



# *Minutes*

## *Ordinary Meeting of Council*

*20 June 2024*

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member Cr Close declared the meeting open at 5.05pm

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

## 3. ATTENDANCE

Members	Cr W Della Bosca - Via Zoom Cr B Close Cr B Bradford Cr G Guerini Cr L Granich Cr D Newbury	
Council Officers	N Warren C Watson G Brigg F Mudau L Della Bosca	Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Finance Manager Minute Taker
Apologies:	Cr L Rose	Councillor
Observers:	Leanne Michielsen	
Leave of Absence:	Nil	

## 4. DECLARATION OF INTEREST

Nil

## 5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

## 5.1. PUBLIC QUESTION TIME

Kaye Crafter emailed the following question due to being unable to attend in person;

**Question:** *My question was about the Kooly road, but I think it is superfluous considering their policy of late. I haven't seen the press release, but I hope they are going to address the shire and have a town meeting so that they can let the community know what is exactly going to happen, how long it will go on and if their shut down will be permanent or just until the price of iron increases.*

*My question is: Is MRL going to have a community meeting to explain their reasons and what it means for our Shire. thank, Kaye*

The Presiding Member, Deputy President Cr Close, referred the question on to the CEO, Nic Warren, who confirmed he had earlier forwarded the question onto MRL who provided the following statement.

**Answer:** “MinRes is communicating directly with all local business suppliers and contractors, local employees and community partners to help manage the impact of the announcement. Any community member who would like further information can reach out to MinRes’ Stakeholder Engagement Manager Daniel Barker on [Daniel.barker1@mrl.com.au](mailto:Daniel.barker1@mrl.com.au) in the first instance.”

## 6. CONFIRMATION OF MINUTES

### 6.1 Ordinary Meeting of Council, Thursday, 16 May 2024

**67/2024**

**Moved Cr Newbury/Seconded Cr Guerini**

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

**CARRIED (6/0)**

*Cr’s For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr’s Against: Nil*

### 6.2 Special Meeting of Council, Thursday, 29 May 2024

**68/2024**

**Moved Cr Guerini/Seconded Cr Granich**

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

**CARRIED (6/0)**

*Cr’s For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr’s Against: Nil*

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

**69/2024**

***Moved Cr Granich/Seconded Cr Newbury***

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

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

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

**70/2024**

***Moved Cr Guerini/Seconded Cr Granich***

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

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

## 7. PRESENTATIONS, PETITIONS, DEPUTATIONS

Nil

## 8. DELEGATES' REPORTS

Cr Della Bosca announced the following;

- Attended the GECZ meeting on the 13 June 2024

Cr Close announce the following;

- Attended the Special Council meeting on the 29 May 2024

Cr Guerini announced the following;

- Attended the Special Council Meeting on the 29 May 2024

Cr Newbury announced the following;

- Attended the Special Council meeting on the 29 May 2024
- Attended the Community Support Group meeting on the 12 June 2024
- Attended a Wheatbelt Agcare Workshop on the 13 June 2024

Cr Granich announced the following;

- Attended the Special Council meeting on the 29 May 2024

## 9.1 Officers Report – Chief Executive Officer

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

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

#### 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

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



<b>Financial Impact</b>	Nil	Nil	Nil
<b>Service Interruption</b>	Nil	Nil	Nil
<b>Compliance</b>	Nil	Nil	Nil
<b>Reputational</b>	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.
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	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.*

## Council Decision

*71/2024*

*Moved Cr Guerini/Seconded Cr Granich*

*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.*

*Council also seeks an event budget for future waiver requests of this nature.*

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

**CARRIED BY ABSOLUTE MAJORITY (4/2)**

*Cr's For: Della Bosca, Close, Guerini, Granich*

*Cr's Against: Bradford, Newbury*

Reason for the Council Decisions being different to the Officer Recommendation

In justification of not waiving the caravan park fees, Councillors cited the Shire funding already provided to the CWA Southern Cross Branch for the 2024 Ladies Day function via the 2023 Community Funding Program, and that this is not a free event, with attendees paying a ticket price for entry.

## 9.1 Officers Report – Chief Executive Officer

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

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

#### 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
<b>Reputational</b>		Nil	Nil	Nil
<b>Property</b>		Deteriorating culvert and kerbing assets	Moderate (6)	Upgrade will reduce amount of poor condition culverts and kerbing.
<b>Environment</b>		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 and Council Decision

72/2024

*Moved Cr Bradford/Seconded Cr Newbury*

*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>

**CARRIED BY ABSOLUTE MAJORITY (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

## 9.1 Officers Report – Chief Executive Officer

### 9.1.3 National Inquiry into Local Government Sustainability - Submission

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

#### 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 31<sup>st</sup> 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 and Council Decisions

*73/2024*

*Moved Cr Newbury/Seconded Cr Guerini*

*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.*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*



## 9.1 Officers Report – Chief Executive Officer

### 9.1.4 Inquiry into Regional Telecommunications in Western Australia

<b>File Reference</b>	<b>1.6.19.2</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Nic Warren – Chief Executive Officer</b>
<b>Attachments</b>	<b>2024 Inquiry into Regional Telecommunications in Western Australia Submission</b>

#### 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
<b>Health/People</b>	Limited access to telecommunications outside of townsites	Moderate (6)	Advocacy on behalf of community may assist in improving telecommunications in the region.
<b>Financial Impact</b>	Nil	Nil	Nil
<b>Service Interruption</b>	Regular telecommunications interruptions or limited access to	Moderate (6)	Advocacy on behalf of community may assist in improving telecommunications in the region.
<b>Compliance</b>	Nil	Nil	Nil
<b>Reputational</b>	Nil	Nil	Nil
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	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 and Council Decision

74/2024

*Moved Cr Guerini/Seconded Cr Granich*

*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.*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

## 9.1 Officers Report – Chief Executive Officer

### 9.1.5 WALGA Annual General Meeting 2024

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

#### 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 and Council Decision

*75/2024*

*Moved Cr Bradford/Seconded Cr Newbury*

*That Council nominates Crs Della Bosca and Close as the Shire of Yilgarn Voting Delegates at the 2024 WALGA Annual General Meeting.*

*And*

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

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.1 Financial Reports-May 2024

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

#### 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 and Council Decision**

**76/2024**

***Moved Cr Bradford/Seconded Cr Guerini***

***That Council endorse the various Financial Reports as presented for the period ending 31 May 2024.***

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.2 Accounts for Payment – May 2024

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

#### 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
<b>Health/People</b>	Transactions require two senior managers to approve.	Moderate (8)	Transactions require two senior managers to sign cheques or approve bank transfers.
<b>Financial Impact</b>	Reduction in available cash.	Moderate (5)	Nil
<b>Service Interruption</b>	Nil	Nil	Nil
<b>Compliance</b>	Local Government (Financial Management) Regulations 1996	Moderate (6)	Adherence to statutory requirements
<b>Reputational</b>	Non or late payment of outstanding invoices and/or commitments	Moderate (9)	Adherence to Timely Payment of Suppliers Policy
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	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 and Council Decision

77/2024

*Moved Cr Guerini/Seconded Cr Granich*

- *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.*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.3 Write Off of Uncollectable Rate Debt

<b>File Reference</b>	<b>8.2.1.5 &amp; A100973</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Author</b>	<b>Cameron Watson – Exec Manager Corporate Services</b>
<b>Attachments</b>	<b>Nil</b>

#### 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 27<sup>th</sup> March 2015 to Mr Jeremy Strang. Initial rates were paid in full on the 24<sup>th</sup> 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 15<sup>th</sup> October 2021. The tenement death is recorded as effective 16<sup>th</sup> December 2022.

#### Comment

The following amounts are currently outstanding for Assessment A101128:

<b>Levies</b>	<b>Receipts</b>	<b>Balance</b>	<b>C/A</b>	<b>Description</b>
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 and Council Decision

78/2024

*Moved Cr Granich/Seconded Cr Guerini*

*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*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

## 9.3 Reporting Officer– Executive Manager Infrastructure

### 9.3.1 Construction of One New Executive House

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

#### 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.

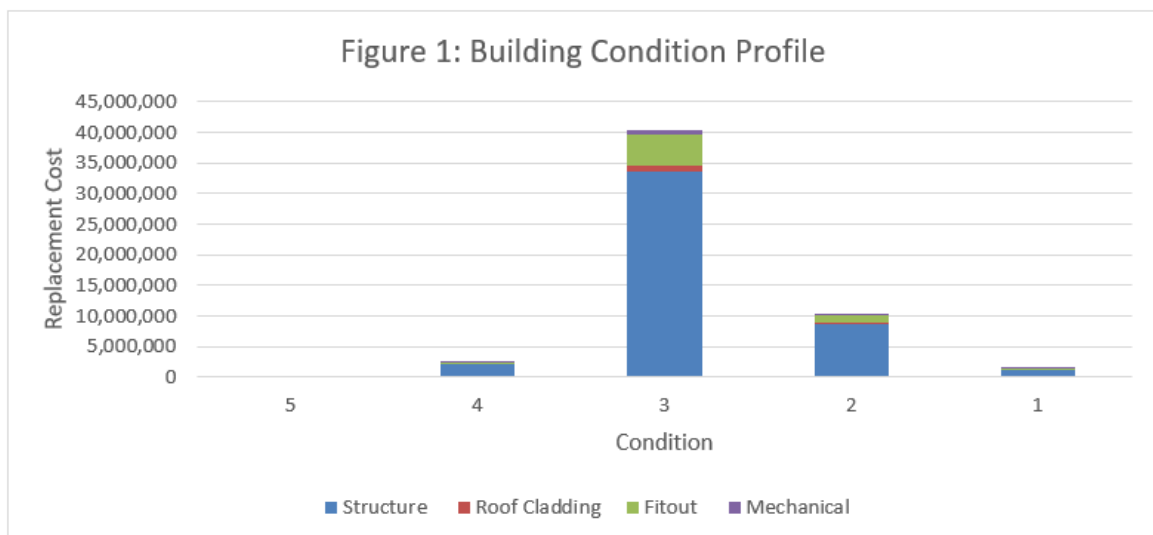
Most buildings sit within an average condition. The overall building ratio from replacement value calculated against useful life is 7% below the optimum ratio. This is approximately \$4,000,000 when worked back into dollar value.

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 <sup>2</sup> )	\$546,000	\$546,000	-
<b>Buildings</b>				
<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
<b>Total</b>	<b>108</b>	<b>\$54,678,500</b>	<b>\$23,979,500</b>	<b>\$402,331</b>

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)
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 and Council Decision

79/2024

*Moved Cr Granich/Seconded Cr Guerini*

*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.*

**CARRIED BY ABSOLUTE MAJORITY (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury*

*Cr's Against: Nil*

**10 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Nil

**13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS**

Nil

**14 CLOSURE**

As there was no further business to discuss, the Shire Deputy President declared the meeting closed at 5.31pm

I, Wayne Della Bosca, confirm the above Minutes of the Meeting held on Thursday, 20 June 2024, are confirmed on Thursday, 18 July 2024 as a true and correct record of the June 2024 Ordinary Meeting of Council.

Cr Wayne Della Bosca

SHIRE PRESIDENT