



# *Minutes*

## *Ordinary Meeting of Council*

*18 July 2024*

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member Cr Della Bosca declared the meeting open at 5.09pm

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

## 3. ATTENDANCE

Members	Cr W Della Bosca	
	Cr Close	
	Cr B Bradford	
	Cr G Guerini	
	Cr L Granich-arrived 5.28pm	
	Cr Newbury	
	Cr L Rose	
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:	Nil	
Observers:	Kaye Crafter, Matt Powell, Luke Marshall and Joshua Letcher	
Leave of Absence:	Nil	

## 4. PRESENTATIONS, PETITIONS, DEPUTATIONS

Joshua Letcher, Executive Director, and Luke Marshall, Senior Geologist of Netley Minerals attended Council to introduce Netley Minerals to Council and provide information regarding their iron ore operations around the Koolyanobbing area.

Netley Minerals Pty Ltd is the holder of exploration licenses and rights to Iron Ore on two other granted exploration licenses in the Yilgarn region immediately adjacent to Minerals Resources Ltd's Koolyanobbing Iron Ore operations. Netley Minerals is currently drill testing several identified targets having received all necessary approvals. The area is well positioned for significant iron ore discovery with excellent proximity to road, rail and port infrastructure service centers. Having recently transitioned focus from gold and base metals to iron ore Netley Minerals has identified three priority areas it believes could have hematite ore. The intention is to fast track

the drilling in order to extend the life of the Yilgarn hub after the announcement of the departure of MRL from the Shire of Yilgarn, with plans to be able to move efficiently into taking over MRL's rail and port allocations before the port rights expire in December 2024. After initial drilling is completed and lab results are received the finetune drilling program based on the initial drill results can begin in September to be followed by main resource drill program in October.

*\*Cr Granich entered the meeting at 5:28pm*

Joshua Letcher thanked Council for their time and invited questions.

*Nic Warren, CEO, enquired if the plan was feasible considering the tight time frame Netley Minerals are working with, especially including receiving all necessary approvals before December 2024?*

Joshua Letcher confirmed he believed that Netley Minerals would be able to deliver on expectancy as smaller companies can manoeuvre quickly and having met with the Minister believes it is realised the importance of keeping the Yilgarn Hub in place.

*Nic Warren, CEO, enquired how will Netley Mineral conduct the mining?*

Joshua Letcher confirmed that Netley Minerals are not a mining company, therefore once the discovery is made, they would take over MRL's infrastructure and tenements but seek to contract to MRL who would mine.

*Cr Rose questioned, if Netley Minerals take over the MRL operation would this make Netley Minerals liable for rehabilitation at the end of operations? And will the mining workforce be MRLs workforce?*

Joshua Letcher confirmed that Netley Minerals would become liable for rehabilitation and that the workforce would be MRLs workforce.

*Cr Bradford questioned if Netley Minerals would have any input into the workforce and operations? MRL have been working in the Yilgarn for quite a while, and despite original promises of a local workforce, did not follow through. Many businesses have become disengaged from MRL and with only four local people employed with MRL, this has been very disappointing for the community.*

Joshua Letcher confirmed he was not aware of this but had and did intend to employ local when he could, however, would not have much input with MRLs operations.

Cr Della Bosca thanked Joshua Letcher and Luke Marshall for their time.

Joshual Letcher and Luke Marshall left the meeting at 5.45pm

## 5. DECLARATION OF INTEREST

Cr Bianca Bradford declared an Indirect Financial Interest pursuant to Section 5.61 of the Local Government Act 1995 in agenda item 9.1.1, Shire of Yilgarn Pre-Qualified Supplier Panel-2024 due to being employed by the applicant.

Cr Guerini declared a Financial Interest pursuant to Section 5.60A of the Local Government Act 1995 in agenda item 13.1, Memorandum of Understanding – Southern Cross Wind Pty Ltd – Southern Cross Aerodrome due to the wind farm being partly on land owned by his father and will directly pay money to his farm business.

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

Nil

### 6.1 PUBLIC QUESTION TIME

Kaye Crafter attended public question time and posed the following questions;

**Question** *Is the route the overnight freight trucks take past our freight depot, consisting of Capella Street, Procyon Street and Regulus Street leading back onto Arcturus Street going to be sealed? And can there be more or better signage for trucks coming off the Great Eastern Highway down Polaris Street and reaching the T Road on the Koolyanobbing Road? Once at the T Road they can either turn to take them toward Bullfinch or into town, it is an issue for heavy vehicle once they have taken an incorrect turn leading into town instead of Bullfinch.*

**Answer** The Presiding Officer passed the question onto the Executive Manager Infrastructure who confirmed that the sealing of Capella Street, Procyon Street and Regulus Street is not in the 2024/2025 budget and he would address the signage issue on the Koolyanobbing Road.

## 7. CONFIRMATION OF MINUTES

### 7.1 Ordinary Meeting of Council, Thursday, 20 June 2024

**80/2024**

***Moved Cr Bradford/Seconded Cr Newbury***

***That the minutes from the Ordinary Council Meeting held on the 20 June 2024 be confirmed as a true record of proceedings.***

**CARRIED (7/0)**

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

*Cr's Against: Nil*

### 7.2 Great Eastern Country Zone (GECZ), Thursday, 13 June 2024

**81/2024**

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

***That the minutes from the GECZ Meeting held on the 13 June 2024 be received.***

**CARRIED (7/0)**

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

*Cr's Against: Nil*

## 8. DELEGATES' REPORTS

Cr Della Bosca announce the following;

- Attended the WALGA Meeting Procedures training on the 24 June 2024
- Attended the Budget workshop on the 3 July 2024
- Attended the Seniors luncheon on the 6 July 2024

Cr Guerini announced the following;

- Attended the WALGA Meeting Procedures training on the 24 June 2024
- Attended the Budget workshop on the 3 July 2024

Cr Bradford announced the following;

- Attended the WALGA Meeting Procedures training on the 24 June 2024
- Attended the Budget workshop on the 3 July 2024

Cr Rose announced the following;

- Attended the Bullfinch Pistol Club AGM on the 13 July 2024

Cr Newbury announced the following;

- Attended the Seniors luncheon on the 6 July 2024

Cr Granich announced the following;

- Attended the WALGA Meeting Procedures training on the 24 June 2024
- Attended the Budget workshop on the 3 July 2024
- Attended the Seniors luncheon on the 6 July 2024

Cr Bianca Bradford declared an Indirect Financial Interest pursuant to Section 5.61 of the Local Government Act 1995 in agenda item 9.1.1, Shire of Yilgarn Pre-Qualified Supplier Panel-2024 due to being employed by the applicant.

Cr Bradford left the meeting at 5.50pm

## 9.1 Officers Report – Chief Executive Officer

### 9.1.1 Shire of Yilgarn Pre-Qualified Supplier Panel -2024

<b>File Reference</b>	<b>6.9.2</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>Confidential Pre-Qualified Suppliers Assessment Matrix</b>

#### Purpose of Report

To inform Council of the outcome of the applications that were received from Contractors to form Panels of Pre-Qualified Suppliers to provide various services throughout the Shire of Yilgarn.

#### Background

As per the Shire’s Purchasing and Tendering Policy 3.4 – Section 3 Panels of Pre-Qualified Suppliers, it states that the Shire will consider creating a Panel of Pre-qualified Suppliers (“Panel”) when a range of similar goods and services are required to be purchased on a continuing and regular basis.

The policy also states that if the Shire decides that a Panel is to be created, it will establish the panel in accordance with the Regulations.

The current panel of Pre-Qualified Suppliers expires in 2024, and as such the process to establish a new Panel has commenced with the inclusion of additional services.

The following trades and services were sought:

- Electrical Services
- Plumbing & Gas Services
- Building Construction Services – Registered
- Building Construction Services – Non-Registered
- General Building Maintenance Services
- Plant Hire
- Gravel/Aggregate Carting

- Contract Grading
- Concreter
- Earthmoving Services
- Roadside Mulching/Clearing

### Comment

Advertisements commenced on 03/05/2024 and were placed on the Shire's website and Facebook page, in the "*West Australian*" Newspaper and "*Crosswords*" newsletter inviting Contractors to apply to join Pre-Qualified Supplier Panels, based on a three (3) year Panel period with one (1) year contracts only.

At the close of the statutory advertising period, being Monday 1<sup>st</sup> July 2024, the attached listings detail the quotations received.

The application document advised the following criteria would be utilised to assess and rate potential suppliers, and that the Shire of Yilgarn intended to appoint at least three (3) suppliers on each Panel with an indicative maximum of six (6) Panel Members. It was indicated that the number of short listed suppliers would be at the discretion of the Shire relevant to the quality of submissions received against the selection criteria, services required and value for money.



Description of Qualitative Criteria	Weighting %
<p><b>A) Capabilities</b> Outline the key services, skills, personnel and equipment that your company can provide the Shire of Yilgarn.</p> <ul style="list-style-type: none"> <li>i. Key services and skills</li> <li>ii. Key personnel</li> <li>iii. Relevant equipment</li> </ul>	30%
<p><b>B) Relevant experience in providing this service (include referees)</b> Provide details of previous successful delivery of services, may include:</p> <ul style="list-style-type: none"> <li>i. Up to a maximum of 5 projects</li> <li>ii. 1 paragraph description outlining scope of work,</li> <li>iii. Cost</li> <li>iv. Timeframe</li> <li>v. Referee - Must include referee details.</li> </ul>	30%
<p><b>C) Local Supplier</b> <b>Outline the primary location of your business</b></p> <ul style="list-style-type: none"> <li>i. Shire of Yilgarn (max 25%)</li> <li>ii. Adjoining local government authority (max 15%)</li> <li>iii. Regional WA (max 15%)</li> <li>iv. Perth (max 10%)</li> <li>v. Other (max 5%)</li> </ul>	25%
<p><b>D) Price Provide unit rates for the following relevant items where applicable</b></p> <ul style="list-style-type: none"> <li>i. Service</li> <li>ii. Personnel</li> <li>iii. Equipment</li> <li>iv. Other</li> </ul> <p>Regional Price Preference</p> <ul style="list-style-type: none"> <li>- 10% - to all suppliers located within the Shire of Yilgarn</li> <li>- 5% - to all suppliers located within the Wheatbelt region</li> <li>- 2.5% - to all suppliers located within the Goldfield region.</li> </ul>	15%

The attached assessment matrix details the applicants, their services to be supplied and the weighting applied to each. Commercial pricing values has been rescinded from the public version.

The recommendation indicates the preferred supplier panels to be endorsed by Council.

### Statutory Environment

*Local Government Act (1995) and the Local Government (Functions and General) Regulations 1996.*

### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2016-2026 – Civic Leadership Objectives – Dynamic and visionary leadership guiding our community into the future - Maintain a high level of corporate governance, responsibility and accountability.

### Policy Implications

Shire of Yilgarn Purchasing and Tendering Policy – Policy Number 3.5.

### Financial Implications

Provision of costs for the engagement of Contractors is built into the 2021/2022 Budget.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Paying higher than a fair rate for various ongoing plant and services.	Moderate (9)	Pre-Qualified Suppliers Panels (PQSP), identifies fair rates across numerous ongoing plant and services requirements to ensure fair price is obtained
Service Interruption	Interruptions caused by contractors not able to meet the requirements of the Shire.	Moderate (9)	PQSP allows Shire staff to ensure prospective suppliers are able to provide the plant and services required.
Compliance	Non-compliance with Council's Policy, "Finance 3.5 Purchasing Quotes and Tenders"	Moderate (9)	PQSP established in compliance with Policy and Regulations.
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

82/2024

*Moved Cr Guerini/Seconded Cr Rose*

*That Council, in consideration of the applications received from Contractors to form Panels of Pre-Qualified Suppliers for the Shire of Yilgarn for a three (3) year Panel period and based on one (1) year Contracts, the following Panels be formed for the specified works, commencing July 2024:*

*Electrical Services*

1. *LNB Electrical*
2. *Interlec*
3. *Zecelec Pty Ltd*

*General Building Maintenance*

1. *Pedrin Building*
2. *Ian Christie*
3. *WA Concerete Pty Ltd*

*Contract Grading*

1. *WB Contracting*

*Building Construction Services – Non-Registered*

1. *Pedrin Building*
2. *Ian Christie*
3. *WA Concrete Pty Ltd*

*Gravel /Aggregate Carting*

1. *Mineral Crushing Services*
2. *WB Contracting*

*Concrete*

1. *Pedrin Building*
2. *Ian Christie*
3. *WB Contracting*
4. *WA Concrete Pty Ltd*

**Earthmoving Services**

1. *WB Contracting*
2. *WA Concrete Pty Ltd*

**Plant Hire - Dry**

1. *Ian Christie*
2. *Makin Dust Plant Hire*
3. *Brook Hire*

**Roadside Mulching/Clearing**

1. *WB Contracting*
2. *Intelife Group*
3. *Indigenous Contracting Western Australia Pty Ltd*

**Plant Hire – Wet**

1. *Pedrin Building*
2. *Ian Christie*
3. *WB Contracting*
4. *Mineral Crushing Services*
5. *WA Concrete Pty Ltd*

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

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

*Cr's Against: Nil*

Cr Bradford rejoined the meeting at 5.54pm

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.1 Financial Reports-June 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 30 June 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
<b>Health/People</b>	Nil	Nil	Nil
<b>Financial Impact</b>	Monthly snapshot of Councils financial position	Moderate (6)	Ongoing review of Councils operations
<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>	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**

**83/2024**

***Moved Cr Rose/Seconded Cr Guerini***

***That Council endorse the various Financial Reports as presented for the period ending 30 June 2024.***

**CARRIED (7/0)**

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



## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.2 Accounts for Payment – June 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 41278 to 41283 totalling \$40,721.00
- Municipal Fund - EFT 15351 to 15449 totalling \$1,293,072.91
- Municipal Fund – Cheques 2397 to 2414 totalling \$343,259.60
- Municipal Fund - Direct Debit Numbers:
  - 18891.1 to 18891.14 totalling \$24,946.33
  - 1. 18922.1 to 18922.14 totalling \$24,988.19
  - 2. 18950.1 to 18950.14 totalling \$21,841.27

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)
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

84/2024

*Moved Cr Bradford/Seconded Cr Newbury*

- *Municipal Fund – Cheques 41278 to 41283 totalling \$40,721.00*
- *Municipal Fund - EFT 15351 to 15449 totalling \$1,293,072.91*
- *Municipal Fund – Cheques 2397 to 2414 totalling \$343,259.60*
- *Municipal Fund - Direct Debit Numbers:*
  - *18891.1 to 18891.14 totalling \$24,946.33*
  - 3. *18922.1 to 18922.14 totalling \$24,988.19*
  - 4. *18950.1 to 18950.14 totalling \$21,841.27*

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

**CARRIED (7/0)**

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

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.3 2024/2025 Budget Adoption

<b>File Reference</b>	<b>8.2.5.3</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Author</b>	<b>Cameron Watson-Executive Manager Corporate Services</b>
<b>Attachments</b>	<b>Attachment – 2024/2025 Statutory Budget</b>

#### Purpose of Report

To consider and adopt the Municipal Fund Budget for the 2024 / 2025 financial year together with supporting schedules, including imposition of rates and minimum payments, adoption of fees and charges, setting of elected members fees for the year and other consequential matters arising from the budget papers.

#### Background

The 2024 / 2025 operating budget has been compiled based on the principles contained in the Strategic Community Plan and Plan for the Future. The 2024 / 2025 budget has been prepared in accordance with the presentations made to councillors at the budget workshop held on the 3<sup>rd</sup> of July 2024.

The rating structure proposed for the 2024 / 2025 financial year is based on a 2.5% increase in the Rate raised from those imposed in the previous year. The 2024 rate year is a GRV revaluation year and as such the resulting valuation changes will need to be considered when setting a RID that will provide the required 2.5% rate increase. The GRV valuations varied significantly with changes from -4.09% for GRV Mine Sites to +30.69% for GRV Residential / Industrial assessments.

UV valuations are provided annually with the 2024 rate year having material valuation increases of:

UV Rural – 10.88%

UV Mining – 9.95%

The advertising period for the receipt of submissions closed on the 23<sup>rd</sup> of May and resulted in no submissions being received.

#### Comment

The budget has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and *Australian Accounting Standards*. The main features of the budget include:

- **The Schedule of Fees & Charges.**

There have been no changes to the Fees & Charges that Council considered in May.

- **General Rates and Minimums**

The general value of rates raised are included in the table below, the general minimums will remain the same:

Land Category	Rate in the Dollar		Rates Raised	Rates Raised	\$ Increase/ (Decrease)	% Increase/ (Decrease)
	2024/25	2023/24	2024/25 \$	2023/24 \$		
<u>General Rate</u>						
GRV - Residential / Industrial	9.0430	11.6294	393,970	384,363	9,607	2.50%
GRV - Commercial	7.6405	8.1865	82,147	77,843	4,304	5.53%
GRV - Minesites	15.2268	16.3728	77,611	86,055	( 8,444 )	(9.81%)
GRV - Single Persons Quarters	15.2268	16.3728	122,371	133,638	( 11,267 )	(8.43%)
UV - Rural	1.1556	1.2500	1,987,298	1,938,772	48,526	2.50%
UV - Mining Tenements	15.2168	14.9184	1,818,484	1,647,776	170,708	10.36%
<u>Minimum General Rate</u>						
GRV - Residential / Industrial	\$600	\$600	84,000	82,800	1,200	
GRV - Commercial	\$450	\$450	10,800	3,600	7,200	
GRV - Minesites	\$450	\$450	450	1,350	( 900 )	
GRV - Single Persons Quarters	\$450	\$450	800	900	( 100 )	
UV - Rural	\$450	\$450	20,700	20,250	450	
UV - Mining Tenements	\$450	\$450	119,700	122,850	( 3,150 )	

There was a general revaluation carried out to both UV and GRV rated assessments effective 1<sup>st</sup> July 2024. This revaluation resulted in the following:

COMPARATIVE VALUATIONS	Valuations as at 1st July of the given year.							
	2023/24			2024/2025			Change \$	Change %
Rateable Valuation	Minimum Valuation	Total Valuation	Rateable Valuation	Minimum Valuation	Total Valuation			
Non-Rateable	-	-	312,352	-	-	1,307,477	995,125	318.59%
GRV - Mine Sites	529,565	2,408	531,973	509,700	500	510,200	(21,773)	(4.09%)
GRV - Single persons Quarters	816,219	1,075	817,294	803,655	1,075	804,730	(12,564)	(1.54%)
GRV - Residential / Industrial	3,305,096	243,353	3,548,449	4,356,632	280,760	4,637,392	1,088,943	30.69%
GRV - Commercial	974,765	21,561	996,326	1,075,158	72,252	1,147,410	151,084	15.16%
UV - Rural	155,053,117	446,045	155,499,162	171,971,117	440,000	172,411,117	16,911,955	10.88%
UV - Mining	10,816,836	382,996	11,199,832	11,950,502	363,785	12,314,287	1,114,455	9.95%

Sewerage Rate in the Dollar and household rubbish collection charges will remain unchanged from those imposed in 2023/2024.

- **Major Income and Expenditure**

Capital expenditure totalling \$9.430M is budgeted, being made up of:

Land & Buildings	\$6,360,921
Furniture & Equipment	\$65,000
Plant & Equipment	\$2,215,000
Infrastructure	\$5,803,353
- Roads & Footpaths	\$30,000
- Parks & Ovals	\$43,000
- Sewerage	\$20,000
- Aerodromes	

Non-Operating grant income includes:

Roads to Recovery	\$1,178,691
Regional Road Group	\$1,116,533
Secondary Freight Network	\$127,355
Main Roads WA Direct Grant	\$561,067
Local Roads & Community Infrastructure	\$1,136,311

Operating grant income includes:

Federal Equalisation Grant	\$526,462	(Est)
Federal Untied Roads Grant	\$179,759	(Est)

## Statutory Environment

Section 6.2 of the *Local Government Act 1995* requires that not later than the 31<sup>st</sup> August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the following 30 June.

Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. *The Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The 2024 / 2025 budget as presented is considered to meet statutory requirements.

## Strategic Implications

The draft 2024 / 2025 budget has been developed based on the existing Plan for the Future and strategic planning documents adopted by council.

### Policy Implications

The budget is based on the principles contained in the Plan for the Future and the Corporate Business Plan.

### Financial Implications

Forms the basis for Income and Expenditure for the period 1 July 2024 to 30 June 2025.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
<b>Health/People</b>	Service delivery benefits the residents of the district.	Moderate (6)	Community Strategic Planning process.
<b>Financial Impact</b>	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.
<b>Service Interruption</b>	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.
<b>Compliance</b>	Local Government Act 1995 and applicable Regulations	Low (1)	Nil
<b>Reputational</b>	Service delivery not meeting community expectations.	Moderate (9)	Ensure services are adequately resourced.
<b>Property</b>	Various significant community buildings identified.	Moderate (6)	Ensure buildings are adequately maintained and resourced.
<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 1

#### GENERAL & MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Resolution 7 below, council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995, impose the following differential general rates in the dollar and minimum payments on Gross Rental and Unimproved Values

#### General Rate

<i>GRV - Residential / Industrial</i>	<i>9.0430</i>
<i>GRV- Commercial</i>	<i>7.6405</i>
<i>GRV- Minesites</i>	<i>15.2268</i>
<i>GRV - Single Persons Quarters</i>	<i>15.2268</i>
<i>UV - Rural</i>	<i>1.1556</i>
<i>UV - Mining Tenements</i>	<i>15.2168</i>

#### Minimum Payments

<i>GRV - Residential / Industrial</i>	<i>\$600</i>
<i>GRV- Commercial</i>	<i>\$450</i>
<i>GRV- Minesites</i>	<i>\$450</i>
<i>GRV - Single Persons Quarters</i>	<i>\$450</i>
<i>UV - Rural</i>	<i>\$450</i>
<i>UV - Mining Tenements</i>	<i>\$450</i>

2. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full or by instalments:

**Single Full Payment:-**

- Full payment due date 16<sup>th</sup> September 2024

**Payment by Two Instalments:-**

- First instalment due date 16<sup>th</sup> September 2024
- Second instalment due date 3<sup>rd</sup> February 2025

**Payment by Four Instalments:-**

- First instalment due date 16<sup>th</sup> September 2024
- Second instalment due date 25<sup>th</sup> November 2024
- Third instalment due date 3<sup>rd</sup> February 2025
- Fourth instalment due date 14<sup>th</sup> April 2025

3. Pursuant to Section 6.46 of the Local Government Act 1995, council offers a discount of 5% to ratepayers who have paid their rates in full, including arrears, waste and service charges, within 35 days of the issue date of the rate notice.
4. Pursuant to section 6.45 of the Local Government Act 1995, regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$10 for each instalment after the initial instalment is paid.
5. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 4.5% where the owner has elected to pay rates and service charges through an instalment option.
6. Pursuant to section 6.51(1) & section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 11% for all overdue rates (and service charges) and costs of proceedings to recover such charges.

**Voting Requirements** Absolute Majority Required

## Officer Recommendation 2

### SEWERAGE RATES & CHARGES

*That Council impose the following Sewerage Rates and Charges under s41 of the Health Act 1911, on a per annum basis to cover the cost of the service in Southern Cross and Marvel Loch:*

**1. Southern Cross Sewerage Scheme Charge (Residential/Industrial):**

*7.3 cents in the dollar on GRV (Residential and Industrial) properties within the Southern Cross Town-site.*

- *Minimum Charge per vacant land - \$210.00*
- *Minimum Charge per residential property - \$276.00*
- *Non-Rated Class 1st Fixture - \$176.00*
- *Non-Rated Class Additional Fixtures - \$89.00*
- *Non-Rated Class 2 and 3 Fixture - \$937.00*

**2. Southern Cross Sewerage Scheme Charge (Commercial):**

*5.0 cents in the dollar on GRV (Commercial) properties within the Southern Cross Town-site.*

- *Minimum Charge per commercial property - \$583.00*

**3. Marvel Loch Sewerage Scheme Charge (Commercial/SPQ):**

*12.0 cents in the dollar on GRV (Commercial/SPQ) properties within the Marvel Loch Town-site.*

- *Minimum Charge per property - \$300.00*
- *Non-Rated Class 1st Fixture - \$138.00*
- *Non-Rated Class Additional Fixtures - \$62.00*

**4. Marvel Loch Sewerage Scheme Charge (Residential):**

*6.4 cents in the dollar on GRV (Residential) properties within the Marvel Loch Town-site.*

- *Minimum Charge per property - \$300.00*

**Voting Requirements** Absolute Majority Required

### Recommendation 3

#### SANITATION HOUSEHOLD REFUSE - RATES AND CHARGES

*That Council impose the following Sanitation Rates and Charges on a per annum basis:*

- *Domestic Collection per bin, per service \$340.00*
- *Commercial Collection per bin, per service \$364.00*
- *Non-Rateable Collection per bin, per service \$561.00*

Voting Requirements Absolute Majority Required

### Officer Recommendation 4

#### ELECTED MEMBERS' FEES AND ALLOWANCES FOR 2024 / 2025

*1. Pursuant to section 5.98 of the Local Government Act 1995 and regulations 34 of the Local Government (Administration) Regulations 1996, council adopts the following sitting fees for individual meeting attendance:*

- *Shire President - \$600 per Council meeting attended*
- *Councillors - \$400 per Council meeting attended*
- *Shire President, Councillors, and Independent Committee Member appointed by Council to the audit committee and CEO selection committee - \$200 per Committee Meeting attended*

*2. Pursuant to section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, council adopts the following annual allowances for elected members:*

- *Travel Allowance*

Engine Displacement (in cubic centimetres)			
Area & Details	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
	Cents per Kilometre		
Rest of State	99.01	70.87	58.37

- *ICT Allowance*  
*Annual allowance for hardware upgrades and data usage - \$1,180 per Councillor per annum*

3. Pursuant to section 5.98(5) of the Local Government Act 1995 and regulations 33 of the Local Government (Administration) Regulations 1996, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

- Shire President \$12,000

4. Pursuant to section 5.98A of the Local Government Act 1995 and regulations 33A of the Local Government (Administration) Regulations 1996, council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:

- Deputy Shire President \$3,000

**Voting Requirements** Absolute Majority Required

#### Officer Recommendation 5

#### INTEREST ON MONEY OWING OTHER THAN RATES AND SERVICE CHARGES

1. Pursuant to section 6.13 (1) of the Local Government Act 1995 and regulation 19A of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 11% for any amounts (other than rates and service charges) owing.

2. Pursuant to section 6.13 (6) of the Local Government Act 1995 and regulation 19B of the Local Government (Financial Management) Regulations 1996, council adopts an interest free period of 60 days on any amounts (other than rates and service charges) owing.

**Voting Requirements** Absolute Majority Required

#### Officer Recommendation 6

#### MATERIAL VARIANCE REPORTING FOR 2024 / 2025

*In accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2024 / 2025 for reporting material variances shall be +/- 10% or \$30,000, whichever is the greater.*

**Voting Requirements** Absolute Majority Required

### Officer Recommendation 7

#### OTHER STATUTORY COMPLIANCE

*That Council confirms it is satisfied the services and facilities it provides: -*

- 1. Integrate and co-ordinate, so far as practicable, with any provided by the Commonwealth, the State or any other public body;*
- 2. Do not duplicate, to an extent that the Local Government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private and; and*
- 3. Are managed efficiently and effectively.*

*In accordance with Section 3.18 (3) of the Local Government Act 1995.*

**Voting Requirements Absolute Majority Required**

### Officer Recommendation 8

#### MUNICIPAL FUND BUDGET FOR 2024 / 2025

*Pursuant to the provisions of section 6.2 of the Local Government Act 1995, Part 3 of the Local Government (Financial Management) Regulations 1996, the council adopt the Municipal Fund Budget for the Shire of Yilgarn for the 2024 / 2025 financial year which includes the following:*

- Statement of Comprehensive Income by Nature and Type*
- Statement of Cash Flows*
- Rate Setting Statement*
- Notes to and forming part of the Budget*
- Budget Program Schedules*
- Transfers to / from Reserve Accounts*

**Voting Requirements Absolute Majority Required**

### Council Decision

**85/2024**

**Moved Cr Granich/Seconded Cr Guerini**

***That Officer Recommendations one to eight be moved as one recommendation.***

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

*Cr's Against: Nil*

**CARRIED (7/0)**

## Council Decision

86/2024

*Moved Cr Guerini/Seconded Cr Granich*

### GENERAL & MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

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  - Minimum Charge per commercial property - \$583.00***
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**12.0 cents in the dollar on GRV (Commercial/SPQ) properties within the Marvel Loch Town-site.**

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#### **OTHER STATUTORY COMPLIANCE**

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1. ***Integrate and co-ordinate, so far as practicable, with any provided by the Commonwealth, the State or any other public body;***

2. *Do not duplicate, to an extent that the Local Government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private and; and*
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### **MUNICIPAL FUND BUDGET FOR 2024 / 2025**

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- *Statement of Cash Flows*
- *Rate Setting Statement*
- *Notes to and forming part of the Budget*
- *Budget Program Schedules*
- *Transfers to / from Reserve Accounts*

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

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

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.4 Changing Methods of Valuation of Land-Parker Range

<b>File Reference</b>	<b>8.1.1.10</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Glenn Bone – Consultant</b>
<b>Attachments</b>	<b>Attachment 1 – Parker Range Village – Technical Description</b>

#### Purpose of Report

To recommend the submission of an application to the Minister for Local Government to change the basis of rating to the Parker Range mine site accommodation village used by Yilgarn Iron Pty Ltd and situated on tenement M 77/791-I.

#### Background

In the past Council has agreed to the principle of ‘spot rating’ to the accommodation villages at the Koolyanobbing and Marvel Lock mine sites.

At its meeting held on 16 May 2024 (Minute 66/2024), Council commenced the process for a Change of Method of Valuation and accordingly resolved:

‘That Council commence formalities for changing the method of valuation for the accommodation village and associated infrastructure situated on tenement M 77/791-I (MRL – Parker Range).’

#### Comment

As a compliance requirement to the Department of Local Government, Sport and Cultural Industries (DLGSC) Rating Policy – Valuation of Land – Mining, following the Ordinary Council Meeting decision on 16 May 2024, a letter explaining the Council’s proposal was forwarded on 17 May 2024 to Barto Gold Mining Pty Ltd as the tenement holder.

The policy stipulates that the holder is to be given at least 28 days to make submissions to the local government on the proposal. The closure time for submissions was set at 4.30pm on Friday 21 June 2024.

No submission was received.

## Statutory Environment

### Local Government Act 1995

Section 6.28 – Stipulates that the Minister for Local Government is responsible for determining the method of valuation to be used by a local government as the basis for a rate.

In determining the method of valuation, the Minister is to have regard to the general principle that the basis for a rate is to be:

- Where the land is used predominately for rural purposes, the UV of the land; and
- Where the land is used predominately for non-rural purposes, the GRV of the land.

Section 6.31 – Enables a local government to phase-in valuations in accordance with the provisions of Schedule 6.1.

Schedule 6.1(2) – Deals with phasing-in valuations where a determination is made by the Minister under section 6.28 to change the method of valuing land from UV to GRV. A local government may phase-in the impact (cost) of the change over a three-year period.

## Strategic Implications

The change in method of valuation for the new mining village will enable the Shire to maintain consistency in its rating approach of similar ventures.

## Policy Implications

Council has no policies in respect to this matter.

Minister for Local Government – Valuation of Land - Mining

## Financial Implications

The principal details relevant to the change of method of valuation for tenement M 77/791-I are set out below:

### Proposed Change of Method of Valuing Land:

Barto Gold Mining Pty Ltd

### Property Details:

Assessment A40791

Name

Location

Mining Lease M 77/791-I

Yilgarn Iron Pty Ltd – Parker Range

Marvel Loch

Improvements:

Accommodation Village Accommodates up to 99 persons

Valuation System

Currently UV rating for M 77/791-I \$17,866 (A40791)  
2023/24 rates for the whole of the mining lease

Proposed GRV (notional) – village \$350,000

Notional 2023/24 rates \$57,305

(Without phase-in)

Estimated Effective Date 1 October 2024 (pro-rata for 2024/25)

Similar Properties

Currently there are two other mining operations in the Shire that are subject to ‘spot’ GRV rating.

Phase-in Consideration

Any proposal for a change of method of valuation should also include consideration as to whether there should be a phase-in of the intended change. As mentioned elsewhere, Schedule 6.1 enables a local government to phase-in the impact of the change over a period of three years.

In practical terms, such a move would ameliorate the financial impact on the Parker Range operation quite considerably. Instead of being faced with the total impact immediately, the extra cost would be borne progressively by one third in Year 1, two thirds in Year 2 and finally, the full amount in Year 3. This would result in the operators saving approximately one year’s impact of the new rating impost over the triennium.

From the Shire’s point of view, the cost (reduced income) of a phase-in for the Parker Range accommodation village based on 2024/25 notional Year 1 full rating, would be more than \$57,000 over the triennium.

A further dissuasion to the use of the phase-in approach also arises due to the 12 month embargo on capital improvements, as entrenched in the Government’s policy. Consequently, to allow a further concession on potential rating income would further add to the issue of equity being applied accros-the-board.

For the reasons stated above, it is considered the phase-in approach should not be used on this occasion.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Time delay in applying GRV rating.	Possible (6)	Stick to the rules
Service Interruption	Progress delay in the change of method of valuation.	Possible (6)	Effective pursuit of the Departmental Guidelines.
Compliance	Legislative and policy	Unlikely (2)	Rigorously comply with legislative requirements and the Departmental Guidelines.
Reputational	Shire entity	Unlikely (2)	Pursuing consistency to ensure all mining village operators are rated in a like manner to those who have been previously GRV rated.
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

**87/2024**

***Moved Cr Rose/Seconded Cr Bradford***

***That in accordance with the provisions of section 6.28 of the Local Government Act 1995, an application to the Minister for Local Government to change the basis of rating from Unimproved Values to Gross Rental Values, for the following mining operation:***

- ***Yilgarn Iron Pty Ltd***
- ***Parker Range Mining Village - tenement M 77/791-I (Assessment A40791)***

***Technical Description:***

***All that portion of land being part of Lot 1006 as shown on DP 191208.***

***Starting from a point at coordinate 739815.0 metres East, 6512280.0 metres North (MGA2020 Zone 50) and extending easterly 89 degrees, 49 minutes, 32.1 seconds, 220.939 metres; thence southerly 173 degrees, 27 minutes, 35.8 seconds, 113.628 metres; thence southerly 180 degrees, 59 minutes, 52.4 seconds, 222.817 metres; thence westerly 270 degrees, 0 minutes, 0.0 seconds, 230.0 metres; thence northerly 0 degrees, 0 minutes, 0.0 seconds, 335.0 metres to the starting point.***

***Approximate Area: 7.73 hectares***

**CARRIED (7/0)**

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

***Cr's Against: Nil***



## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.5 Changing Methods of Valuation of Land-Mt Holland

<b>File Reference</b>	<b>8.1.1.10</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Glenn Bone – Consultant</b>
<b>Attachments</b>	<b>Attachment 1 – Mt Holland Village – Technical Description</b>

#### Purpose of Report

To recommend the submission of an application to the Minister for Local Government to change the basis of rating to the Mt Holland mine site accommodation village used by Covalent Lithium and situated on tenement M 77/1066.

#### Background

In the past Council has agreed to the principle of ‘spot rating’ to the accommodation villages at the Koolyanobbing and Marvel Lock mine sites.

At its meeting held on 16 May 2024 (Minute 65/2024), Council commenced the process for a Change of Method of Valuation and accordingly resolved:

‘That Council commence formalities for changing the method of valuation for the accommodation village and associated infrastructure situated on tenement M 77/1066 (Covalent Lithium – Mt Holland).’

#### Comment

As a compliance requirement to the Department of Local Government, Sport and Cultural Industries (DLGSC) Rating Policy – Valuation of Land – Mining, following the Ordinary Council Meeting decision on 16 May 2024, letters explaining the Council’s proposal were forwarded on 17 May 2024 to the Joint Venturers:

- Montague Resources Australia Pty Ltd (50/100)
- SQM Australia Pty Ltd (50/100)

The policy stipulates that the holder is to be given at least 28 days to make submissions to the local government on the proposal. The closure time for submissions was set at 4.30pm on Friday 21 June 2024 (35 days).

On 12 June 2024, Covalent Lithium wrote to the Shire and requested an extension of time for the making of submissions until 30 September 2024. The company also sought a meeting with Shire representatives to discuss the matter.

After a few delays, a video conference was finally set up for 12 July 2024 between Nic Warren, Cameron Watson and Covalent Lithium's Peter Firth. The outcome was that Covalent indicated that they have no objection to the proposed rating change, however they were uncomfortable with the notional GRV valuation. Covalent were again informed that an objection dealing with the valuation needs to be lodged with Landgate and that this is a separate matter to any submission regarding the change from UV to GRV rating.

Consequently, Covalent is now satisfied that the Shire can proceed with the application to the Minister and therefore no extension of the submission period is required.

## **Statutory Environment**

### Local Government Act 1995

Section 6.28 – Stipulates that the Minister for Local Government is responsible for determining the method of valuation to be used by a local government as the basis for a rate.

In determining the method of valuation, the Minister is to have regard to the general principle that the basis for a rate is to be:

- Where the land is used predominately for rural purposes, the UV of the land; and
- Where the land is used predominately for non-rural purposes, the GRV of the land.

Section 6.31 – Enables a local government to phase-in valuations in accordance with the provisions of Schedule 6.1.

Schedule 6.1(2) – Deals with phasing-in valuations where a determination is made by the Minister under section 6.28 to change the method of valuing land from UV to GRV. A local government may phase-in the impact (cost) of the change over a three-year period.

## **Strategic Implications**

The change in method of valuation for the new mining village will enable the Shire to maintain consistency in its rating approach of similar ventures.

## **Policy Implications**

Council has no policies in respect to this matter.

Minister for Local Government – Valuation of Land - Mining

## Financial Implications

The principal details relevant to the change of method of valuation for tenement M 77/1066 are set out below:

### Proposed Change of Method of Valuing Land:

- Montague Resources Australia Pty Ltd (50/100)
- SQM Australia Pty Ltd (50/100)

### Property Details:

Assessment A41066	Mining Lease M 77/1066
Name	Covalent Lithium – Mt Holland
Location	Marvel Loch

### Improvements:

Accommodation Village	Accommodates up to 550 persons
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### Valuation System

Currently UV rating for M 77/1066	\$17,902 (A41066) 2023/24 rates for the whole of the mining lease
Proposed GRV (notional) – village	\$2,100,000
Notional 2023/24 rates (Without phase-in)	\$343,828
Estimated Effective Date	1 October 2024 (pro-rata for 2024/25)

### Similar Properties

Currently there are two other mining operations in the Shire that are subject to ‘spot’ GRV rating.

### Phase-in Consideration

Any proposal for a change of method of valuation should also include consideration as to whether there should be a phase-in of the intended change. As mentioned elsewhere, Schedule 6.1 enables a local government to phase-in the impact of the change over a period of three years.

In practical terms, such a move would ameliorate the financial impact on the Parker Range operation quite considerably. Instead of being faced with the total impact immediately, the extra cost would be borne progressively by one third in Year 1, two thirds in Year 2 and finally,

the full amount in Year 3. This would result in the operators saving approximately one year's impact of the new rating impost over the triennium.

From the Shire's point of view, the cost (reduced income) of a phase-in for the Mt Holland accommodation village based on 2024/25 notional Year 1 full rating, would be more than \$340,000 over the triennium.

A further dissuasion to the use of the phase-in approach also arises due to the 12 month embargo on capital improvements, as entrenched in the Government's policy. Consequently, to allow a further concession on potential rating income would further add to the issue of equity being applied accross-the-board.

Once again and for the reasons stated above, it is considered the phase-in approach should not be used on this occasion.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
<b>Health/People</b>	Nil	Nil	Nil
<b>Financial Impact</b>	Time delay in applying GRV rating.	Possible (6)	Stick to the rules
<b>Service Interruption</b>	Progress delay in the change of method of valuation.	Possible (6)	Effective pursuit of the Departmental Guidelines.
<b>Compliance</b>	Legislative and policy	Unlikely (2)	Rigorously comply with legislative requirements and the Departmental Guidelines.
<b>Reputational</b>	Shire entity	Unlikely (2)	Pursuing consistency to ensure all mining village operators are rated in a like manner to those who have been previously GRV rated.
<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

88/2024

*Moved Cr Newbury/Seconded Cr Rose*

*That in accordance with the provisions of section 6.28 of the Local Government Act 1995, an application to the Minister for Local Government to change the basis of rating from Unimproved Values to Gross Rental Values, for the following mining operation:*

- *Covalent Lithium Pty Ltd*
- *Mt Holland Mining Village - tenement M 77/1066 (Assessment A41066)*

*Technical Description:*

*All that portion of land being part of an Unallocated Crown Land (UCL).*

*Starting from a point at coordinate 761770.0 metres East, 6443175.0 metres North (MGA2020 Zone 50) and extending easterly 90 degrees, 0 minutes, 0.0 seconds, 480.0 metres; thence southerly 180 degrees, 0 minutes, 0.0 seconds, 415.0 metres; thence westerly 270 degrees, 0 minutes, 0.0 seconds, 480.0 metres; thence northerly 0 degrees, 0 minutes, 0.0 seconds, 415.0 metres to the starting point.*

*Approximate Area: 19.92 hectares*

**CARRIED (7/0)**

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

*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**

**89/2024**

***Moved Cr Granich/Seconded Cr Rose***

***That the Ordinary Meeting of Council be close to the public under the Local Government Act 1995 Section 5.23 (2) (c).***

**CARRIED (7/0)**

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

*Cr's Against: Nil*

Cr Guerini declared a Financial Interest pursuant to Section 5.60A of the Local Government Act 1995 in agenda item 13.1, Memorandum of Understanding – Southern Cross Wind Pty Ltd – Southern Cross Aerodrome due to the wind farm being partly on land owned by his father and will directly pay money to his farm business.

Cr Guerini, Kaye Crafter, Matt Powell left the meeting at 6.03pm

## 13.1 Officers Report – Chief Executive Officer

### 13.1.1 Memorandum of Understanding – Southern Cross Wind Pty Ltd – Southern Cross Aerodrome

<b>File Reference</b>	<b>2.4.1.1</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>Draft MOU</b> <b>Letter of Advice – Civic Legal</b> <b>Make Good Information</b>

#### Purpose of Report

For Council to endorse a memorandum of understanding between the Shire of Yilgarn and Southern Cross Wind Pty Ltd in relation to works to be undertaken at the Southern Cross Aerodrome as a result of impacts relating to their proposed wind farm development.

#### Officer Recommendation and Council Decision

*90/2024*

*Moved Cr Newbury/Seconded Cr Granich*

*That Council:*

- 1. Endorse the Memorandum of Understanding with Southern Cross Wind Pty Ltd, being a wholly owned subsidiary of Fortescue Ltd, regarding the installation of Instrument Flight Procedures at the Southern Cross Aerodrome, as presented.*
- 2. Endorse the Shire President and Chief Executive Officer executing the Memorandum of Understanding with Southern Cross Wind Pty Ltd, and applying the Shire of Yilgarn common seal.*
- 3. Note and agree that the decision to endorse the Memorandum of Understanding does not provide any indication of Council's decision in relation to Development applications relating to the wind farm development, the subject of the Memorandum of Understanding.*

**CARRIED (6/0)**

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

*Cr's Against: Nil*

**91/2024**

***Moved Cr Rose/Seconded Cr Newbury***

***That the Ordinary Meeting of Council be reopened to the public.***

**CARRIED (6/0)**

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

*Cr's Against: Nil*

Cr Guerini, Kaye Crafter, Matt Powell rejoined the meeting at 6.09pm

### **Council Decision**

**92/2024**

***Moved Cr Granich/Seconded Cr Rose***

***That Council receive the motion moved whilst meeting closed to the public:***

***That Council:***

- 1. Endorse the Memorandum of Understanding with Southern Cross Wind Pty Ltd, being a wholly owned subsidiary of Fortescue Ltd, regarding the installation of Instrument Flight Procedures at the Southern Cross Aerodrome, as presented.***
- 2. Endorse the Shire President and Chief Executive Officer executing the Memorandum of Understanding with Southern Cross Wind Pty Ltd, and applying the Shire of Yilgarn common seal.***
- 3. Note and agree that the decision to endorse the Memorandum of Understanding does not provide any indication of Council's decision in relation to Development applications relating to the wind farm development, the subject of the Memorandum of Understanding.***

**CARRIED (7/0)**

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

*Cr's Against: Nil*



## 14 CLOSURE

As there was no further business to discuss, the Shire President declared the meeting closed at 6.10pm

I, Wayne Della Bosca, confirm the above Minutes of the Meeting held on Thursday, 18 July 2024, are confirmed on Thursday, 15 August 2024 as a true and correct record of the July 2024 Ordinary Meeting of Council.

Cr Wayne Della Bosca

SHIRE PRESIDENT