



# *Minutes*

## *Ordinary Meeting of Council*

### *16 July*

### *2020*

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 4pm

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

## 3. ATTENDANCE

Presiding Member	Cr W Della Bosca	President
Members	Cr B Close Cr J Cobden Cr G Guerini Cr P Nolan Cr L Rose	Deputy President
Council Officers	P Clarke C Watson R Bosenberg G Hindmarsh Laura Della Bosca	Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Executive Manager Regulatory Services Minute Taker
Apologies:	Cr S Shaw	
Observers:	Mrs. Kay Crafter	
Leave of Absence:	Nil	

## 4. DECLARATION OF INTEREST

Nil

## 5. PUBLIC QUESTION TIME

Mrs. Kay Crafter posed the following question to Council:-

**Question:** Does Council intend to bituminise Procyon Street, where my business depot is located in the LIA, as a large amount of dust that is created on that area of the road.

**Response:**

*The Shire President deferred the question to the Executive Manager Infrastructure (EMI).*

*The EMI responded that whilst there is no allocation in the Budget for the works this financial year however, it could be considered in the 2020/2021 Budget Review subject to available funds, otherwise the work will be placed for consideration in the 2021/2022 budget.*

## **6. CONFIRMATION OF MINUTES**

**6.1 Ordinary Meeting of Council, Thursday 18 June 2020**

**87/2020**

***Moved Cr Rose/Seconded Cr Cobden***

***That the minutes from the Ordinary Council Meeting held on 18 June 2020 be confirmed as a true record of proceedings.***

**CARRIED (6/0)**

**6.2 Special Meeting of Council, Wednesday 8 July 2020**

**88/2020**

***Moved Cr Rose/Seconded Cr Close***

***That the minutes from the Special meeting of Council held on 8 July 2020 be confirmed as a true record of proceedings***

**CARRIED (6/0)**

**6.3 Westonia/Yilgarn Local Emergency Management Committee (LEMC), Thursday 25 June 2020**

**89/2020**

***Moved Cr Rose/Seconded Cr Cobden***

***That the minutes from the Westonia/Yilgarn LEMC meeting held on 25 June 2020 be received.***

**CARRIED (6/0)**

6.4 Yilgarn History Advisory Committee, Monday 7 July 2020

**90/2020**

***Moved Cr Guerini/Seconded Cr Cobden***

***That the minutes from the Yilgarn History Advisory Committee meeting held 7 July 2020 be received.***

**CARRIED (6/0)**

6.5 Great Eastern Country Zone (GECZ), Thursday 25 June 2020

**91/2020**

***Moved Cr Guerini/Seconded Cr Cobden***

***That the minutes from the GECZ meeting held on 25 June 2020 be received.***

**CARRIED (6/0)**

## **7. PRESENTATIONS, PETITIONS, DEPUTATIONS**

Nil

## **8. DELEGATES' REPORTS**

Cr Della Bosca announce the following;

- Attended the GECZ meeting on the 25 June 2020
- Attended the WEROC meeting on the 25 June 2020
- Attended the LEMC meeting on the 25 June 2020

Cr Close announced the following;

- Attended the Mt Walton Intractable Waste Deposit Facility meeting on the 24 June 2020
- Attended the LEMC meeting on the 25 June 2020
- Attended the SRRG meeting on the 9 July 2020

Cr Nolan announce the following

- Attended the Wheatbelt AgCare Special meeting on the 30 June 2020
- Attended the Mt Walton Intractable Waste Deposit Facility meeting on the 24 June 2020

Cr Rose announce the following

- Attended the FEAR group AGM on the 15 July 2020
- Attended the LEMC meeting on the 24 June 2020
- Attended the Yilgarn History Museum Advisory Group meeting on the 6 July 2020

Cr Guerini announced the following

- Attended the Eastern Wheatbelt Declared Species Group meeting on the 23 June 2020

## 9. OFFICERS REPORTS

### 9.1 Officers Report – Chief Executive Officer

#### 9.1.1 Chief Executive Officer Annual Performance Appraisal

<b>File Reference</b>	<b>1.1.1.1 &amp; 1.1.10.129</b>
<b>Disclosure of Interest</b>	<b>P Clarke (CEO and Author of Report)</b>
<b>Voting Requirements</b>	<b>Subject to Council Decision</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To advise Council of the requirement to conduct the CEO's Annual Performance Appraisal.

#### Background

As per the CEO's Contract of Employment, a Performance Appraisal is required to be conducted annually against the set Performance Criteria, which was determined upon the CEO's commencement on 20 August 2018.

#### Comment

In accordance with the Contract of Employment, Council needs to consider whether the Review is:-

- conducted by the whole of Council;
- by a Committee to which the conduct of the performance review has been delegated by the Council under section 5.16 of the *Act*; or
- a person or body who has been authorised by the Council to conduct the performance review.

The CEO has prepared a report in response to the Criteria and this will be circulated to Councillors for assessment prior to the date set for the Review.

Council could conduct the Review prior to the commencement of the Briefing Session at Council's August 2019 Ordinary meeting scheduled for Thursday, 15 August.

The CEO would have no objections to Council undertaking the Review in-house however, should Council wish to engage the services of an independent Consultant to assist with the review process, the proposed date of 15 August 2019 should allow sufficient time to engage a Consultant's services.

## Statutory Environment

*Extract from the CEO's Contract of Employment*

### 4.2 Performance Criteria and Performance Review

Your performance under this Contract, must be reviewed and determined by the Reviewer –

- (a) by reference to the Performance Criteria;
- (b) at least annually; and
- (c) more frequently if the Council or You perceives there is a need to do so and, in that case, gives to the other party a Review Notice.

### 4.3 Selection of Reviewer

- (a) The Council, in consultation with You, is to determine, in respect of each review under clause 4.2 -
  - (i) who the Reviewer is to be; and
  - (ii) whether the Reviewer is to be accompanied or assisted by any other person and, if so, the identity of that person.
- (b) For example, the Reviewer may be –
  - (i) the Council;
  - (ii) a committee to which the conduct of the performance review has been delegated by the Council under section 5.16 of the Act; or
  - (iii) a person or body who has been authorised by the Council to conduct the performance review.
- (c) For the avoidance of doubt, if the Council and You are unable to agree on any of the matters set out in clause 4.3(a), the Council is to make the relevant determination.

*Extract from the Local Government Act 1995*

### 5.16. Delegation of some powers and duties to certain committees

- (1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.

*\* 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.



- (3) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
- (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
  - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.
- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

#### **5.17. Limits on delegation of powers and duties to certain committees**

- (1) A local government can delegate —
- (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
    - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
    - (ii) any other power or duty that is prescribed;and
  - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
  - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
    - (i) the local government's property; or
    - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

#### **Strategic Implications**

Nil

#### **Policy Implications**

##### **Staff Policy Manual – Policy 7.15 “Relating to CEO Performance Review”**

##### **PURPOSE:**

This policy provides a framework and guidance for the CEO performance review. It is designed to ensure a consistent and fair approach is used where the format and assessment criteria are known in advance.

##### **TIMING:**

The CEO performance review is to be conducted in August each year unless otherwise agreed by the CEO and the Council and recorded in the minutes of a meeting.

### **DELEGATION:**

The Council will conduct the CEO performance review. The number of councillors to conduct the review are those that attend at the set time. The President is to Chair the interview unless other arrangements are agreed between the Councillors present and the CEO prior to the interview commencing.

The Council reserves the right to delegate the performance review to a committee, panel or single person provided that the decision to do so has been passed at a council meeting and has the written agreement of the CEO.

### **OUTSIDE ASSISTANCE:**

If the Council is of the view that it requires the assistance of a consultant or other outside expertise for any particular appraisal interview, the Council can select a person for this purpose provided that the council has the written agreement of the CEO to the person selected.

#### *CEO Performance Agreement*

The Council is to use the CEO Performance Agreement as the basis for the assessment. The Council is to draw up the CEO Performance Agreement for the next following review period as part of its task. The CEO Performance Agreement is to contain the following:

- Performance Indicators
- Performance Targets
- Timeframe
- Performance Measure

For ease of assessment the Council shall break down the performance indicators into Key Result Areas. These key result areas may be consistent each year or amended by the Council with the agreement of the CEO.

#### *CEO Report*

The CEO is required to submit a Review Report against each performance indicator using the performance measure as evidence. The report is to say whether the performance targets have been reached within the specified timeframe and the affect these have had on the performance of the organisation. If the performance targets have not been reached the report is to include an explanation.

#### *Appraisal Report*

The Council is to use the CEO Review Report as the base for its assessment. For each Performance Indicator the Council will either:

- Accept the report of the CEO or
- Amend the report in part

The complete Review Report of the CEO, together with any amendments made by the Council at interview shall become the Appraisal Report and be submitted to a Council meeting for formal adoption.

### *Appraisal Interview*

At the appraisal interview the Councillors present are to consider the report of the CEO against each of the Performance Indicators. The Councillors will use their judgment to decide whether it considers that the CEO Report is an accurate reflection of whether the CEO has reached the performance targets.

If the Councillors present are not satisfied on the basis of the evidence and the report that the performance targets have been reached, they shall discuss this with the CEO. The discussions shall have regard to the "Description" of the Key Result Area and the "Dominant Skills/Expertise" requirements for that particular Key Result Area contained in the Performance Agreement.

### *Satisfaction Measure*

In using their judgment, the Councillors present shall take the view of whether a "reasonable person" would be satisfied that the performance targets have been reached. It is open to the Councillors present to make recommendations to the CEO regarding his or her performance and any improvements that are required for the forthcoming review period.

### **REPORT TO COUNCIL:**

Once the performance appraisal has been completed the Shire President and/or consultant (with the assistance of the CEO) is to submit the Appraisal Report to council for formal adoption.

At the same time a draft of a Performance Agreement for the forthcoming review period is to be submitted for adoption. It is open to the council to make changes to the draft performance agreement before adoption provided that the CEO agrees to the changes and the minutes of the meeting record this.

### **LEGAL IMPLICATIONS:**

This policy replaces the appraisal process described in the CEO's contract of employment. The submission of this policy to the council for consideration constitutes the CEO's agreement to the policy.

Once adopted the Appraisal Report has industrial relations implications.

### **Financial Implications**

Should Council wish to engage the services of an independent Reviewer, there would be cost implications.

**Officer Recommendation and Council Decision**

**92/2020**

***Moved Cr Close/Seconded Cr Cobden***

***That Council conducts the Chief Executive Officer's annual Performance Review in-house with the whole of Council participating and that it be held prior to the Council Briefing Session on Thursday, 20 August 2020 commencing at 2.00pm.***

**CARRIED (6/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.2 Western Australian Local Government Association – Annual General Meeting

<b>File Reference</b>	<b>1.6.1.1</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Notice of Annual General Meeting</b>

#### Purpose of Report

To inform Councillors that the Annual General Meeting of the Western Australian Local Government Association will be conducted at Crown Perth on Friday, 25 September 2020.

#### Background

The CEO of WALGA, Mr Nick Sloan, has written to Council to advise that the AGM of WALGA will be held on Friday, 25 September 2020 at Crown Towers Perth.

Mr Sloan advises that as Councillors would be aware, the COVID-19 pandemic has upended much of WALGA's way in doing business and created significant uncertainty about its ability to host large scale events such as WALGA's AGM. Following cancellation of the Local Government Convention, the 2020 AGM has been delayed to September to provide as much time as possible for the meeting to be held in-person.

Mr Sloan advises that if an in-person event is not able to be held due to social distancing restrictions, the meeting will be conducted virtually.

Mr Sloan advises that the key dates are as follows:-

- **Friday, 17 July** – Deadline to submit motions proposing amendments to WALGA's constitution;
- **Friday, 31 July** – Deadline to submit motions for the AGM Agenda;
- **Friday, 28 August** – Registration of voting delegates closes; and
- **Friday, 25 September** – Annual General Meeting, Crown Towers Perth

#### Comment

At the Great Eastern Country Zone of WALGA meeting held on Thursday, 25 June 2020 delegates were informed that prior to the conduct of the AGM in the afternoon of the 25<sup>th</sup> September, a series of informative forums would be conducted in the morning to ensure that a full program was presented to delegates attending.

Councillors should indicate at this meeting whether they wish to attend the WALGA AGM to allow staff time to undertake registrations and also arrange for accommodation.

Council will also need to appoint Delegates with voting entitlements at the Annual General Meeting. Normally this would be the Shire President and Deputy Shire President if they are attending.

#### Statutory Environment

Nil

#### Strategic Implications

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

#### Policy Implications

Nil

#### Financial Implications

Council allocates funds within its Annual Budget to accommodate those Councillors wishing to attend the Convention.

#### Officer Recommendation

***That Council:-***

- 1. Authorises the Shire President, Deputy Shire President, and Crs ..... together with CEO in attending WALGA's Annual General Meeting on 25 September 2020;***
- 2. Crs ..... be appointed as Voting Delegates at the WALGA Annual General Meeting and WALGA be informed accordingly; and***
- 3. Should Council wish to submit a motion/s to the Annual General Meeting, the motion be prepared and submitted to WALGA prior to Friday, 31 July 2020***

At the request of the Shire President this item is to be re-presented at the August 2020 Ordinary Meeting of Council in order to allow Councillors time to consider their attendance at the WALGA AGM.

## 9.1 Officers Report – Chief Executive Officer

### 9.1.3 Local Roads and Community Infrastructure Program – Letter of Offer

<b>File Reference</b>	<b>8.2.6.13 &amp; 8.2.6.14</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Letter of Offer LRCI Program Grant Agreement Work Schedule, Project Template</b>

#### Purpose of Report

To submit to Council a Letter of Offer provided by the Hon. Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development and the Hon. Mark Coulton, Minister for Regional Health, regional Communications and Local Government in relation to the Local Roads and Community Infrastructure (LRCI) Program.

#### Background

The Minister's co-authored correspondence is offering the Shire of Yilgarn an Australian Government Grant under the LRCI Program and stating that the offer is for a grant of \$943,522, excluding GST, to undertake the Grant Activity as set out in the attached Grant Agreement.

The Minister's advise that the LRCI Program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms and procurement. It is expected Councils, where possible, will use local businesses and workforces to deliver projects under the LRCI Program to ensure stimulus funding flows into local communities.

#### Comment

To accept the above offer, a representative of the Shire of Yilgarn must sign the attached Grant Agreement **by 31 July 2020 otherwise the offer will lapse.**

A legally binding Agreement will be created once the Grant Agreement has also been signed by the Commonwealth, represented by the Department of Infrastructure, Transport and Regional Development and Communications.

#### Statutory Environment

Legally binding Grant Agreement with the Australian Government.

#### Strategic Implications

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

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Officer Recommendation and Council Decision**

**93/2020**

***Moved Cr Guerini/Seconded Cr Cobden***

***That Council authorises the CEO to formally sign the Grant Agreement on behalf of the Shire of Yilgarn as an acceptance to receive the funding of \$943,522 under the Australian Government's Local Roads and Community Infrastructure Program.***

**CARRIED (6/0)**



## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.1 Financial Reports

<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>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 2020.

- 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

**94/2020**

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

***That Council endorse the various Financial Reports as presented for the period ending 30 June 2020***

**CARRIED (6/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.2 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>Accounts for Payment</b>

#### Purpose of Report

To consider the Accounts for Payment

#### Background

Municipal Fund – Cheque Numbers 40921 to 40928 totalling \$64,258.31, Municipal Fund-EFT Numbers 10182 to 10268 totalling \$1,584,949.98, Municipal Fund – Cheque Numbers 1629 to 1635 totalling \$176,964.59, Municipal Fund Direct Debit Numbers 14761.1 to 14761.11 totalling \$18,472.95, Municipal Fund Direct Debit Numbers 14807.1 to 14807.11 totalling \$18,803.17, Trust Fund – Cheque Numbers 6235 to 6238 (DPI Licensing), totalling \$64,488.50 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**

**95/2020**

***Moved Cr Cobden/Seconded Cr Rose***

***Municipal Fund – Cheque Numbers 40921 to 40928 totalling \$64,258.31, Municipal Fund- EFT Numbers 10182 to 10268 totalling \$1,584,949.98, Municipal Fund – Cheque Numbers 1629 to 1635 totalling \$176,964.59, Municipal Fund Direct Debit Numbers 14761.1 to 14761.11 totalling \$18,472.95, , Municipal Fund Direct Debit Numbers 14807.1 to 14807.11 totalling \$18,803.17, Trust Fund – Cheque Numbers 6235 to 6238 (DPI Licensing), totalling \$64,488.50 are presented for endorsement as per the submitted list.***

**CARRIED (6/0)**

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.1 Disposal Various Items

<b>File Reference</b>	<b>1.10.2</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 various items via public auction

#### Background

Recently council purchased a block of land and shed at 25 Procyon Street Southern Cross. Located on the block and included in the purchase price was two x 2,500 litre fuel storage tanks on stands and a 12x3 donga. The fuel storage tanks have been emptied for a number of years and are showing their age. The donga is well aged with minor damaged both external and internal. Council has no use for the above listed items, therefore it is proposed to dispose of them.

Under Section 3.58 of the local Government Act 1995, it states that a local government can dispose of property to the highest bidder at a public auction

#### Comment

It is proposed that the public Auction will be via written expressions of interest, where the interested person/s will submit a price in writing. After the acceptance period has ended, submissions will be assessed with the highest bidder for item/s being notified and requested to pay the submitted amount prior to picking up item/s

Should an individual fail to pay for their item within 48 hours after notification, the Shire reserves the right to offer the item to the next highest bidder.

#### Statutory Environment

*In accordance to the Local Government Act 1995 Section 3.58 Disposing of Property*

#### Strategic Implications

Nil

#### Policy Implications

*"Finance Policy 3.1 Financial Treatment of Assets"*

### **Financial Implications**

*Income received for items go into general revenue*

### **Officer Recommendation**

**96/2020**

***Moved Cr Rose/Seconded Cr Cobden***

***That Council endorses the disposal of items listed below, to highest bidder at public auction, being via written expression of interest, with notice of public auction given via the Shire's Crossword publication***

***Items listed for disposal included:***

- 1. One x 12 x3 donga***
- 2. Two x 2,500 litre fuel storage tanks on stands***

**CARRIED (6/0)**

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.1 (Amendment) Clearing Permit – Marda Operations Pty Ltd, Marda Gold Project

<b>File Reference</b>	<b>1.6.26.17</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Correspondence from Department of Mines, Industry Regulation and Safety, including Photomap and Natmap</b>

#### Purpose of Report

To forward and ratify comments to the Department of Mines, Industry Regulation and Safety, regarding the issuing of a proposed amendment to a clearing permit. The amendment is for an increase from 165 hectares to 188 hectares for mining purposes in the far north of the Shire adjacent to the Bullfinch Evanston Road and Mount Jackson Road.

#### Background

The proponents Marda Operations Pty Ltd wish to clear land that is within the confines of the mining tenements as depicted in the Natmap attachment.

The correspondence from the Department of Mines, Industry Regulation and Safety (DMIRS), is inviting comment from the Shire pursuant to Section 51E(4) of the *Environmental Protection Act 1986*. The proposed clearing is located on Mining Leases 77/394, 77/646, 77/931 and 77/962. Also Miscellaneous Licences 77/239, 77/240, 77/241, 77/258, 77/259 and 77/260.

As stated in the correspondence, the General Manager of Environmental Compliance, Resource and Environmental Compliance Division will either grant a clearing permit including any conditions or refuse to grant a permit. This decision will be made after taking into account any comments received from Council and those determined by DMIRS.

#### Comment

The purpose of application is for “mineral production and associated activities” as stated in the correspondence. The requested amendments are as follows-

- To increase the clearing area from 165 ha to 188 ha;
- To increase the clearing permit boundary;
- To include additional tenements
- To add a purpose (as mentioned above)

DMIRS has not provided any accompanying information indicating there are issues with threatened ecological species. It is the EMRS opinion, Council should advise DMIRS, there are no objections from the Shire of Yilgarn to the issuing of the permit.

## **Statutory Environment**

*Environmental Protection Act 1986*

## **Strategic Implications**

### **Goal**

A prosperous future for our community.

### **Outcome**

Businesses in the Shire remain competitive and viable.

### **Strategy**

Continue to provide an efficient and effective approval process.

## **Policy Implications**

Nil

## **Financial Implications**

Nil

## **Officer Recommendation and Council Decision**

**97/2020**

***Moved Cr Nolan/Seconded Cr Guerini***

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

***The Shire of Yilgarn has no objections to the amendment of clearing permit CPS 6197/1 for Marda Operations Pty Ltd for***

- 1. Mining Leases 77/394, 77/646, 77/931 and 77/962; and***

***Miscellaneous Licences 77/239, 77/240, 77/241, 77/258, 77/259 and 77/260***

**CARRIED (6/0)**



## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.2 Clearing Permit – Marda Operations Pty Ltd CPS 8931/1

<b>File Reference</b>	<b>1.6.26.17</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Correspondence from Department of Mines, Industry Regulation and Safety, including Photomap and Natmap</b>

#### Purpose of Report

To forward and ratify comments to the Department of Mines, Industry Regulation and Safety, regarding the issuing of a clearing permit for 90 hectares for the purpose of mineral production and associated activities. The clearing permit CPS 8931/1 is predominantly within the Shire of Menzies immediately adjacent to the Menzies /Yilgarn boundary.

#### Background

The proponents Marda Operations Pty Ltd wish to clear land that is within the confines of the mining tenement as depicted in the Natmap attachment.

The correspondence from the Department of Mines, Industry Regulation and Safety (DMIRS), is inviting comment from the Shire pursuant to Section 51E(4) of the *Environmental Protection Act 1986*. The proposed clearing is located on Mining Lease 77/1272 and Miscellaneous Licence 77/261.

As stated in the correspondence, the General Manager of Environmental Compliance, Resource and Environmental Compliance Division will either grant a clearing permit including any conditions or refuse to grant a permit. This decision will be made after taking into account any comments received from Council and those determined by DMIRS.

#### Comment

DMIRS has not provided any accompanying information indicating there are issues with threatened ecological species. It is the EMRS opinion, Council should advise DMIRS, there are no objections from the Shire of Yilgarn to the issuing of the permit.

#### Statutory Environment

*Environmental Protection Act 1986*

### Strategic Implications

**Goal**

A prosperous future for our community.

**Outcome**

Businesses in the Shire remain competitive and viable.

**Strategy**

Continue to provide an efficient and effective approval process.

### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

**98/2020**

***Moved Cr Nolan/Seconded Cr Cobden***

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

***The Shire of Yilgarn has no objections to the issuing of clearing permit CPS 8931/1 to Marda Operations Pty Ltd for Mining Lease 77/1272 and Miscellaneous Licence 77/261.***

**CARRIED (6/0)**

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.3 Freehold Purchase Yellowdine Roadhouse – Lot 25 and 27 Yellowdine

<b>File Reference</b>	<b>1.6.29.1</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Correspondence from Department of Planning, Lands and Heritage, including Aerial View and Smart plan map</b>

#### Purpose of Report

To provide comments to the Department of Planning, Lands and Heritage (DPLH) regarding the sale of Lots 25 and 27 Great Eastern Highway within the gazetted town site of Yellowdine.

The property is currently utilised as a roadhouse. Historically the land use has predominantly been a Roadhouse, Caravan Park and Motel Units.

#### Background

The current lessee of the said lots Zoya Investments Pty Ltd sub leases the Food Business to a Mr Wilbur Andrew.

The DPLH requested comment from Council in December 2018 regarding the lease of the said lots to the current lessee to which Council resolution was as follows-

*THAT COUNCIL:*

- *Endorse Zoya Investments Pty Ltd making application to the Department of Planning Lands and Heritage to lease Lots 25 and 27 Great Eastern Highway, Yellowdine; and*
- *Advise the Department of Planning Lands and Heritage, should they seek comments, that the Shire of Yilgarn has no objections to the Department issuing a lease for Lots 25 and 27 Great Eastern Highway, Yellowdine to Zoya Investments Pty Ltd*

#### Comment

The current land use of the property as a “roadhouse” is in keeping with the objectives of the current Town Planning Scheme and any change of use or additional use would be subject to development approval as per the scheme.

The current zoning pursuant to the Shire of Yilgarn Town Planning Scheme No 2 is “Townsite” which provides the opportunity for the service station, food retail and motel accommodation activities currently used. The Scheme does not provide for the opportunity as a caravan park and if used currently for that purpose, it is therefore deemed a non-conforming use.

### Statutory Environment

*Town Planning and Development Act 2005*

### Strategic Implications

**Goal**

A prosperous future for our community.

**Outcome**

Businesses in the Shire remain competitive and viable.

**Strategy**

Continue to provide an efficient and effective approval process.

### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

**99/2020**

***Moved Cr Guerini/Seconded Cr Close***

***That Council endorse the following response to the Department of Planning, Lands and Heritage:***

***The Shire of Yilgarn has no objections to provision of freehold title over Lot 25 on DP186721 and Lot 27 on DP189557 Great Eastern Highway Yellowdine WA 6426***

**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

**100/2020**

**Moved Cr Guerini/Seconded Cr Rose**

***That the new business be accepted for consideration***

**CARRIED (6/0)**

## 12 Reporting Officer– Executive Manager Regulatory Services

### 12.1 Comment Request Renewal of Lease – Lot 204 Lenneberg Street Marvel Loch

<b>File Reference</b>	<b>1.6.29.1</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Correspondence from Department of Planning, Lands and Heritage, including Aerial View and Smart plan map</b>

### Purpose of Report

To provide comments to the Department of Planning, Lands and Heritage (DPLH) regarding the renewal of the lease of Lot 204 Lenneberg Street in the Marvel Loch town site to a private entity.

### Background

The current lessee of the said lot Minjar Gold Pty Ltd uses the residence for accommodation purposes. Lot 204 is within the gazetted town site of Marvel Loch and has a single transportable residence on site.

### Comment

The property is currently utilised as a residence, which is compliant with the Town Planning Scheme No 2.

### **Statutory Environment**

*Town Planning and Development Act 2005*  
*Town Planning Scheme No 2 – Shire of Yilgarn*

### **Strategic Implications**

**Goal**

A prosperous future for our community.

**Outcome**

Businesses in the Shire remain competitive and viable.

**Strategy**

Continue to provide an efficient and effective approval process.

### **Policy Implications**

Nil

### **Financial Implications**

Nil

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

**101/2020**

***Moved Cr Guerini/Seconded Cr Close***

***That Council endorse the following response to the Department of Planning, Lands and Heritage:***

***The Shire of Yilgarn has no objections to the renewal of lease N683566 pertaining to Lot 204 as shown on Deposit Plan 191725.***

**CARRIED (6/0)**

## 12 Reporting Officer-Executive Manager Corporate Services

### 12.2 2020/2021 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>Attachments</b>	<b>2020/2021 Statutory Budget</b>

#### Purpose of Report

To consider and adopt the Municipal Fund Budget for the 2020 / 2021 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 2020 / 2021 operating budget has been compiled based on the principles contained in the Strategic Community Plan and Plan for the Future. The 2020 / 2021 budget has been prepared in accordance with the presentations made to councillors at the budget workshop held on the 8<sup>th</sup> of July 2020.

The rating structure proposed for the 2020 / 2021 financial year is based on a 0% increase in the Rate in the Dollar from those imposed in the previous year. The proposed differential rates for 2020 / 2021 are, as previously indicated, an across the board 0% increase in the rate in the dollar. This equates to 0% reduction from those advertised.

The advertising period closed on the 24<sup>th</sup> of May and resulted in no submissions being received.

Due to the Ministerial Order issued under the Local Government (COVID-19 Response) Act 2020, Ministerial approval to differentially rate is not required if there is no change in the rate in the dollar from those approved in the previous year.

#### 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 updates to the Fees & Charges that Council considered in May.

- General Rates and Minimums**

The general rate in the dollar will have a 0% increase with the general minimums remaining unchanged as follows:

Land Category	Rate in the Dollar		% Increase/ (Decrease)
	2020/21	2019/20	
<u>General Rate</u>			
GRV - Residential / Industrial	11.2332	11.2332	0.00%
GRV- Commercial	7.9074	7.9074	0.00%
GRV- Minesites	15.8148	15.8148	0.00%
GRV - Single Persons Quarters	15.8148	15.8148	0.00%
UV - Rural	1.7575	1.7575	0.00%
UV - Mining Tenements	17.3923	17.3923	0.00%
<u>Minimum General Rate</u>			
GRV - Residential / Industrial	\$500	\$500	0.00%
GRV- Commercial	\$400	\$400	0.00%
GRV- Minesites	\$400	\$400	0.00%
GRV - Single Persons Quarters	\$400	\$400	0.00%
UV - Rural	\$400	\$400	0.00%
UV - Mining Tenements	\$400	\$400	0.00%

There was a general revaluation carried out to UV rated assessments effective 1<sup>st</sup> July 2020. This revaluation resulted in the following:

COMPARATIVE VALUATIONS		Valuations as at 1st July of the given year.						
	2019/20			2020/2021			Change \$	Change %
	Rateable Valuation	Minimum Valuation	Total Valuation	Rateable Valuation	Minimum Valuation	Total Valuation		
Non-Rateable	-	-	337,864	-	-	337,864	0	0.00%
GRV - Mine Sites	529,565	2,408	531,973	529,565	2,408	531,973	0	0.00%
GRV - Single persons Quarters	780,859	1,075	781,934	774,619	1,713	776,332	(5,602)	(0.72%)
GRV - Residential / Industrial	3,411,777	153,808	3,565,585	3,405,586	150,582	3,556,168	(9,417)	(0.26%)
GRV - Commercial	990,825	20,061	1,010,886	981,205	20,061	1,001,266	(9,620)	(0.95%)
UV - Rural	103,918,731	289,145	104,207,876	104,151,617	282,645	104,434,262	226,386	0.22%
UV - Mining	8,343,013	275,026	8,618,039	8,567,598	252,874	8,820,472	202,433	2.35%

Sewerage and household rubbish collection charges will remain unchanged from those imposed in 2019/2020.



- **Major Income and Expenditure**

Capital expenditure totalling \$8.477M is budgeted, being made up of:

Land & Buildings	\$1,756,144
Furniture & Equipment	\$47,500
Plant & Equipment	\$1,122,770
Infrastructure - Roads	\$3,292,609
- Footpaths	\$196,264
- Drainage	\$14,172
- Parks & Ovals	\$117,509
- Sewerage	\$28,000
- Refuse Sites	\$24,500
- Other	\$1,727,506

Non-Operating grant income includes:

Roads to Recovery	\$906,911
Regional Road Group	\$780,305
Main Roads WA Direct Grant	\$352,420
Commodity Route Grant	\$99,130
Federal Regional Development Grant	\$175,000

Operating grant income includes:

Federal Assistance Grant	\$778,999	(Est)
Federal Untied Roads Grant	\$776,331	(Est)

### Statutory Environment

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 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 next 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 2020 / 2021 budget as presented is considered to meet statutory requirements.

### Strategic Implications

The draft 2020 / 2021 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 2020 to 30 June 2021

## Officer Recommendation 1 and Council Decision

102/2020

Moved Cr Guerini/Seconded Cr Rose

### 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 and clause 9 of the Local Government (COVID-19 Response) Ministerial Order 2020 gazetted on 8 May 2020, impose the following differential general rates in the dollar and minimum payments on Gross Rental and Unimproved Values that do not exceed the corresponding 2019/2020 differential rates approved by the minister on the 5<sup>th</sup> of August 2019

#### General Rate

GRV - Residential / Industrial	11.2332
GRV- Commercial	7.9074
GRV- Minesites	15.8148
GRV - Single Persons Quarters	15.8148
UV - Rural	1.7575
UV - Mining Tenements	17.3923

#### Minimum Payments

GRV - Residential / Industrial	\$500
GRV- Commercial	\$400
GRV- Minesites	\$400
GRV - Single Persons Quarters	\$400
UV - Rural	\$400
UV - Mining Tenements	\$400

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 23<sup>th</sup> September 2020

#### *Payment by Two Instalments:-*

- First instalment due date 23<sup>th</sup> September 2020
- Second instalment due date 10<sup>th</sup> February 2021

***Payment by Four Instalments:-***

- *First instalment due date 23<sup>th</sup> September 2020*
- *Second instalment due date 2<sup>nd</sup> December 2020*
- *Third instalment due date 10<sup>th</sup> February 2021*
- *Fourth instalment due date 21<sup>st</sup> April 2021*

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 and clause 13 of the Local Government (COVID-19 Response) Ministerial Order 2020 gazetted on 8 May 2020, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$0 for each instalment after the initial instalment is paid.*
5. *Pursuant to section 6.45 of the Local Government Act 1995, regulation 68 of the Local Government (Financial Management) Regulations 1996 and clause 13 of the Local Government (COVID-19 Response) Ministerial Order 2020 gazetted on 8 May 2020, council adopts an interest rate of 0% where the owner has elected to pay rates and service charges through an instalment option.*
6. *Pursuant to section 6.51(1) and section 6.51(4) of the Local Government Act 1995, regulation 70 of the Local Government (Financial Management) Regulations 1996 and clause 14 of the Local Government (COVID-19 Response) Ministerial Order 2020 gazetted on 8 May 2020, council adopts an interest rate of 8% for all overdue rates (and service charges) and costs of proceedings to recover such charges subject to:*
  - a. *This interest rate cannot be applied to an excluded person, as defined in the Local Government (COVID-19 Response) Ministerial Order 2020 that has been determined by the Shire of Yilgarn as suffering financial hardship as a consequence of the COVID-19 pandemic.*

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

## **Officer Recommendation 2 and Council Decision**

**103/2020**

***Moved Cr Cobden/Seconded Cr Close***

### **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-Rates 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***

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

### Officer Recommendation 3 and Council Decision

**104/2020**

**Moved Cr Cobden/Seconded Cr Nolan**

#### **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***

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

### Officer Recommendation 4 and Council Decision

**105/2020**

**Moved Cr Rose/Seconded Cr Nolan**

#### **ELECTED MEMBERS' FEES AND ALLOWANCES FOR 2020 / 2021**

***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 meeting attended***
- ***Councillors \$400 per 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***

<b>Engine Displacement (in cubic centimetres)</b>			
<b>Area &amp; Details</b>	<b>Over 2600cc</b>	<b>Over 1600cc to 2600cc</b>	<b>1600cc and under</b>
	<b>Cents per Kilometre</b>		
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 \$4,000

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

#### **Officer Recommendation 5 and Council Decision**

106/2020

Move Cr Guerini/Seconded Cr Close

#### **MATERIAL VARIANCE REPORTING FOR 2020 / 2021**

*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 2020 / 2021 for reporting material variances shall be +/- 10% or \$30,000, whichever is the greater.*

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

#### **Officer Recommendation 6 and Council Decision**

107/2020

Moved Cr Cobden/Seconded Cr Nolan

#### **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.*

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

### Officer Recommendation 7 and Council Decision

**108/2020**

**Moved Cr Rose/Seconded Cr Guerini**

**MUNICIPAL FUND BUDGET FOR 2020 / 2021**

*Pursuant to the provisions of section 6.2 of the Local Government Act 1995, Part 3 of the Local Government (Financial Management) Regulations 1996 and clause 7 of the Local Government (COVID-19 Response) Ministerial Order 2020 gazetted on 8 May 2020, the council adopt the Municipal Fund Budget which recognises the consequences of the COVID-19 pandemic on the local community, for the Shire of Yilgarn for the 2020 / 2021 financial year which includes the following:*

- *Statement of Comprehensive Income by Nature and Type*
- *Statement of Comprehensive Income by Program*
- *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 (6/0)**

*\*Mrs. Kay Crafter left the meeting at 4.30pm*

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

#### **CONFIDENTIAL ITEM**

**INTO COMMITTEE**

**109/2020**

**Moved Cr Nolan/Seconded Cr Guerini**

*That the meeting be close to members of the public in accordance with section 5.23 (2) (c) of the Local Government Act 1995*

**CARRIED (6/0)**

### 13 Officers Report – Chief Executive Officer

#### 13.1 Yilgarn Iron Pty Ltd (Mineral Resources Limited) – Mt Caudan Project

<b>File Reference</b>	<b>3.2.1.29</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Draft Agreement and Road Design Plans</b>



## OUT OF COMMITTEE

110/2020

*Moved Cr Rose/Seconded Cr Nolan*

*That the meeting be re-opened to the public.*

**CARRIED (6/0)**

## 13 Officers Report – Chief Executive Officer

### 13.1 Yilgarn Iron Pty Ltd (Mineral Resources Limited) – Mt Caudan Project

<b>File Reference</b>	<b>3.2.1.29</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Draft Agreement and Road Design Plans</b>

### Officer Recommendation and Council Decision

111/2020

*Moved Cr Guerini/Seconded Cr Cobden*

*That Council approves of the negotiations undertaken by Council's Executive team in respect to use of Shire of Yilgarn controlled roads for Yilgarn Iron Pty Ltd's Mt. Caudan Iron Ore Mine Project and that Council approves of the conditions imposed in the Letter of Agreement for such usage.*

**CARRIED (6/0)**

## 14 MATTERS RAISED BY COUNCILLORS

Cr Nolan sought the approval of the Shire President to raise a matter with Council regarding a saline spill which occurred close to Marvel Loch which had significantly affected a landholders dams.

The Shire President afforded Cr Nolan with the opportunity to raise the above matter.

Cr Nolan considers that the saline spill which has occurred close to the town of Marvel Loch and has encroached onto farming land, and is the responsibility of Minjar Gold, is not being dealt with in a timely matter. There is no progress in the clean-up which could, in time, negatively affect at least three working dams on a farm.

112/2020

*Moved Cr Nolan/Seconded Cr Guerini*

*That the CEO contacts both the Department of Water and Environmental Regulation and the Department of Mines, Industry Regulation and Safety to express strong concern at the lack of action taken to contain and clean up the saline spill by Minjar Gold.*

**CARRIED (6/0)**



## 15 CLOSURE

As there was no further business to discuss, the Shire President declared the meeting closed at 4.45pm.

I, Wayne Della Bosca confirm the above Minutes of the Meeting held on Thursday, 16 July 2020, are confirmed on Thursday, 20 August 2020 as a true and correct record of the July Ordinary Meeting of Council.

**Wayne Della Bosca**  
**SHIRE PRESIDENT**