



Shire of  
YILGARN

*“good country for hardy people”*

# *Minutes*

## *Ordinary Meeting of Council*

# *21<sup>st</sup> February*

# *2019*

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 4.00pm

## 2. ATTENDANCE

Presiding Member	Cr O Truran	President
Members	Cr W Della Bosca Cr B Close Cr G Guerini Cr D Pasini Cr S Shaw	Deputy President
Council Officers	P Clarke C Watson N Warren J Gemund L Della Bosca	Chief Executive Officer Executive Manager Corporate Services Executive Manager Regulatory Services Manager Community Services Minute Taker
Apologies:	Cr P Nolan R Bosenberg	Councillor Executive Manager Infrastructure
Observers:	Sarah Easton, Luke Sibon, Martin Haugg from Minjar Gold and Duncan Coutts, Andrew Bishop and Murray Leahy representing Ramelius Resources	
Leave of Absence:	Nil	

## 3. PRESENTATIONS, PETITIONS, DEPUTATIONS

### Ramelius Resources

The Shire President introduced Duncan Coutts, Chief Operating Officer from Ramelius Resources together with Andrew Bishop, Open Pit Superintendent, at the Edna May Mine and Murray Leahy, Managing Director MLG Oz who were in attendance to provide Council with a presentation regarding the Marda Project and the haulage route proposed.

Mr Coutts advised Ramelius Resources currently has three operational mines, Mt Magnet Gold Mine, Vivien Gold Mine and Edna May Gold Mine with the Marda Project being acquired from Black Oak Minerals which is currently in the development stage.

Marda is located 100km north of Bullfinch on the Bullfinch-Evanston Road and consists of 6 small open pits. The project will consist of contract mining and contract ore haulage to the Edna May mine in Westonia via Bullfinch, Southern Cross and Carrabin. The haulage distance from Marda to Edna May is 213km with proposed RAV 7/PBS approved roadtrains

(triples)-42m total length and 98 tonnes/load. Proposed haulage of up to 60,000 tonnes per month for 24 months day and night shift. Each shift will be able to haul 1.5 loads per 12 hour shift with Ramelius planning to utilise a Southern Cross haulage depot.

The proposed route on Yilgarn Shire roads is Bullfinch Evanston Road, 78km within pastoral and crown land area and 22km within farming area, and Three Boys Road. In agreement with the Shire before haulage can commence road works include intersection realignment, widening and bituminising the 900m section of road north of Bullfinch, minor forming and widening work for Bullfinch-Evanston road along with the replacement of the grid at the Dog Proof Fence with a wider a higher load rating grid.

The proposed maintenance of the Bullfinch-Evanston road includes the use of fresh water only for the 22km section within the farming area with the use of stabilising additives and potential to seal some sections. The 78km outside major farming areas to Marda is proposed to be maintained with groundwater as the use of freshwater for dust suppressant and maintenance could not be sourced and supplies as the road section is to extensive. Ground water studies at Marda show a range of water qualities ranging from brackish to hypersaline (brine).

In conclusion, Mr Coutts advised that Ramelius is seeking Council's approval for the use of groundwater for dust suppressant and maintenance purposes on 78km of the Bullfinch Evanston Road. The appropriate use of saline water is crucial for the development of the project.

Duncan Coutts thanked Council for their time.

Cr Truran thanked Mr Coutts for his comprehensive presentation and invited questions from Councillors: -

Cr Della Bosca enquired how the Southern Cross Haulage Depot would work as it would not be ideal to have the trucks passing through the middle of town.

Mr Coutts replied that it was proposed there would be a small hub outside of town possibly on a vacant block of land across from the CBH Wheatbin where the trucks would park with maybe a small maintenance operation (as major truck maintenance would take place in the Kalgoorlie depot) with employees staying within Southern Cross, therefore no trucks would travel through Southern Cross.

Duncan Coutts, Andrew Bishop and Murray Leahy left the meeting at 4.25pm

### **Minjar Gold**

The Shire President advised that Martin Haugg along with Luke Sibon, Environmental and Community Adviser and Sarah Easton, Environmental Advisor from Minjar Gold were in attendance to advise Council of Minjar Gold's Copperhead Mine project and the implications associated with the haulage of ore from Bullfinch to the Marvel Loch Mill.

Minjar Gold plans to transport 300,000 tonnes of lowgrade stockpile from the Copperhead Mine in Bullfinch to the mill in Marvel Loch over 6 months, with the intended use of the Southern Cross-Bullfinch Road, Southern Cross CBH Bin Road, Three Boys Road, Great Eastern Highway and Southern Cross South Road. The haulage is to be carried out by Hamptons Transport with 24 return trips a day and a 12 hour day shift only due to the noise of loading the trucks in Bullfinch.

Minjar Gold and Hamptons Transport engaged the services of WML Consulting Engineers to undertake a Route and Inspection Assessment. The major issues are the intersection upgrades from Three Boys road to the Great Eastern Highway and from the Great Eastern Highway onto the Southern Cross South road. The Great Eastern Highway and the Southern Cross-Bullfinch Road being Main Roads controlled.

In conclusion Minjar Gold are continuing to work with the Shire and Main Roads to move the Copperhead Ore Haulage Project forward.

Martin Haugg thanked Council for their time.

Cr Truran invited questions, with there being none, Cr Truran made a suggestion that with the intersection upgrade being the main issues and there being three mining companies (Adaman, Ramelius Resources and Minjar Gold) all planning on using some common intersections for haulage that they meet to see if they can help each other. Some community engagement was also suggested in order to keep the residents in Bullfinch up to date on plans.

The Shire President thanked Minjar Gold for their time.

Sarah Easton, Luke Sibon and Martin Haugg left the meeting at 4.37pm.

#### **4. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

Cr Truran reminded Councillors of the Shire of Yilgarn Lady's Day taking place on the 9<sup>th</sup> March and also the GP Student Immersion program taking place from the 11-15<sup>th</sup> March.

#### **5. DECLARATION OF INTEREST**

Nil

#### **6. PUBLIC QUESTION TIME**

Nil

## 7. CONFIRMATION OF MINUTES

### 7.1 Ordinary Meeting of Council, Thursday 20<sup>th</sup> December 2018

*1/2019*

*Move Cr Shaw/Seconded Cr Close*

*That the minutes from the Ordinary Council Meeting held on the 20<sup>th</sup> December 2018 be confirmed as a true record of proceedings.*

**CARRIED (6/0)**

### 7.2 Central East Aged Care Alliance (CEACA), Executive Committee Teleconference- Wednesday, 12<sup>th</sup> December 2018

Roads Sub-Committee Notes, Friday 25<sup>th</sup> January 2019

*2/2019*

*Moved Cr Della Bosca/Seconded Cr Pasini*

*That the minutes from the CEACA Executive Committee meeting and the notes from the Roads Sub-Committee meeting be received.*

**CARRIED (6/0)**

## 8. DELEGATES' REPORTS

Cr Truran announced the following:

- On the 5<sup>th</sup> February attended the Regional Implementation group in regards to HAC.
- On the 12<sup>th</sup> February attended the DHAC forum.
- On the 19<sup>th</sup> February attended the WALGA Regional Health Services forum.

Cr Pasini announced the following:

- Attended the Australia Day celebrations in Southern Cross

Cr Della Bosca announce the following:

- Attended the Australia Day celebrations in Southern Cross

Cr Close announce the following:

- Attended the Regional Road Group teleconference with the CEO on the 12<sup>th</sup> February
- Attended the Australia Day celebrations in Southern Cross

Cr Shaw announce the following:

- Attended the DHAC forum on the 12<sup>th</sup> February.

## 9 OFFICERS REPORTS

### 9.1 Officers Report – Chief Executive Officer

#### 9.1.1 Review of Delegations Register

<b>File Reference</b>	<b>2.3.3.6</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments -</b>	<b>Draft Review of Delegations Register</b>

#### Purpose of Report

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

#### Background

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

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

Council last reviewed the delegations register in February 2018.

#### Comment

The Chief Executive Officer has reviewed the current Delegations Register and recommends retention of the existing delegations apart from the following Delegation LGA16:-

#### **Deletion of LGA16 – "Audit Committee – Meeting with Auditor"**

It is a statutory requirement for the Audit Committee to meet with the Appointed Auditor on an annual basis and therefore this delegation has no relevance.

In respect to other Delegations, there are a number of new on-delegation's proposed and Officer designation changes made to the Delegations Register.

#### Statutory Environment

#### **5.42. Delegation of some powers and duties to CEO**

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



\* Absolute majority required.

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

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

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

#### **Strategic Implications**

Nil

#### **Policy Implications**

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

#### **Financial Implications**

Nil.

#### **Officer Recommendation**

*That Council, having reviewed the Delegations currently in force, approves the existing Delegations apart from Delegation LGA16 "Audit Committee – Meeting with Auditor", which is to be deleted. Council also endorses the minor changes of on-delegations and Officer designations as highlighted in the Draft document presented.*

## Council Decision

**3/2019**

***Move Cr Close/Seconded Cr Della Bosca***

***That Council, having reviewed the Delegations currently in force, approves the existing Delegations apart from Delegation LGA16 "Audit Committee – Meeting with Auditor", which is to be deleted. Council also endorses the minor changes of on-delegations and Officer designations as highlighted in the Draft document presented, but subject to Delegation LGA30 retaining section (c) which relates to reporting on the waiving fees etc., in the Annual Report.***

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

### **REASON FOR ALTERATION TO RECCOMMEDATION**

Council considered that it was important for section (c) of Delegation LGA30 to be retained and reported in the Annual Report as it provided the community with information pertaining to donations and the waiving of hire fees the Shire of Yilgarn makes for the benefit of the community.

## 9.1 Officers Report – Chief Executive Officer

### 9.1.2 Appointment of Acting Chief Executive Officer

<b>File Reference</b>	<b>1.1.10.129 &amp; 1.1.10.119</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To inform Council that the CEO will be taking Annual Leave and that as per Council Policy 7.5, there is a requirement to appoint an Acting CEO during the leave period.

#### Background

The CEO accrued this leave during his Acting CEO role between April and August 2018 and he now intends to take this leave between from 28 February to 8 March 2019 inclusive.

#### Comment

Council Policy 7.5 states the following:-

*“That when the Chief Executive Officer is on Annual leave (in excess of 3 working days), Long Service Leave, or extended Sick Leave; the Executive Manager Corporate Services shall be the Acting Chief Executive Officer, unless otherwise determined by Council.*

*Provided however, should the Executive Manager Corporate Services not be available then the most senior member of the Council staff as determined by the Chief Executive Officer shall act in the capacity of Acting Chief Executive Officer pending a resolution of the Council”.*

#### Statutory Environment

Section 5.36 of the *Local Government Act 1995* requires that a Local Government is to employ a person to be the Chief Executive Officer of the Local Government.

#### Strategic Implications

Nil

#### Policy Implications

Council Policy 7.5

#### Financial Implications

Nil

### **Officer Recommendation and Council Decision**

**4/2019**

***Moved Cr Shaw/Seconded Cr Close***

***That Council, in accordance with Staff Policy Manual No.7.5, appoints the Executive Manager Corporate Services as Acting Chief Executive Officer during the period commencing 28 February to 8 March 2019 inclusive (7 working days) whilst the Chief Executive Officer is on Annual Leave.***

**CARRIED (6/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.3 Ramelius Resources – Marda Project – Use of Bullfinch/Evanston Road and Associated Treatments

<b>File Reference</b>	<b>6.1.1.016, 6.1.2.14 &amp; 3.2.1.28</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>1. RMECS – Assessment of Four Roads in the Shire of Yilgarn for Network Tandem Drive 7.3/Tri Drive 4.3 RAV Access</b> <b>2. RMECS – Meeting Notes of 29 January 2019 with Ramelius Resources</b> <b>3. Shire of Yilgarn Roads Sub-Committee Meeting Notes of 25 January 2019</b>

#### Purpose of Report

To inform Council of the discussions/negotiations to date relating to Ramelius Resources proposal to utilise the Bullfinch-Evanston Road for the haulage of ore from the Marda Project and the initial application to utilise salt water for dust suppressant purposes.

#### Background

Councillors were informed at the December 2018 Ordinary meeting that Rod Munns Engineering Consulting Services (RMECS) had been engaged to prepare a road condition report on the haulage route proposed by Ramelius Resources from their Marda project to their processing plant at Westonia and the treatment/upgrading works that will be required to accommodate the haulage of ore based on the truck configurations being utilised.

The RMECS report was circulated at the above meeting with staff advising that one of the major issues for Council to consider was the request by Mineral Resources to use salt water on the Bullfinch/Evanston Road.

#### Comment

Council's Roads Sub-Committee met on Friday, 25 January 2019 and in consideration of Ramelius resources request, recommended the following:-

#### Recommendation

*That for dust suppressant purposes on the Bullfinch-Evanston Road, the use of fresh water is preferred along the entire length if possible, however, if fresh water reserves are not available on the flat bladed track section, Council should consider allowing the use of salt water for this purpose based on reports received from other Goldfields Local Governments relating to salt water usage on their roads.*

In meetings with Ramelius Resources representatives, staff have been adamant that Council would not entertain the use of salt water on the 21km constructed gravel section of the

Bullfinch/Evanston Road to the end of the agricultural land but could potentially allow salt water usage on the remaining unformed (flat bladed track) section (81.75km) to the mine site.

In light of the above, Ramelius Resources have been investigating options for the treatment of the 21km section and have indicated that the use of polymers could be considered, to which the Executive Manager Infrastructure has advised that this would be favourable as Council itself had used these applications previously on roads within the district. Another option proposed by Ramelius would be to construct and seal the 21km section, however further cost implications need to be investigated.

Ramelius Resources will be presenting to Council at its February Ordinary meeting to outline the overall project and will be seeking direction from Council in respect to salt water usage on the flat bladed section of the Bullfinch/Evanston Road beyond the 21km gravel constructed section of the road.

In respect to other road upgrade/treatments and financial contributions along the entire haulage route, Ramelius Resources have been agreeable to those as outlined in the RMECS Report. Ramelius Resources have also been made aware of Council Policy No.2.5 "Heavy Haulage on Local Roads" which would require them to contribute to future maintenance works on the Three Boys Road.

#### **Statutory Environment**

Nil

#### **Strategic Implications**

Shire of Yilgarn Strategic Community Plan 2018-2028 – Economic – A Prosperous Future for Our Community – Safety and Quality of Transport Networks are Maintained and Improved.

#### **Policy Implications**

Council Policy No.5.2 – "Heavy Haulage on Local Roads"

#### ***Heavy Vehicle Cost Recovery***

*If any party plans to run a defined vehicle freight task that is deemed an extraordinary load that is likely to cause damage resulting in extraordinary expenses to the Shire, the Shire may negotiate a relevant charge in accordance with the Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads or enter into an Agreement (if unsealed) in accordance with the Road Traffic (Administration) Act.*

#### **Financial Implications**

Nil

### Officer Recommendation

*That Council grants approval for Ramelius Resources to utilise the following Council Controlled Roads associated with its haulage of ore from their Marda Mine Site subject to the following conditions:-*

- 1. That the use of salt water be approved on the unformed section (flat bladed track) section of the Bullfinch-Evanston Road (22.02 - 103.77SLK);*
- 2. That the use of salt water be prohibited on the formed gravel section of the Bullfinch-Evanston Road (0.92 – 22.2SLK) however, the use of polymers and/or a two coat primer seal be approved subject to Ramelius Resources liaising with Council's Executive Manager Infrastructure on intended sealing works and/or polymers to be utilised;*
- 3. That the sealed section of the Bullfinch-Evanston Road (0.0 – 0.92SLK) be reconstructed and sealed;*
- 4. That the sealed section of Manxman Road in the Bullfinch Town Site (0.0 – 0.93SLK) be reconstructed and sealed;*
- 5. That a financial contribution for future maintenance costs be applied to Ramelius Resources in accordance with Council Policy 5.2 on the sealed section of the Southern Cross CBH Bin Road (0.0 – 0.52SLK);*
- 6. That a financial contribution for future maintenance costs be applied to Ramelius Resources in accordance with Council Policy 5.2 on the sealed section of the Three Boys Road (0.0 – 2.91SLK);*
- 7. That a 50 metre Asphalt seal be prepared and laid on the Three Boys Road approach to the Great Eastern Highway to protect the road surface from heavy vehicles turning right onto the Highway;*
- 8. That Ramelius Resources liaises with Main Roads WA regarding improvements to the Great Eastern Highway and Three Boys Road intersection to accommodate truck configurations entering and exiting the Highway; and*
- 9. That a formal agreement relating to the above approvals and conditions be prepared for signing by Ramelius Resources and Council with the added condition that haulage operations do not commence until the upgrading and treatment works have been completed to the satisfaction of Council's Chief Executive Officer and Executive Manager Infrastructure and necessary MRWA and Shire of Yilgarn approvals for RAV Access being provided.*

## Council Decision

5/2019

*Moved Cr Pasini/Seconded Cr Della Bosca*

*That Council grants approval for Ramelius Resources to utilise the following Council Controlled Roads associated with its haulage of ore from their Marda Mine Site subject to the following conditions:-*

- 1. That the use of salt water be approved on the unformed section (flat bladed track) section of the Bullfinch-Evanston Road (22.02 - 103.77SLK) provided that the TDS of the water utilised is  $\leq 30,000\text{mg/L}$ ;*
- 2. That the use of salt water be prohibited on the formed gravel section of the Bullfinch-Evanston Road (0.92 – 22.2SLK) however, the use of polymers and/or a two coat primer seal be approved subject to Ramelius Resources liaising with Council's Executive Manager Infrastructure on intended sealing works and/or polymers to be utilised;*
- 3. That the sealed section of the Bullfinch-Evanston Road (0.0 – 0.92SLK) be reconstructed and sealed;*
- 4. That the sealed section of Manxman Road in the Bullfinch Town Site (0.0 – 0.93SLK) be reconstructed and sealed;*
- 5. That a financial contribution for future maintenance costs be applied to Ramelius Resources in accordance with Council Policy 5.2 on the sealed section of the Southern Cross CBH Bin Road (0.0 – 0.52SLK);*
- 6. That a financial contribution for future maintenance costs be applied to Ramelius Resources in accordance with Council Policy 5.2 on the sealed section of the Three Boys Road (0.0 – 2.91SLK);*
- 7. That a 50 metre Asphalt seal be prepared and laid on the Three Boys Road approach to the Great Eastern Highway to protect the road surface from heavy vehicles turning right onto the Highway;*
- 8. That Ramelius Resources liaises with Main Roads WA regarding improvements to the Great Eastern Highway and Three Boys Road intersection to accommodate truck configurations entering and exiting the Highway; and*
- 9. That a formal agreement relating to the above approvals and conditions be prepared for signing by Ramelius Resources and Council with the added condition that haulage operations do not commence until the upgrading and treatment works have been completed to the satisfaction of Council's Chief Executive Officer and Executive Manager Infrastructure and necessary MRWA and Shire of Yilgarn approvals for RAV Access being provided.*

**CARRIED (6/0)**

### **REASON FOR ALTERATION TO RECCOMMEDATION**

Council considered that it was important to put a limit on the concentration of saline water to be used on the Bullfinch-Evanston Road to ensure the integrity of the road in the future.



## 9.1 Officers Report – Chief Executive Officer

### 9.1.4 Minjar Gold/Hampton Transport – Copperhead Ore Haulage Proposal

<b>File Reference</b>	<b>3.2.1.24, 6.1.1.006, 6.1.1.086 &amp; 6.1.1.201</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>1. WML Consulting Engineers – Route and Intersection Assessment Report 2. Overall Route and Intersection Treatment Plan 3. Proposal-Bullfinch to Marvel Loch Haulage Copperhead Low Grade Stockpile</b>

#### Purpose of Report

To inform Council of the discussions/negotiations to date relating to Minjar Gold/Hampton Transport's proposal to utilise the Southern Cross-Bullfinch Road, Southern Cross CBH Bin Road, Three Boys Road, Great Eastern Highway and Southern Cross South Road for the haulage of ore from the Copperhead Mine in Bullfinch.

#### Background

Minjar Gold, Hampton Transport, Main Roads WA (MRWA) and Shire staff have been in discussions for some time now in relation to the transportation of ore from Minjar's Copperhead operations in Bullfinch to their Mill at Marvel Loch.

Following onsite inspections with Council's Executive Manager Infrastructure (EMI) to discuss the proposed haulage route, Minjar Gold and Hampton Transport engaged the services of WML Consulting Engineers to undertake a Route and Inspection Assessment for presentation to both Council and MRWA for approval.

#### Comment

The WML Consulting Engineers Assessment Report is attached for Councillors perusal.

The Southern Cross-Bullfinch Road and Great Eastern Highway are MRWA controlled roads and therefore, WML Consulting Engineers, on behalf of Minjar Gold and Hampton Transport, have been negotiating with MRWA Northam staff regarding the use of these roads.

In respect to the Southern Cross CBH Bin Road, Three Boys Road and Southern Cross South Road being part of the proposed haulage route, these are Council controlled roads and the EMI and CEO have been liaising with Minjar Gold, Hampton Transport and WML Consulting Engineers regarding necessary upgrading/treatment works and financial contributions under Council Policy 5.2 relating to "Heavy Haulage on Local Roads".

Minjar Gold representatives will be presenting to Council at its February Ordinary meeting to provide an outline of the overall project.

### Statutory Environment

Nil

### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2018-2028 – Economic – A Prosperous Future for Our Community – Safety and Quality of Transport Networks are Maintained and Improved.

### Policy Implications

Council Policy No.5.2 – “Heavy Haulage on Local Roads”

#### ***Heavy Vehicle Cost Recovery***

*If any party plans to run a defined vehicle freight task that is deemed an extraordinary load that is likely to cause damage resulting in extraordinary expenses to the Shire, the Shire may negotiate a relevant charge in accordance with the Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads or enter into an Agreement (if unsealed) in accordance with the Road Traffic (Administration) Act.*

### Financial Implications

Nil

### Officer Recommendation and Council Decision

6/2019

***Move Cr Close/Secoded Cr Della Bosca***

***That Council grants approval for Minjar Gold to utilise the following Council Controlled Roads associated with its haulage of ore from their Copperhead Bullfinch Mine Site to the Marvel Loch Mill subject to the following conditions: -***

- 1. That a financial contribution for future maintenance costs be applied to Minjar Gold in accordance with Council Policy 5.2 on the sealed section of the Southern Cross CBH Bin Road (0.0 – 0.52SLK);***
- 2. That a financial contribution for future maintenance costs be applied to Minjar Gold in accordance with Council Policy 5.2 on the sealed section of the Three Boys Road (0.0 – 2.91SLK);***
- 3. That a 50 metre Asphalt seal be prepared and laid on Three Boys Road prior to the intersection with the Great Eastern Highway;***
- 4. That a 50 metre Asphalt seal be prepared and laid on Southern Cross South Road prior to the intersection with the Great Eastern Highway;***

5. *That a financial contribution for future maintenance and construction costs be applied to Minjar Gold in accordance with Council Policy 5.2 on the sealed section of the Southern Cross South Road to the exiting Haul Road (0.0 – 3.00SLK);*
6. *That a 50 metre Asphalt seal be prepared and laid on Minjar Gold's Haul Road as it approaches Southern Cross South Road west and widening of the Southern Cross South Road to 10.7m to accommodate turning vehicles into the Haul Road;*
7. *That Minjar Gold be advised that a 1hr curfew on haulage will apply in the morning and afternoon to coincide with school bus times on the Southern Cross South Road.*
8. *That Minjar Gold liaises with Main Roads WA regarding improvements to the Great Eastern Highway, Three Boys Road and Southern Cross South Road intersection to accommodate truck configurations entering and exiting the Highway; and*
9. *That a formal agreement relating to the above approvals and conditions be prepared for signing by Minjar Gold and Council with the added condition that haulage operations do not commence until the upgrading and treatment works have been completed to the satisfaction of Council's Chief Executive Officer and Executive Manager Infrastructure.*

**CARRIED (6/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.5 Local Government Professionals Australia – National Congress and Business Expo

<b>File Reference</b>	<b>1.1.8.1</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To seek Council approval for the Chief Executive Officer to attend the Local Government Professionals Australia National Congress and Business Expo to be held in Darwin between 31 July and 2 August 2019.

#### Background

The National Congress and Business Expo is an opportunity for leaders in Local Government from around Australia to network and to attend informative sessions on topics that are current and relevant to the Local Government industry. The 2019 Local Government Professionals National Congress and Business Expo is aimed at future casting global and national issues with local solutions, local knowledge and local leadership.

#### Comment

The CEO has attended the past National Congress' and has found them to be an excellent opportunity to meet with CEOs from around Australia and learn what is happening on the national front rather than just being aware of our own local issues. The National Congress is a major event on the Local Government Professionals calendar that is hosted in every State on an annual rotation basis.

The CEO is prepared to pay his own airfares to Darwin but seeks Council approval to pay for Conference registration fees and accommodation expenses.

#### Statutory Environment

*Chief Executive Officer Contract of Employment*

##### Clause 6.3 – Professional Development

- (a) In this clause, “**conference**” includes workshop, forum or similar event.
- (b) The Local Government
  - (i) Supports, as part of the CEO’s performance of the functions of the position, the membership of professional bodies and attendance at conferences; and

- (ii) Must pay costs associated with the CEO's membership of professional bodies; up to the maximum amount specified in item 9 of Schedule 2; and
- (iii) Subject to prior approval by the Council (or, if the Council so resolved, the President) and in accordance with the budget, must also pay the conference attendances by the CEO for professional development purposes relevant to the functions of the position.

### Strategic Implications

Nil

### Policy Implications

Nil

### Financial Implications

Council's Annual Budget provides an allocations for Conference Registration Fees and Accommodation Expenses. As stated earlier in the Report, the CEO would cover airfares at his own cost.

### Officer Recommendation and Council Decision

**7/2019**

***Moved Cr Shaw/Seconded Cr Close***

***That Council approves of the CEO attending the 2019 Local Government Professionals National Congress and Business Expo to be held in Darwin between 31 July and 2 August and that registration fees and accommodation expenses associated with such attendance be authorised for payment in accordance with the CEO's Contract of Employment. In granting this approval, Council notes that the CEO will be covering his own airfares to Darwin and return.***

**CARRIED (6/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.1 Financial Reports-December 2018

<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>Attachments</b>	<b>See attachment 9.2.1</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<sup>st</sup> December 2018.

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity
- Own Source Revenue Ratio

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 Regulation 34(i)(a) and Regulation 17.

#### Strategic Implications

Nil

#### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

*8/2019*

*Moved Cr Della Bosca/Seconded Cr Guerini*

*That Council endorse the various Financial Reports as presented for the period ending 31<sup>st</sup> December 2018*

**CARRIED (6/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.2 Financial Reports-January 2019

<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>Attachments</b>	<b>See attachment 9.2.2</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<sup>st</sup> January 2019.

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity
- Own Source Revenue Ratio

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 Regulation 34(i)(a) and Regulation 17.

#### Strategic Implications

Nil

#### Policy Implications

Nil

#### Financial Implications

Nil



**Officer Recommendation and Council Decision**

**9/2019**

***Moved Cr Close/Seconded Cr Shaw***

***That Council endorse the various Financial Reports as presented for the period ending 31<sup>st</sup> January 2019***

**CARRIED (6/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.3 Accounts for Payment

<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>Attachments</b>	<b>See attachment 9.2.3</b>

#### Purpose of Report

To consider the Accounts for Payment

#### Background

Municipal Fund – Cheque Numbers 40729 to 40745 totalling \$30,149.39, Municipal Fund-EFT Numbers 8322 to 8493 totalling \$1,277,940.90, Municipal Fund – Cheque Numbers 1469 to 1487 totalling \$442,669.78, Municipal Fund Direct Debit Numbers 13246.1 to 13372.12 totalling \$103,209.39, Trust Fund 402400 to 402404 totalling \$2,218.27 and Trust Fund – Cheque Numbers 6153 to 6160 (DPI Licensing), totalling \$86,026.45 are presented for endorsement as per the submitted list.

#### Comment

Nil

#### Statutory Environment

Sections 5.42 and 5.44 of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, Regulation No 12 and 13

#### Strategic Implications

Nil

#### Policy Implications

Council has provided delegation to the Chief Executive Officer to make payments from the Shire of Yilgarn Municipal, Trust or other Fund.

#### Financial Implications

Drawdown of Bank funds

**Officer Recommendation and Council Decision**

**10/2019**

***Moved Cr Shaw/Seconded Cr Close***

***Municipal Fund – Cheque Numbers 40729 to 40745 totalling \$30,149.39, Municipal Fund- EFT Numbers 8322 to 8493 totalling \$1,277,940.90, Municipal Fund – Cheque Numbers 1469 to 1487 totalling \$442,669.78, Municipal Fund Direct Debit Numbers 13246.1 to 13372.12 totalling \$103,209.39, Trust Fund 402400 to 402404 totalling \$2,218.27 and Trust Fund – Cheque Numbers 6153 to 6160 (DPI Licensing), totalling \$86,026.45 are presented for endorsement as per the submitted list.***

**CARRIED (6/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.4 2018/2019 Budget Review

<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>Attachments</b>	<b>2018/2019 Budget Review</b>

#### Purpose of Report

Council is requested to accept the 2018/2019 Budget Review and adopt the recommendations made within.

#### Background

Financial Management Regulation 33A – Review of Budget, requires a Local Government to review its annual budget between the 1<sup>st</sup> of January and the 31<sup>st</sup> of March in any given financial year. The outcome of this review is to be submitted to Council for consideration and adoption.

#### Comment

The budget review document, including budget amendment recommendations, for the 2018/2019 financial year is attached for Councils consideration

#### Statutory Environment

##### Local Government (Financial Management) Regulations 1996

#### 33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
  - (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  - (b) consider the local government’s financial position as at the date of the review; and
  - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

### **Strategic Implications**

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

### **Policy Implications**

This report deals with changes to Council's Policy Manual.

### **Financial Implications**

The presented review includes several budget amendments.

### **Officer Recommendation and Council Decision**

*11/2019*

*Moved Cr Guerini/Seconded Cr Della Bosca*

*That Council adopts the Budget Review for the period 1st July 2018 to 31st January 2019 inclusive of the recommended budget amendments included in Note 4.*

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

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.5 2017/18 Audit & Management Report

<b>File Reference</b>	<b>8.2.3.3</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	<b>Attachment 1-2017/2018 Annual Report including the Annual Financial Report incorporating the Independent Auditor's Report.</b> <b>Attachment 2-Management Report</b> <b>Attachment 3-Chief Executive Officers Report</b>

#### Purpose of Report

Council is requested to accept the Annual Report incorporating the Annual Financial Report and Independent Auditor's Report for the year ending 2017/2018.

#### Background

The Local Government Act 1995 requires Council to prepare and accept an Annual Report for each Financial Year by the 31 December of the year after that financial year. If the Auditor's report is not available in time for the Annual Report to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the Auditor's report becomes available.

#### Comment

The Annual Report for the financial year ending 30 June 2018 has been provided to Councillors for their consideration and acceptance.

The Audited Financial Statements and the Independent Audit Report are also included in the Annual Report. Following the acceptance of the Annual Report, Council is required to give public notice of the availability of the Annual Report as soon as practicable.

It is also a requirement that a General Meeting of Electors is to be held on a day set by Council not more than 56 days after acceptance of the Annual Report, 14 days local public notice of this meeting is to be given.

#### Statutory Environment

##### Local Government Act 1995 –

##### 5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
  - (a) a report from the mayor or president; and

- (b) a report from the CEO; and  
*[(c), (d) deleted]*
  - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
  - (f) the financial report for the financial year; and
  - (g) such information as may be prescribed in relation to the payments made to employees; and
  - (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and
  - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*; and
  - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
    - (i) the number of complaints recorded in the register of complaints; and
    - (ii) how the recorded complaints were dealt with; and
    - (iii) any other details that the regulations may require;
- and
- (i) such other information as may be prescribed.

*[Section 5.53 amended by No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6; No. 5 of 2017 s. 7(1).]*

#### **5.54. Acceptance of annual reports**

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.

*\* Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

*[Section 5.54 amended by No. 49 of 2004 s. 49.]*

#### **5.55. Notice of annual reports**

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

#### **5.55A. Publication of annual reports**

The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.

*[Section 5.55A inserted by No. 5 of 2017 s. 8.]*

The recommendation that follows is consistent with the legislative requirements.

### **Strategic Implications**

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

### **Policy Implications**

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

### **Financial Implications**

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

### **Officer Recommendation and Council Decision**

*12/2019*

*Moved Cr Guerini/Seconded Cr Pasini*

*That Council:*

- 1. accept the recommendations from the Audit Committee meeting held on Thursday 21<sup>st</sup> February 2019; being*
  - acceptance of the Annual Report for 2017/2018 including the Audited Financial Report and Auditor's Audit Report for the period ended 30 June 2018; and*
  - acceptance of the Chief Executive Officer's report and recommends a copy of said report be forwarded to the Minister.*
- 2. Conducts the 2017/2018 Annual Meeting of Electors in the Shire of Yilgarn Council Chambers on the 21<sup>st</sup> March 2019, commencing at 6:00 pm.*

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



## 9.3 Reporting Officer– Executive Manager Infrastructure

### 9.3.1 Road Closures Locality of Bullfinch

<b>File Reference:</b>	<b>6.1.2.9</b>
<b>Disclosure of Interest:</b>	<b>The author of this item is a family member</b>
<b>Voting Requirements:</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To consider making application to the Minister of Department of Planning, Lands and Heritage to have unmade gazetted roads closed in the locality of Bullfinch

#### Background

As a result of correspondence received from Golden Valley Pastoral Company requesting Council to consider having six gazetted roads reserves closed located in the locality of Bullfinch area, the following resolution was passed at the October 2018 Ordinary Meeting.

**"141/2018**

***Moved Cr Nolan/Seconded Cr Close***

***That Council resolves that in accordance to the Land Administration Act 1997 Part 5 Section 58, commences the thirty five (35) day statutory advertising period calling for comments relating to the proposed closures on the following road reserves***

- 1) Roberts Road from Koorda Bullfinch Road to Narla Loop Road as marked in orange on appendix one.***
- 2) Narla Loop Road from Koorda Bullfinch Road to Golden Valley Road as marked blue on appendix one***
- 3) Clarkson Road – from Koorda Bullfinch Road to Mount Jackson Road as marked red on appendix one***
- 4) Unnamed Road – from King Road to Clarkson Road as marked pink on appendix one***
- 5) King Road – from Narla Loop Road to southern boundary of Loc. 1071 as marked purple on appendix one***
- 6) Noongar North Road – from Koorda Bullfinch Road to Narla Loop Road as marked green on appendix one***

***CARRIED (5/1)***

## Comment

In accordance to *Land Administration Act 1997* Part 5 Section 58, Council advertised the proposed closures in the Western Australia Newspaper on the 7<sup>th</sup> November 2018 calling for comments and/or objections with the closing date being 13<sup>th</sup> December 2018. The proposed closures were also displayed on the information pin-up board at the front entrance of Shire Administration Office.

At the time of the closing date no comments and or objections were received.

## Statutory Environment

### *Land Administration Act 1997 Part 5 Section 58*

#### 58. Closing roads

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.
- (4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —
  - (a) by order grant the request; or
  - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
  - (c) refuse the request.
- (5) If the Minister grants a request under subsection (4) —
  - (a) the road concerned is closed on and from the day on which the relevant order is registered; and
  - (b) any rights suspended under section 55(3)(a) cease to be so suspended.
- (6) When a road is closed under this section, the land comprising the former road —
  - (a) becomes unallocated Crown land; or
  - (b) if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.

### Strategic Implications

Road rationalisation in the Shire of Yilgarn

### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

*13/2019*

*Moved Cr Della Bosca/Seconded Cr Pasini*

*That following the statutory advertising period and in accordance with Section 58 Part 5 of the Land Administration Act 1997, Council resolves to make application to the Minister of Department of Planning, Lands and Heritage to have the following roads closed*

- 1) Roberts Road from Koorda Bullfinch Road to Narla Loop Road as marked in orange on appendix one*
- 2) Narla Loop Road from Koorda Bullfinch Road to Golden Valley Road as marked blue on appendix one*
- 3) Clarkson Road – from Koorda Bullfinch Road to Mount Jackson Road as marked red on appendix one*
- 4) Unnamed Road – from King Road to Clarkson Road as marked pink on appendix one*
- 5) King Road – from Narla Loop Road to southern boundary of Loc. 1071 as marked purple on appendix one*
- 6) Noongar North Road – from Koorda Bullfinch Road to Narla Loop Road as marked green on appendix one*

**CARRIED (6/0)**

### 9.3 Reporting Officer– Executive Manager Infrastructure

#### 9.3.2 - 2018/2019 Plant Replacement Program – Tender N° 8/2018-2019 4x4 Tray Back Utility

<b>File Reference</b>	<b>6.6.5.10 &amp; 6.4.1.5</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To consider the disposal of Councils existing 4x4 2015 Toyota Landcruiser Tray-back Utility (YL-38/ Plant N° 1995) and to a purchase new replacement 4x4 Tray-back Utility

#### Background

In accordance with Councils 2018/2019 Plant Replacement Program, quotations were invited to supply and deliver one only 4x4 Tray-back Utility and to trade or the outright purchase (Alternative Tender) of Councils current 4x4 Toyota Landcruiser Tray-back Utility (YL-38).

The 4x4 Toyota Landcruiser Tray-back Utility (YL-38/Plant N° 1995) offered for trade or outright purchase is currently being utilised for the transport of councils grading maintenance personnel and fuel supplies to and from worksites.

This vehicle was purchased in 2015 and has speedometer reading of 77,500 as of February 2019. A monetary amount of \$59,500 has been allowed for in 2018/2019 financial Year Budget to purchase a replacement vehicle.

#### Comment

In accordance to Councils Finance Policy 3.5 Purchasing and Tendering and the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and 3.58 Disposing of Property (3), Tender N° 8/2018-2019 was advertised for a period of not less than fourteen days in the Kalgoorlie Miner and local Crosswords with the closing date being 24<sup>th</sup> January 2019.

The following responses were received for the Outright Purchase of Councils current 2015 Landcruiser Tray-back Utility (YL-38/Plant N° 1995) *GST inclusive*:

<b>Shaun Chrisp</b>	\$38,500
<b>Kim Stephen</b>	\$38,000
<b>Apache Australia Investments Pty Ltd (John Nicoletti)</b>	\$51,500

The following response was received for the **supply only** of a new 4x4 Tray-back Utility *GST inclusive*:

**Bunbury Toyota**

4x4 Toyota Landcruiser LC70 Single Cab Workmate	<b>\$64,708.19</b>
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The following response was received for the trade-in of Councils current 2015 4x4 Toyota Landcruiser Tray-back Utility and to supply a new 4x4 Tray-back Utility *GST Inclusive*:

**Merredin Toyota**

4x4 Toyota Landcruiser LC70 Single Cab Workmate	\$64,770.00
Less trade-in 2015 4x4 Toyota Landcruiser Utility	\$51,000.00
Net change-over	<b>\$13,770.00</b>

**Statutory Environment**

In accordance to the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and Section 3.58 Disposing of Property (3)

**Strategic Implications**

Councils Ten Year, Plant Replacement Program

**Policy Implications**

“Finance Policy 3.5 Purchasing and Tendering”

**Financial Implications**

A monetary allocation of \$59,500 (GST exclusive) has been allowed for the purchase of a new 4x4 Tray Back Utility in Councils 2018-2019 Financial Year Budget.

**Officer Recommendation and Council Decision**

*14/2019*

*Moved Cr Pasini/Seconded Cr Close*

- 1. That Council accepts the quote submitted by Merredin Toyota to purchase the 4x4 Toyota Landcruiser LC70 Single Cab Workmate Tray-back Utility for the quoted purchase cost of \$64,770 (GST inclusive)*

*and*

- 2. That Councils accepts the tender from Apache Australia Investments Pty Ltd for the outright purchase cost of \$51,500 (GST inclusive) for councils current 2015 4x4 Toyota Landcruiser Tray-back Utility*

**CARRIED (6/0)**

### 9.3 Reporting Officer– Executive Manager Infrastructure

#### 9.3.3 2018/2019 Plant Replacement Program – Tender N° 9/2018-2019 4x4 Tray Back Utility

<b>File Reference</b>	<b>6.6.5.10 &amp; 6.4.1.5</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To consider the disposal of Councils existing 4x4 2015 Toyota Landcruiser Utility (YL-5067/ Plant N° 2002) and to a purchase new replacement 4x4 Tray-back Utility

#### Background

In accordance to Councils 2018/2019 Plant Replacement Program, quotations were invited to supply and deliver one only 4x4 Tray-back Utility and to trade or the outright purchase (Alternative Tender) of Councils current 4x4 Toyota Landcruiser Tray-back Utility (YL-5067/Plant N° 2002).

The 4x4 Toyota Landcruiser Tray-back Utility (YL-5067/Plant N° 2002) offered for trade or outright purchase is currently being utilised for the transport of councils grading maintenance personnel and fuel supplies to and from worksites.

This vehicle was purchased in 2015 and has speedometer reading of 95,600 as of February 2019. A monetary amount of \$59,500 has been allowed for in 2018/2019 financial Year Budget to purchase a replacement vehicle.

#### Comment

In accordance to Councils Finance Policy 3.5 Purchasing and Tendering and the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and 3.58 Disposing of Property (3), Tender N° 9/2018-2019 was advertised for a period of not less than fourteen days in the Kalgoorlie Miner and local Crosswords with the closing date being 24<sup>th</sup> January 2019.

The following response was received for the Outright Purchase of Councils current 2015 Landcruiser Tray-back Utility (YL-5067/Plant N° 2002) *GST inclusive*:

<b>Apache Australia Investments Pty Ltd (John Nicoletti)</b>	<b>\$47,800</b>
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The following response was received for the **supply only** of a new 4x4 Tray-back Utility *GST inclusive*:

### **Bunbury Toyota**

4x4 Toyota Landcruiser LC70 Single Cab Workmate	<b>\$64,708.19</b>
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The following response was received for the trade-in of Councils current 2015 4x4 Toyota Landcruiser Tray-back Utility and to supply a new 4x4 Tray-back Utility *GST Inclusive*:

### **Merredin Toyota**

4x4 Toyota Landcruiser LC70 Single Cab Workmate	\$64,770.00
Less trade-in 2015 4x4 Toyota Landcruiser Utility	\$49,000.00
Net change-over	<b>\$15,770.00</b>

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Council's Regional Price Preference, Policy No.3.5(A), as stated below provides a 10% preference to local suppliers and a 5% preference to suppliers within the Wheatbelt area, therefore **Apache Australia Investments Pty Ltd (John Nicoletti)** tender for the outright purchase of the vehicle at the quoted amount of \$47,800 meets the requirements of the Policy.

### **Statutory Environment**

In accordance to the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and Section 3.58 Disposing of Property (3)

### **Strategic Implications**

Councils Ten Year, Plant Replacement Program

### **Policy Implications**

*"Finance Policy 3.5 Purchasing and Tendering"*

*"Regional Price Preference Policy 3.5(A)"*

### **OBJECTIVES**

- To support local and regional businesses as much as possible
- To achieve value for money when purchasing goods and services

### **POLICY**

The following price preference will be applied to regional tenders and is the percentage by which the regional price bid will be reduced for purpose of assessing the tender.

**Goods and Services** - up to a maximum price reduction of \$50,000 unless a lesser amount is stipulated in the tender document.

Stipulated Area

10%	to all suppliers located within the Shire of Yilgarn
5%	to all suppliers located within the Wheatbelt region
2.5%	to all suppliers located within the Goldfield region

**Financial Implications**

*A monetary allocation of \$59,500 (GST exclusive) has been allowed for the purchase of a new 4x4 Tray Back Utility in Councils 2018-2019 Financial Year Budget*

**Officer Recommendation and Council Decision**

*15/2019*

*Moved Cr Della Bosca/Seconded Cr Close*

- 1. That Council accepts the quote submitted by Merredin Toyota to purchase the 4x4 Toyota Landcruiser LC70 Single Cab Workmate Tray-back Utility for the quoted purchase cost of \$64,770 (GST inclusive)*

*and*

- 2. That Councils accepts the tender from Apache Australia Investments Pty Ltd for the outright purchase cost of \$47,800 (GST inclusive) for councils current 2015 4x4 Toyota Landcruiser Tray-back Utility*

**CARRIED (6/0)**



### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.4 2018/2019 Plant Replacement Program – Tender N° 10/2018-2019 4x4 Extra Cab Utility with Tilt Tray

<b>File Reference</b>	<b>6.6.5.10 &amp; 6.4.1.5</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To consider the disposal of Councils existing 4x4 2015 Toyota Hilux Extra Cab Utility (YL-13/ Plant N° 2005) and to a purchase new replacement Extra Cab Utility with Tilt Tray.

#### Background

In accordance to Councils 2018/2019 Plant Replacement Program, quotations were invited to supply and deliver one only 4x4 Extra Cab Utility with Tilt Tray and to trade or the outright purchase (Alternative Tender) of Councils current 4x4 2015 Toyota Hilux Extra Cab Utility (YL-13/ Plant N° 2005).

The 4x4 2015 Toyota Hilux Extra Cab Utility offered for trade or outright purchase is currently being utilised by council's gardening staff.

This vehicle was purchased in 2015 and has speedometer reading of 72,500 as of February 2019. A monetary amount of \$52,500 has been allowed for in 2018/2019 financial Year Budget to purchase a replacement vehicle.

#### Comment

In accordance to Councils Finance Policy 3.5 Purchasing and Tendering and the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and 3.58 Disposing of Property (3), Tender N° 10/2018-2019 was advertised for a period of not less than fourteen days in the Kalgoorlie Miner and local Crosswords with the closing date being 24<sup>th</sup> January 2019.

There were no responses for the outright purchase (alternative tender) for this vehicle.

The following response was received for the *supply only* of a new 4x4 Extra Cab Utility with Tilt Tray *GST inclusive*:

#### Bunbury Toyota

4x4 Toyota Hilux Extra Cab with Tilt Tray (no trade offered)	<b>\$46,990.00</b>
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The following response was received for the trade-in of Councils current 2015 4x4 Toyota Hilux Extra Cab Utility and to supply a new 4x4 Extra Cab Utility with Tilt Tray *GST Inclusive*:

**Merredin Toyota**

4x4 Toyota Hilux Extra Cab with Tilt Tray	\$48,990.00
Less trade-in 2015 4x4 Toyota Hilux Utility	\$31,000.00
Net change-over	<b>\$17,990.00</b>

As Bunbury Toyota have only offered to supply only a new 4x4 Extra Cab Utility it is proposed to recommend that Council purchase the new 4x4 Extra Cab Utility from Merredin Toyota as they have also offered to trade Councils existing 2015 4x4 Toyota Hilux Extra Cab Utility

**Statutory Environment**

In accordance to the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and Section 3.58 Disposing of Property (3)

**Strategic Implications**

Councils Ten Year, Plant Replacement Program

**Policy Implications**

“Finance Policy 3.5 Purchasing and Tendering”

**Financial Implications**

A monetary allocation of \$52,500 (GST exclusive) has been allowed for the purchase of a new 4x4 Extra Cab Utility in Councils 2018-2019 Financial Year Budget

**Officer Recommendation and Council Decision**

*16/2019*

*Moved Cr Close/Seconded Cr Pasini*

*That Council purchase the 4x4 Toyota Hilux Extra Cab Utility with Tilt Tray from Merredin Toyota for the quoted purchase price of \$48,990 (GST inclusive), and trade Council’s existing 4x4 2015 Toyota Hilux Extra Cab Utility for the quoted trade price of \$31,000 (GST inclusive), resulting in a change-over cost of \$17,990.00 (GST inclusive).*

**CARRIED (6/0)**

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.1 Covalent Lithium – Earl Grey Project – Environmental Review Document

<b>File Reference</b>	<b>3.2.1.23</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Covalent Lithium Environmental Review Document</b>

#### Purpose of Report

To receive the Covalent Lithium Environmental Review Document and endorse Shire of Yilgarn response.

#### Background

On the 5<sup>th</sup> February 2019, the Shire of Yilgarn received correspondence from the Department of Water and Environmental Regulation (the Department), advising that the Environmental Review Document (ERD) for the Covalent Lithium Earl Grey Project has been released for public and government review. A copy of the "Covalent Lithium Environmental Review Document" has been attached for Councillors perusal. There are a number of appendices available upon request to the Executive Manager Regulatory Services.

The Department is seeking submissions in relation to the ERD, with the closing date being the 11<sup>th</sup> March 2019.

The ERD Executive Summary reads:

*Covalent Lithium Pty Ltd (the Proponent), a joint venture between Kidman Resources Limited (Kidman) and Sociedad Química y Minera (SQM), are proposing development of the Earl Grey Lithium Project (the Proposal). A large, economic pegmatite-hosted lithium deposit was discovered by Kidman in 2016. The deposit is situated at the previously abandoned Mt Holland mine site, located approximately 105 km south-southeast of Southern Cross in the Yilgarn Mineral Field of Western Australia. The site was operated as a gold mine between 1988 and 2001. The historic Mt Holland mine site comprises of open pits, an underground mine, a processing plant, waste rock dumps, tailings storage facilities (TSF) and other associated infrastructure. The Mt Holland mine site is largely unrehabilitated and is currently a liability of the State of Western Australia.*

*The Proposal comprises open cut mining and processing of lithium ore to upgrade to a concentrate and subsequent transport of a lithium concentrate to an existing Western Australian port for export to overseas markets or to a future proposed lithium refinery in Kwinana.*

*The Development Envelope covers an area of 1984 ha, with a Proposal footprint of 660 ha. The Proposal has been designed to maximise the use of existing disturbance with 40% of the Proposal located on 268 ha of existing disturbance associated with the historical abandoned Mt Holland mine site. The Proposal will require clearing of 392 ha of native vegetation for*

*excavation of a new mine pit, storage of waste rock in new dumps and other ancillary infrastructure, including a new airstrip. Clearing of native vegetation and rehabilitation will occur progressively over a 40 year mine life.*

*Table ES1 provides a summary of the Proposal. Table ES2 provides a summary of potential impacts, proposed mitigation and outcomes for the Proposal.*

*Surveys of flora and vegetation undertaken by Mattiske (2017, 2018) and terrestrial fauna surveys by Western Wildlife (2017) have identified and confirmed the presence of conservation significant species including Ironcaps Banksia (*Banksia sphaerocarpa* var. *dolichostyla*), Chuditch and Malleefowl, within and surrounding the Development Envelope. The site layout has been designed to avoid and minimise direct and indirect impacts to these conservation significant species. Further, the Proposal will not substantially reduce the extent of any local vegetation type or habitat within the Southern Cross area.*

*Stakeholder consultation has been undertaken throughout planning for the Proposal. Consultation will continue to develop as the Proposal progresses into the detailed design, construction and operational phases.*

*The Proposal can be implemented without significant impacts on the health, diversity or productivity of the environment. With the application of environmental management plans the Proposal will avoid or minimise impacts on identified environmental values. Potential residual impacts on Chuditch and Malleefowl habitat will be addressed through the application of a direct offset.*

*Overall, the Proposal is considered to pose a relatively low risk to key environmental factors, significant fauna and flora species and will achieve a net environmental benefit through rehabilitation of historic disturbance, contribution of scientific knowledge through implementation of monitoring programs, application of environmental offsets and contributions to conservation management through feral animal monitoring and control, considered one of the greatest risks to conservation significant species in the region.*

#### **Comment**

Whilst not purporting to be an environmental specialist, it is the reporting officer's opinion that the ERD seems to provide sufficient mitigation measures to reduce environmental impacts to both flora and fauna thought to be affected by the proposed development.

The following species have the potential to be impacted:

- *Banksia sphaerocarpa* var. *dolichostyla*. – Declared Rare Flora – Potential impact on 0.56% of known local population
- *Microcorys* sp - Priority Flora – Potential impact on 18.07% of known local population
- *Malleefowl* – No direct loss of Malleefowl mounds, incidental mortality possible (traffic)

- *Chuditch* – Small direct effect of habitat and breeding grounds, potentially significant residual impacts are likely to occur as a result of direct loss of higher quality unburnt habitats used by both Malleefowl and Chuditch.

The ERD provides the following justification:

*Development of the Proposal will provide additional lithium minerals required to meet the strong global demand for lithium, which is predominantly used in battery manufacturing; a growing requirement of the renewable energy markets and electric motor vehicle industry. This contributes to improving the environment by reducing dependence on fossil fuels.*

*The Proposal would be a significant source of direct and indirect employment, both during construction and in the operational phase. Indirect employment comprises flow-on employment effects (essentially reflecting the demand for goods and services and the employment that must be generated to provide them). During construction, a workforce of approximately 700 personnel will be required over an 18-month period. When operations commence, an estimated 300 full-time equivalent (FTE) personnel will be employed directly. Opportunities for local employment and supporting local industry could assist regional towns such as Southern Cross, Kalgoorlie, Kambalda, Coolgardie, Esperance, Hyden and Norseman.*

*The Proposal will provide a revenue stream to the government through the payment of royalties and taxes. The Western Australian government will receive royalties and taxes each year that the Proposal is in operation.*

*Implementation of the Proposal also provides the State of Western Australia with an opportunity to rehabilitate a proportion of the abandoned Mt Holland mine site. Implementation of the Proposal will result in utilisation and rehabilitation of some of the existing disturbance at Mt Holland and therefore a reduction of the State's abandoned mine liability disturbances.*

#### **Statutory Environment**

Nil

#### **Strategic Implications**

Nil

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

**Officer Recommendation and Council Decision**

**17/2019**

**Moved Cr Della Bosca/Seconded Cr Shaw**

***THAT COUNCIL:***

- 1. Receive the Environmental Review Document for the Covalent Lithium Earl Grey Project;***

***And***

- 2. Endorse the following response to the Department of Water and Environmental Regulation that:***

**The Shire of Yilgarn has no objections to the findings and conclusions detailed in the Environmental Review Document for the Covalent Lithium Earl Grey Project.**

**CARRIED (6/0)**

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.2 Reduction of protection buffer of Cemetery 15811 for mining on Reserve 18881

<b>File Reference</b>	<b>3.2.1.26</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Smartplan of Reserve 15811 Aerial of Reserve 15811</b>

#### Purpose of Report

To consider a request to reduce the protection buffer of Cemetery 15811, from 140m to 50m for the purpose of mining on Reserve 18881

#### Background

The Department of Planning, Lands and Heritage is currently considering a proposal from Preston Consulting on behalf of the tenement holder of Mining Lease 77/534, to reduce the protection buffer of cemetery 15811 from 140m to 50m. The department has requested comments from the Shire of Yilgarn.

Cemetery 15811 is located adjacent to Pearce Road, approximately 13 kilometres North-West of the Southern Cross townsite.

Mining Lease 77/534 is located North of Pearce Road and West of Bullfinch-Southern Cross Road. A smart plan and aerial photograph are attached, detailing the locations.

The mining lease was granted on 4<sup>th</sup> September 1992, subject to a number of conditions. Specific to this matter was Condition 9 of the lease, which is a standard condition that is imposed on tenements which encroach onto Cemetery Reserves, in essence it provides protection for cemeteries by imposing a buffer around the cemetery preventing mining within 140 metres laterally from the reserve and confined to below a depth of 50 metres.

The documentation from the Department provided no official justification from the proponents.

#### Comment

The mining tenement and cemetery reserve are separated by Pearce Road, which in the opinion of the reporting officer, will provide sufficient buffer to ensure the cemetery reserve is not impacted by mining, should a reduction on the standard buffer be approved.

There is no mention of the cemetery in the Shire of Yilgarn Municipal Heritage Inventory, and a site visit some months ago was unable to detect any formal headstones or markings which would be of significance and as such the risk of detracting from a historically significant feature is low.

**Statutory Environment**

Nil

**Strategic Implications**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Officer Recommendation and Council Decision**

**18/2019**

**Move Cr Pasini/Seconded Cr Guerini**

***THAT COUNCIL***

*Endorse the following response to the Department of Planning, Lands and Heritage:*

**The Shire of Yilgarn have no objection to reducing the buffer between Mining Lease 77/534 and cemetery reserve 15811 from 140 metres to 50 metres.**

**CARRIED (6/0)**



## 9.5 Reporting Officer– Manager Community Services

### 9.5.1 Calls for Interest-Community Cropping Lots 36,44 & 88

<b>File Reference</b>	<b>2.4.1.1</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To call for expressions of interest of community groups to crop lots 36, 44 and 88.

#### Background

Council holds under lease from Department of Lands (Western Australian Government) lots 36 & 44 on Great Eastern Highway and owns freehold the paddock surrounding the Southern Cross Airport (reserve lot 88).

The lease with the Department will cease in 2021 and must be re-negotiated before another lease is offered to the community.

In previous years it was practice to allow local community groups to use these three lots to crop and use the profit to fund their club.

The Southern Cross Football Club held the last lease from 2016 until 2019 and its tenure is now concluded.

#### Comment

The practice is to advertise, calling for community groups to register a desire to crop those paddocks and select suitable applicants at the next Council meeting in order to allow sufficient time to prepare for seeding in April.

#### Statutory Environment

Nil

#### Strategic Implications

Shire of Yilgarn – Corporate Business Plan, Schedule 11 – Recreation and Culture  
Goal: An inclusive, secure and welcoming community that encourages family, youth and the aged to remain in and contribute to our Shire in the long term.

Outcome: Maintain/increase percentages of residents engaged in recreation, culture and leisure activities for all demographics of the Shire

Strategy: Continue to support local sport, recreation and community groups

### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

*19/2019*

*Moved Cr Pasini/Seconded Cr Della Bosca*

*That Council*

- *determine that expressions of interest to be called for the cropping of Reserve lot 88 and lots 36 and 44 for a three-year period, as per Fees and Charges.*
- *and the applications be presented at the Ordinary Council meeting in March 2019 for Councils consideration.*

**CARRIED (6/0)**

## 9.5 Reporting Officer – Manager Community Services

### 9.5.2 Southern Cross Swimming Pool

<b>File Reference</b>	<b>4.1.7.12</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To accept the Department of Local Government, Sport and Cultural Industries “Community Sporting and Recreation Facilities Fund” (CSRFF) grant for the replacement of the Southern Cross swimming pool and to agree to engage consultants to prepare tender documentation.

#### Background

Council applied in September 2018 for \$850,000 from the CSRFF. Last week Council received notification that the application has successful and Council been granted \$700,000 towards the build of a new swimming pool in Southern Cross.

Kal Engineering were engaged to contract an architect to draw a concept design and community input was invited via Crosswords (29/06/2017) to comment on the design.

#### Comment

Kal Engineering has previously assisted Council in the process and has offered assistance in the tender process for the design phase, which may include the engagement of various sub-consultants, such as:

- Architect
- Geotechnical Consultant
- Structural Engineer
- Hydraulic Consultant
- Electrical Consultant
- Building Surveyor
- Quantity Surveyor

It is recommended to engage a principal consultant who will deliver full design plans, which will then build the base to call for tenders for construction of the new pool, after approval by Council.

#### Statutory Environment

Nil

### Strategic Implications

Strategic Community Plan 2018-2028

Aligns with Strategic Community Plan to *"continue to provide and maintain high quality community infrastructure (recreation centre, oval, lawn bowls, tennis facilities, swimming pool, library, community centre, public halls).*

Corporate Business Plan 2018/19 to 2022/23

*"10 Year Strategic Priorities - New Public Swimming Pool"*

Schedule 11 – Recreation and Culture – Swimming Pool – Service Level - *"We will improve the Service Level by: Working towards a complete refurbishment of the pool and new built infrastructure"*

### Policy Implications

Council Policy Manual, Policy 3.5 Purchasing and tendering

### Financial Implications

Within budget allocations – subject to tender.

### Officer Recommendation and Council Decision

**20/2019**

**Moved Cr Close/Seconded Cr Guerini**

***That Council:***

- *Accepts the CSRFF grant of \$700,000 for the Southern Cross swimming pool project*
- *Permit staff to engage appropriate consultants and prepare tender documentation for the design of the new swimming pool, based on the concept design.*

**CARRIED (6/0)**

**10 APPLICATION 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**

**CONFIDENTIAL ITEM**

**22/2019**

***Moved Cr Guerini/Seconded Cr Della Bosca***

***That the meeting be closed to members of the public in accordance with section 5.23(2)(a) of the Local Government Act.***

**CARRIED (6/0)**

## 13 Officers Report – Chief Executive Officer

### 13.1 Annual Performance Appraisals – Managerial Staff

<b>File Reference</b>	<b>1.1.10.119, 1.1.10.107 &amp; 1.1.10.108</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To inform Council of the outcomes of Annual Performance Appraisals undertaken by the CEO for the Executive Manager Corporate Services, Executive Manager Regulatory Services and Manager Community Services.

#### Background

In accordance with Contract of Employment requirements and Section 5.38 of the *Local Government Act 1995*, Performance Appraisals were conducted for the above employees in the month of February 2019.

#### Comment

As the content of the reviews are confidential, the CEO will provide a verbal report to Council on the outcomes of the Annual Performance Appraisals of the above senior officers.

#### Statutory Environment

*Local Government Act 1995*

#### 5.38. Annual review of certain employees' performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

#### Strategic Implications

Nil

#### Policy Implications

Nil

#### Financial Implications

There will be financial implications in respect to the reviews and Council's annual Budget has provision for salary increases associated with Annual Performance Appraisals.

**24/2019**

***Moved Cr Della Bosca/Seconded Cr Close  
That the meeting be opened to the public.***

**CARRIED (6/0)**

#### **Officer Recommendation and Council Decision**

**23/2019**

***Moved Cr Della Bosca/Seconded Cr Shaw***

***That Council endorses the actions of the CEO, as verbally reported, in respect to Annual Performance Appraisals for the Executive Manager Corporate Services, Executive Manager Regulatory Services and Manager Community Services.***

**CARRIED (6/0)**

#### **14 CLOSURE**

As there was no further business to discuss, the Shire President declared the meeting closed at 5.19pm.

I, Wayne A Della Bosca confirm the above Minutes of the Meeting held on Thursday, 21<sup>st</sup> February 2019, are confirmed on Thursday, 21<sup>st</sup> March 2019 as a true and correct record of the February Ordinary Meeting of Council.

**Cr Wayne A Della Bosca  
DEPUTY SHIRE PRESIDENT**