15 building companies were asked to provide quotations. 11 companies did not read the tender documents 3 declined to respond. Evoke Living Homes based in Northam are the only building company to provide any pricing.

Evoke Living tendered \$860,287.00 for construction of an executive style modular premises.

The New Executive Home was also tendered in May 2023. This tender was rejected by council as it wasn't fit for purpose and wasn't within the 2022/2023 budget allocation.

Comment

The purpose of a Building Asset Management Plan (BAMP) is to provide a framework that assists Council to achieve asset management outcomes that are consistent with its strategic plan. A BAMP outlines the broad approach that Council will adopt to manage the condition of and use of building assets over the next ten years, as well as directions for implementation, safety and maintenance.

To achieve the Shire of Yilgarn's building objectives, an integrated formal approach to the management of assets is essential. The following objectives will guide asset management planning and service delivery:

- To provide affordable assets that best meet the communities' current and future needs and expectations;

- To make asset investment decisions based on a long term focused, integrated decision, making process informed by strategic plans, asset and service strategies, service plans and asset management plans;
- To make informed/fact, based decisions about the management of our assets incorporating social, economic and environmental factors which influence the health and wellbeing of our community;
- To maintain assets throughout their lifecycle to enable the delivery of appropriate levels of service and optimise in a sustainable way the use of available resources;
- To ensure that funding for the maintenance, operation and renewal of existing assets is prioritised above the funding of new assets;
- To ensure asset investment decisions consider all benefit cost options including the provision of new assets by retirement, disposal, rationalisation and consolidation of existing assets to reduce life-cycle costs;
- To ensure compliance with the statutory requirements and obligations;
- To implement best practice asset management in compliance with the Australian Standards ISO55000

An extensive audit and condition assessment was completed in 2023 to identify and understand the full extent and condition of Council’s buildings assets. As a result of the condition audit completed, Council now has a greater understanding of the scope and condition of buildings assets, which sets a baseline for the future. The condition audit assessment provides important information and input into building renewal investment decision and Council’s Long-Term Financial Plan.

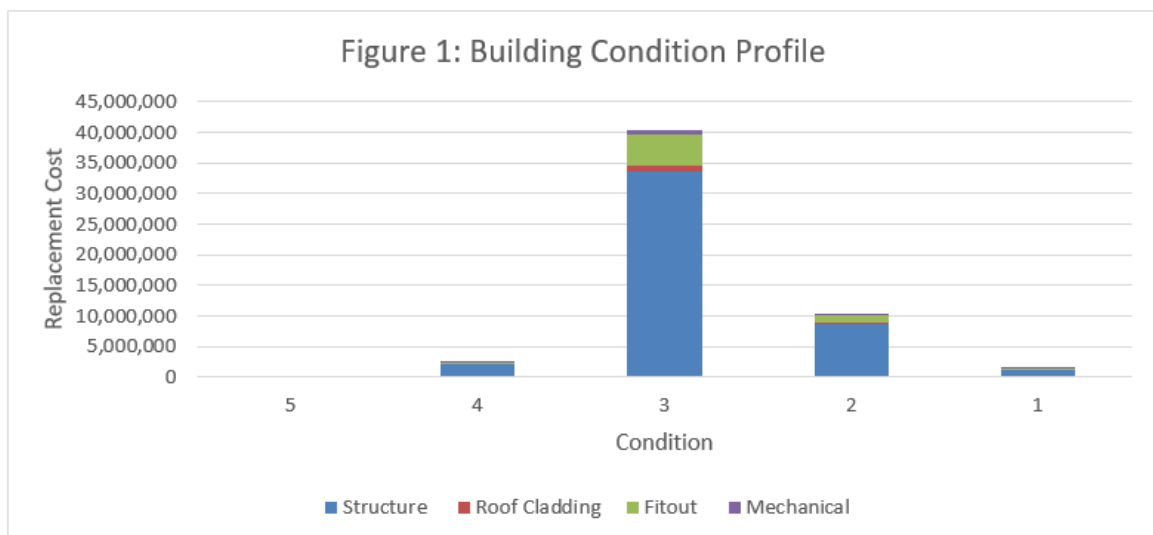
Most buildings sit within an average condition. The overall building ratio from replacement value calculated against useful life is 7% below the optimum ratio. This is approximately \$4,000,000 when worked back into dollar value.

Year	Asset Consumption Ratio	Asset Sustainability Ratio	Asset Renewal Funding Ratio
2023	43% (Below)	Unknown	Unknown

Table 9: AMP Performance Measures

Property Type	Quantity	Current Replacement Cost	Fair Value	Annual Depreciation
Freehold Land Parcels	22 (158,368m ²)	\$546,000	\$546,000	-
Buildings				
<i>Amenities</i>	8	\$669,200	\$367,500	\$6,349
<i>Community</i>	23	\$17,944,000	\$7,802,600	\$121,982
<i>Emergency Services</i>	9	\$1,702,500	\$1,068,300	\$19,752
<i>Heritage/ Tourism</i>	14	\$4,124,500	\$2,035,300	\$30,447
<i>Operations</i>	12	\$5,761,000	\$2,591,500	\$50,773
<i>Recreation</i>	16	\$13,007,500	\$6,228,300	\$103,992
<i>Residence</i>	26	\$11,320,000	\$3,886,000	\$69,036
Total	108	\$54,678,500	\$23,979,500	\$402,331

Table 6: Property Portfolio Physical Parameters



The tendered price offered by Evoke Homes exceeds Councils 2023/2024 budget allocation when fully established. The pricing does not include, fencing, landscaping, concrete driveway, concrete paths and reticulation.

Evoke Living Homes are experienced house builders within local government and they have provided a list of current local government projects. The value of these projects range, from \$387,000 to \$920,000. They include:

- Shire of Menzies
- Shire of Perenjori
- Shire of Gnowangerup
- Shire of Geraldton
- Shire of Mingenew

Evoke Living Homes is a non-conforming tender. Under the tendering guidelines non-conforming tenders shouldn't be assessed. It is important that council understands the current market place and the difficulties staff are facing to complete this project.

When assessing any new asset,

- Is the asset value for money?
- Is the asset fit for purpose?
- Calculate whole life cost which include,
 1. Acquisition costs
 2. Operating costs
 3. Maintenance costs
 4. Disposal costs

Modular homes within asset management guidelines have a 27-year life. This lifespan is a benchmark as there are many modular homes exceeding this age. Local government assesses the valuation and condition every 5 years and adjusts changes needed for depreciation.

A modular home is twice the yearly depreciation (replacement cost) of a house built in-situ.

The Officers recommendation is to reject the tender, and seeks alternative methods of construction. As the project has been tendered, the Shire can now approach builders direct to undertake the work or seek to undertake inhouse should relevant personnel be available.

Statutory Environment

Local Government Act 1995 3.57 – tenders for providing goods or services and the Local Government (functions & general) Regulations, Section 4

Strategic Implications

Asset Management Practices

Policy Implications

Finance Policy 3.5 Purchasing and Tendering
Local Government (Functions and General) Regulations 1996

Financial Implications

The 2023/24 budget makes provision of \$626,476.85 (GST exclusive) to construct one Executive House. Pricing of \$860,487 which exceeds this allocation when established.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	New housing project exceeds the 2023/2024 budget allocation	High (15)	Accepting the tender will impact the 2023/2024 budget
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)
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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, by Absolute Majority in accordance with the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996, Council rejects Evoke Living Homes tender price of \$860,287 to construct one new Executive Home and staff seek alternative methods of construction.

10 APPLICATIONS FOR LEAVE OF ABSENCE

11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

14 CLOSURE