



Shire of
YILGARN

"good country for hardy people"

Council Meeting Agenda

19 November

2020

SHIRE OF YILGARN NOTICE OF MEETING



Councillors:

Please be advised that the

NOVEMBER 2020 ORDINARY MEETING OF COUNCIL

Will be held in the Council Chambers on
Thursday, 19 November 2020
Commencing at **4pm**

COUNCILLORS PLEASE NOTE:

- *The Discussion Session will start at 3pm*
- *The Ordinary Meeting of Council will start at 4pm*
- *Representatives from Bullseye Mining Leases and Barto Gold will present to council at the beginning of the meeting.*

Peter Clarke
Chief Executive Officer

13/11/2020

DISCLAIMER

Please note this agenda contains recommendations which have not yet been adopted by Council. Any Plans or documents in agendas or minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material, as per the Copyright Act 1968.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including the resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Yilgarn must obtain, and should rely on, written notice of the Shire of Yilgarn's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done in a Council meeting.

Any advice provided by an employee of the Shire of Yilgarn on the operation of a written law, or the performance of a function by the hire of Yilgarn, is provided in the capacity of an employee, and to the best of the persons knowledge and ability. It does not constitute, and should not be relied upon, as legal advice or representation by the Shire of Yilgarn. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Yilgarn should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

Antares Street, SOUTHERN CROSS WA 6426
Tel (08) 90491 001; Fax (08) 90491 429
E-mail: - yilgarn@yilgarn.wa.gov.au

Table of Content

1 Declaration of Opening/Announcement of Visitors	3
2 Announcements from the Presiding Member	3
3 Attendance	3
4 Declaration of Interest	3
5 Public Question Time	3
6 Confirmation of Minutes	4
7 Presentations, Petitions, Deputations	5
8 Delegates' Reports	5
9 Officers' Reports	6
9.1. Chief Executive Officer	6
9.1.1 2020/2021 Christmas New Year Closure	6
9.1.2 Council Meeting Dates and Times 2021	8
9.1.3 2020/2021 Community Funding Program	10
9.1.4 Main Roads Western Australia-Great Eastern Highway Upgrades	13
9.1.5 Department of Water and Environmental Regulations-Application an Amendment under the Environmental Protection Act 1996 Decision to Grant	18
9.2 Executive Manager Corporate Services	21
9.2.1 Financial Reports September 2020	21
9.2.2 Accounts for Payment	23

9.3 Executive Manager Infrastructure.....	25
9.3.1 2020/2021 Plant Replacement Program-Tender No 5/2020-2021	
4x4Tray Back Utility (Re-Advertised).....	25
9.4 Executive Manager Regulatory Services	n/a
10 Application for leave of absence.....	28
11 Motions for which previous notice has been given.....	28
12 New business of an urgent nature introduce by decision of the meeting.....	29
13 Meeting closed to the public-Confidential Items.....	29
13.1 Premiers Australia Day Active Citizenship Awards.....	29
14 Closure.....	30

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at ____pm

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

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 Cr S Shaw	Deputy President
Council Officers	P Clarke C Watson R Bosenberg G Hindmarsh N Warren L Della Bosca	Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Outgoing Executive Manager Regulatory Services Incoming Executive Manager Regulatory Services Minute Taker

Apologies:

Observers:

Leave of Absence:

4. DECLARATION OF INTEREST

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5.1 PUBLIC QUESTION TIME

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council, Thursday 15 October 2020- (Minutes Attached)

Recommendation

That the minutes from the Ordinary Council Meeting held on 15 October 2020 be confirmed as a true record of proceedings

Voting Requirements: Simple Majority

6.2 Bush Fire Advisory Committee meeting (BFAC), Thursday 8 October 2020 (Minutes Attached)

Recommendation

That the minutes from the BFAC meeting held on the 8 October 2020 be received.

Voting Requirements: Simple Majority

6.3 Shire of Yilgarn Tourism Committee meeting, Tuesday 13 October 2020 (Minutes Attached)

Shire of Yilgarn Tourism Committee meeting, Tuesday 10 November 2020
(Minutes Attached)

Recommendation

That the minutes from the Shire of Yilgarn Tourism meetings held on the 13 October 2020 and the 10 November 2020 be received.

Voting Requirements: Simple Majority

6.4 Eastern Wheatbelt Biosecurity Group (EWBG), Annual General Meeting Thursday 1 October 2020-(Minutes Attached)

Recommendation

That the minutes from the EWBG meetings held on 1 October 2020 be received.

Voting Requirements: Simple Majority

- 6.5 Intractable Waste Deposit Facility (IWDF), Mount Walton-East Community Liaison Committee (CLC) Quarterly meeting, Thursday 1 October 2020-(Minutes Attached)

Recommendation

That the minutes from the IWDF Mount Walton-East CLC quarterly meeting held on 1 October 2020 be received.

Voting Requirements: Simple Majority

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

Representative from Bullseye Mining Leases and Barto Gold will be in attendance to present to council.

8. DELEGATES' REPORTS

9. OFFICERS REPORTS

9.1 Officers Report – Chief Executive Officer

9.1.1 2020/2021 Christmas/New Year Closure

File Reference	2.4.1.10
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To present to Council for approval, the closure of the Administration Office over the 2020/2021 Christmas and New Year holiday period.

Background

Over past years Council has closed the administration office over the Christmas and New Year period to allow staff to have time off with family and friends. This time of the year is normally quiet and the closure has little impact upon the community as it is now an accepted practice.

Comment

The recommended administration closure dates are as follows,

Monday 21/12/20	Tuesday 22/12/20	Wednesday 23/12/20	Thursday 24/12/20	Friday 25/12/20
Open	Open	Open in morning. Close midday for Christmas Function	Closed	Closed Public Holiday
28/12/20	29/12/20	30/12/20	31/12/20	01/01/21
Closed – Public Holiday in lieu of Boxing Day	Closed	Closed	Closed	Closed Public Holiday
04/01/21	05/01/21	06/01/21	07/01/21	08/01/21
Open	Open	Open	Open	Open

The above closure dates will be posted at the Shire Office, advertised in “Crosswords” and placed on the Shire website, to ensure the community have sufficient notice.

Statutory Environment

Nil

Strategic Implications

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

Policy Implications

Nil

Financial Implications

Nil

Officer Recommendation

That Council approves of the Shire Administration Office being closed over the 2020/2021 Christmas/New Year period as per the schedule provided, subject to staff undertaking adequate advertising to inform the community of the closure.

9.1 Reporting Officer - Chief Executive Officer

9.1.2 Council Meeting Dates and Times 2021

File Reference	2.1.2.4
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To present to Council for determination, the time and date of Ordinary Council meetings for 2021.

Background

Council is required to determine the time and date of Council meetings for 2021 to allow public notice to be provided in accordance with the *Local Government (Administration) Regulations 1996*.

Comment

Following the success of Council conducting its October 2020 Meeting at Mt. Hampton, it has again been included in the 2021 Schedule of Meetings subject to Council approval.

Statutory Environment

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.

Strategic Implications

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

Policy Implications

Nil

Financial Implications

Nil

Officer Recommendation

That in accordance with Section 12 of the Local Government (Administration) Regulations 1996 relating to the advertising of meeting times and dates of monthly Ordinary meetings, the following schedule of times and dates be adopted for the 2021 calendar year: -

Monthly Ordinary Council meetings to commence at 4:00pm on the following dates: -

January 2021

No Meeting Scheduled

<i>Thursday, 18th</i>	<i>February 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 18th</i>	<i>March 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 15th</i>	<i>April 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 20st</i>	<i>May 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 17th</i>	<i>June 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 15th</i>	<i>July 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 19th</i>	<i>August 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 16th</i>	<i>September 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 21st</i>	<i>October 2021</i>	<i>Mt. Hampton Hall</i>
<i>Thursday, 18th</i>	<i>November 2021</i>	<i>Council Chambers Southern Cross</i>
<i>Thursday, 16th</i>	<i>December 2021</i>	<i>Council Chambers Southern Cross</i>

Prior to the commencement of the Council Meeting, a Councillor Briefing Session will be conducted at 3.00pm.

9.1 Officers Report – Chief Executive Officer

9.1.3 2020/2021 Community Funding Program

File Reference	8.2.6.22
Disclosure of Interest	Peter Clark-Golf and Bowls Member Robert Bosenberg-Bowls Member
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To consider the Community Funding Grant applications for the 2020/2021 Financial year.

Background

The Shire of Yilgarn Community Funding Program was developed to provide a source of funding for non-profit organisations operating within the district. As part of the 2019/20 Budget Council resolved to make available \$12,500 (excluding GST) for two categories of funding - 'Essential Equipment' (\$12,000) and 'Travel & Training Assistance' (\$500).

The objective of the program is:

- To assist community organisations in maximising their future development.
- To provide an impartial means by which community organisation can access Council funds.

Comment

For the 2020/21 Community Funding Program the following eligible applications were received:

1. Yilgarn Bowling Club applied for \$2,000.00 to purchase new scoreboards for the bowling green to replace the ones that already exist which will be used on the other side of the green.
2. Yilgarn Bowls & Tennis Club applied for \$2,000.00 to purchase an ice making machine to replace the existing machine that has stopped working and is unrepairable.
3. Southern Cross Golf Club applied for \$1,878.00 to purchase a new single door fridge for use at the Southern Cross Golf Club.
4. Southern Cross Tennis Club applied for \$818.00 to purchase two new tennis nets and extra tennis balls. Balls will be available for players to use, and nets will be utilised as spares until replacement of existing 7-year-old nets is necessary.
5. Yilgarn Men's Shed applied for \$1,900.00 to purchase a gas mig/tig/arc welder for members to use at the Men's Shed, and a deep chest & trolley combo toolbox on wheels. The welder will also include a trolley for mobility, wire and a gas safety regulator. The

deep chest & trolley combo toolbox will be utilised to house all tooling on one mobile unit instead of multiple cupboards.

6. Yilgarn Agricultural Society applied for \$1,037.00 to purchase a new laptop for the entry secretary as current is 10 years old, a new printer to replace a non-functioning printer which will allow for in-house printing, and a Square Eftpos Charging Dock to allow both Square Eftpos readers that the Agricultural Society currently own the ability to charge at the same time to ensure neither will be out of action due to the battery going flat.
7. Mount Hampton Progress Association applied for \$1,270.90 to purchase a freestanding dishwasher to aid in quicker clean up, urn with a larger capacity and safety cut off switch for large gatherings, and three hand-towel dispensers with towel pack to replace the use of cloth towels (more hygienic) in the Mount Hampton Hall mens, ladies and disabled toilets.
8. Bodallin Community Group applied for \$250.00 to purchase badminton racquets, shuttlecocks and nets to assist the group in being able to start a badminton club at the Bodallin Hall.
9. CWA Southern Cross applied for \$999.00 to purchase a 15.6" HP laptop to assist the secretary to complete her job role in an efficient manner as current laptop is outdated, slow and has minimal storage space.

Copies of the applications received will be tabled at the Council meeting.

Statutory Environment

Nil

Strategic Implications

2020-2030 Strategic Community Plan

An Inclusive, Secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term - Maintain / increase percentage of residents engaged in recreation, cultural and leisure activities for all demographics in the Shire
- Provide support to local sport, recreation and community groups

Policy Implications

Council Policy Manual 2020 - 6.9 Community Funding Program

Financial Implications

Council has included \$12,500 in the 2020/21 Budget. The total of eligible applications received totals \$12,152.90.

Officer Recommendation

That Council approves the following grants from the Community Funding Program for the 2020/2021 financial year:-

<i>Applicant</i>	<i>Equipment / item</i>	<i>Amount</i>
<i>Yilgarn Bowling Club</i>	<i>New scoreboards for bowling green to replace old ones.</i>	<i>\$2,000.00</i>
<i>Yilgarn Bowls & Tennis Club Inc</i>	<i>Ice making machine</i>	<i>\$2,000.00</i>
<i>Southern Cross Golf Club</i>	<i>Single door fridge for Golf Club</i>	<i>\$1,878.00</i>
<i>Southern Cross Tennis Club</i>	<i>Two tennis nets and 2 x tennis ball packs</i>	<i>\$818.00</i>
<i>Yilgarn Men's Shed</i>	<i>Gas mig/tig/arc welder, trolley, wire and gas safety regulator. Plus deep chest & trolley combo toolbox</i>	<i>\$1,900.00</i>
<i>Yilgarn Agricultural Society</i>	<i>Laptop, printer and a second square eftpos charging dock.</i>	<i>\$1,037.00</i>
<i>Mount Hampton Progress Association</i>	<i>Dishwasher, urn, 3 x hand towel dispensers and hand towel pack</i>	<i>\$1,270.90</i>
<i>Bodallin Community Group</i>	<i>Badminton racquets, shuttlecocks and nets</i>	<i>\$250.00</i>
<i>CWA Southern Cross</i>	<i>15.6" HP laptop for secretary</i>	<i>\$999.00</i>

9.1 Officers Report – Chief Executive Officer

9.1.4 Main Roads Western Australia – Great Eastern Highway Upgrades

File Reference	1.6.14.4
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	Plan of Packages Associated with Upgrades

Purpose of Report

To present to Council information from Main Roads WA pertaining to proposed upgrades to sections of the Great Eastern Highway between Bodallin and Southern Cross.

Background

Mr Russell Baulch, Main Road WA's Land Manager for the Wheatbelt Region, has written to Council advising that Main Roads Wheatbelt Region submitted a road dedication referral to the Shire of Yilgarn in April 2019 for the Great Eastern Highway (GEH) works between Walgoolan and Bodallin, which was considered by Council on 16 May 2019.

Mr Baulch advises that associated works in 2020 included the construction of a westbound passing lane between Carrabin and Bodallin and road widening works between Walgoolan and Bodallin. Bridge works at Walgoolan and Moorine Rock are scheduled to start in early 2021.

Mr Baulch further advises that the GEH project from Walgoolan to Southern Cross is divided into 8 packages between 291 and 365 SLK. The current referral to Council relates to Packages 4B, 5, 6 and 8 and covers the remaining road widening requirements between Bodallin and Southern Cross.

Comment

The CEO and Executive Manager Infrastructure (EMI) met with Mr Baulch and other Main Roads WA representatives on Wednesday, 28 October to discuss the current referral of Packages 4B, 5, 6 and 8. Attachments are Land Dealing Plans provided by Main Roads showing land required to be included in the GEH road reserve within the Shire of Yilgarn between Bodallin and Southern Cross.

Main Roads has advised that it has been consulting with the Department of Planning, Lands and Heritage (DPLH) in relation to acquiring sections of unallocated Crown land (UCL) and unmanaged reserves 21766 (purpose of Government Requirements) and 27422 (Protection of Natural Landscapes).

Main Roads has further advised that to enable acquired land to be dedicated as road reserve, it is a requirement of the *Land Administration Act 1997* (LAA) that local governments resolve to dedicate the road. Therefore, Main Roads would appreciate if Council could consider the matter, and provide the following statement in a letter to Main Roads to satisfy the requirements of DPLH, who will manage the road dedication process.

"Council at its ordinary meeting held on (Day/Month/Year) passed a resolution for the dedication of the land the subject of Main Roads Land Dealings Plans 1960-045-3, 2060-023, 2060-024, 2060-025, 1760-275-3, 1760-276-1, 1860-251-1, 1860-252, 1860-253, 1860-254, 1860-255, 1960-226, 1960-194-2, 1960-195, 1960-196, 1960-197, 1960-198, 1960-199, 1960-200, 1960-201 as a road pursuant to section 56 of the Land Administration Act 1997".

Main Roads has advised that it will cover all costs and claims that may arise from the land acquisition and road dedication process.

Within the above Plans, Main Roads has identified Shire Managed Reserve 20911 and Shire Lease L826512 that will require the following matters to be also considered by Council:-

Shire Managed Reserve 20911

The Shire of Yilgarn is the management body of Reserve 20911 (purpose of Sanitary and Rubbish Disposal Site) on Lot 403 on Deposited Plan (DP) 71093 at 342 SLK and Main Roads has requested that the Shire:

- Agree to excision of 2785m² of land from reserve 20911 for road widening purposes as shown on LDP 1960-194-2
- Advise whether any interests have been granted over reserve 20911 that would be affected by the proposed road widening and dedication; and
- Consent to Main Roads and its contractors to enter onto Reserve 20911 to carry out any works that may commence prior to the excision from the reserve being completed.

Shire Lease L826512

The Shire of Yilgarn is the lessee of State issued Lease L826512 (purpose of Cropping and Grazing) on Lot 36 on DP89823 and Lot on DP89830 and Main Roads has requested that the Shire:

- Agree to the excision of 1.0278ha from Lot 36 and 2888m² from Lot 44 for road widening purposes as shown on LDP's 1960-222 and 1960-223.
- Advise whether any interests have been granted against Lease L826512 that would be affected by the proposed road widening and dedication.
- Consent to Main Roads and its contractors to enter onto Lease L826512 to carry out any works that may commence prior to the excision from the reserve being completed.

In discussions with Main Roads personnel, the CEO and EMI identified a number of major intersections with Great Eastern Highway e.g., Parkers Range Road, Bodallin North Road, Bodallin South Road and Ivey Road, and requested that treatments such as slip/turning lanes be included in the GEH upgrades as each of these roads are ingress and egress points for large configurations.

In response to the above discussions, Mr Craig Manton Regional Manager, Wheatbelt Region, advised in writing of the following:-

"Safety Improvements at intersections will reflect the RAV status of the road network. For example, Ivey Road intersection (317 SLK) will be designed to accommodate Network 4 heavy vehicles and Bodallin South Road (319.7 SLK) and Parker Range Road (344 SLK) intersections will be designed to Network 7.

Reference to likely increased use of Parker Range Road intersection by mining companies is also noted. Main Roads will consult with mining companies in relation to appropriate safety improvements that address increased heavy vehicle usage on the road network".

Statutory Environment

Land Administration Act 1997 (LAA)

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Economic Objectives 2.5 Safety and Quality of transport networks are maintained and improved.

Policy Implications

Nil

Financial Implications

Nil.

Officer Recommendation

That Council supports the dedication of the land the subject of Main Roads Land Dealings Plans 1960-045-3, 2060-023, 2060-024, 2060-025, 1760-275-3, 1760-276-1, 1860-251-1, 1860-252, 1860-253, 1860-254, 1860-255, 1960-226, 1960-194-2, 1960-195, 1960-196, 1960-197, 1960-198, 1960-199, 1960-200, 1960-201 as a road pursuant to section 56 of the Land Administration Act 1997 associated with the Great Eastern Highway upgrades between Bodallin and Southern Cross;

and further, Council endorses the following:-

Shire Reserve 20911

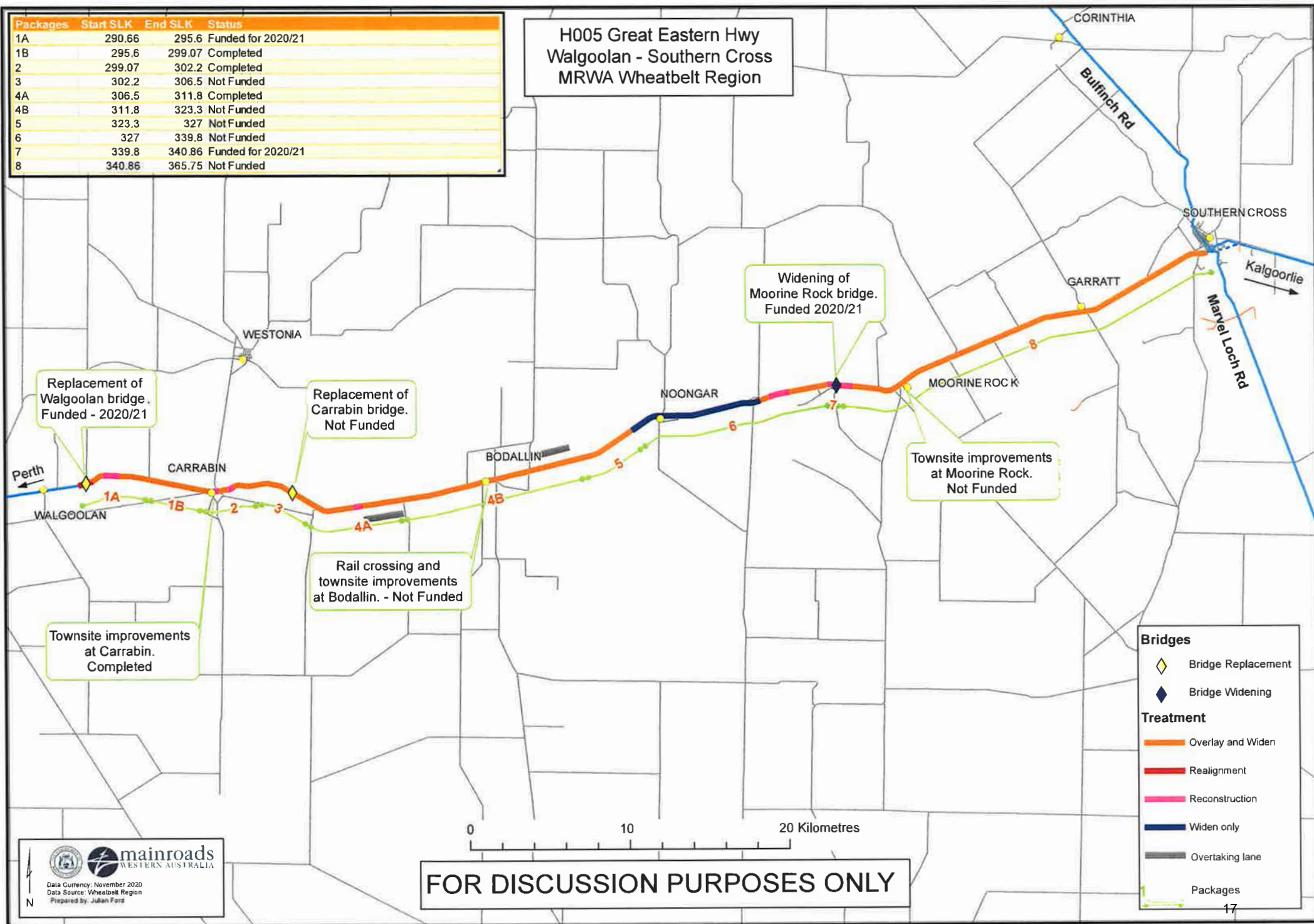
- *Agrees to excision of 2785m² of land from Reserve 20911 for road widening purposes as shown on LDP 1960-194-2*
- *Advises Main Roads that no interests have been granted over Reserve 20911 that would be affected by the proposed road widening and dedication; and*
- *Consents to Main Roads and its contractors to enter onto Reserve 20911 to carry out any works that may commence prior to the excision from the reserve being completed; and*

Shire Lease L826512

- *Agrees to the excision of 1.0278ha from Lot 36 and 2888m² from Lot 44 for road widening purposes as shown on LDP's 1960-222 and 1960-223.*
- *Advises Main Roads that no interests have been granted against Lease L826512 that would be affected by the proposed road widening and dedication.*
- *Consents to Main Roads and its contractors to enter onto Lease L826512 to carry out any works that may commence prior to the excision from the reserve being completed.*

Packages	Start SLK	End SLK	Status
1A	290.66	295.6	Funded for 2020/21
1B	295.6	299.07	Completed
2	299.07	302.2	Completed
3	302.2	306.5	Not Funded
4A	306.5	311.8	Completed
4B	311.8	323.3	Not Funded
5	323.3	327	Not Funded
6	327	339.8	Not Funded
7	339.8	340.86	Funded for 2020/21
8	340.86	365.75	Not Funded

H005 Great Eastern Hwy Walgoolan - Southern Cross MRWA Wheatbelt Region



Townsite improvements
at Carrabin.
Completed

Widening of
Moorine Rock bridge.
Funded 2020/21

Replacement of
Carrabin bridge.
Not Funded

Rail crossing and
townsite improvements
at Bodallin. - Not Funded

Townsite improvements
at Moorine Rock.
Not Funded

- Bridges**
- Bridge Replacement
 - Bridge Widening
- Treatment**
- Overlay and Widen
 - Realignment
 - Reconstruction
 - Widen only
 - Overtaking lane
- Packages**

FOR DISCUSSION PURPOSES ONLY

9.1 Officers Report – Chief Executive Officer

9.1.5 Department of Water and Environmental Regulation (DWER)– Application for an Amendment under the *Environmental Protection Act 1986* – Decision to Grant

File Reference	1.6.23.3 & 3.2.1.29
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	L5850 Amendment Decision Report – FINAL L5850 Amalgamated Licence - FINAL

Purpose of Report

To inform Council of the advice received from DWER regarding its decision to Grant Approval for Yilgarn Iron Pty Ltd's (YIPL) application to establish a tailings storage facility at YIPL's Koolyanobbing Operations.

Background

The Application by YIPL for an Amendment under the *Environmental Protection Act 1986* related to the establishment of a tailings storage facility to store lithium refinery tailings from the Kemerton Lithium Refinery at YIPL's Koolyanobbing Operations.

Council received advice from DWER on 15 April 2020 relating to the above application and following dissemination of this information to Councillors and appropriate feedback provided, the CEO forwarded advice to DWER on 23 April 2020 advising that Council objected to the proposal based on the following:-

1. There has been no consultation by Yilgarn Iron Pty Ltd with the Shire of Yilgarn regarding the proposal, despite it being apparent that the project is at an advanced stage;
2. Based on the information that the chemistry of the tailings is benign, then on that basis, should tailings be not stored at Kemerton, or the mine from which they are produced (Greenbushes), which is considerably closer than the Yilgarn Iron Pty Ltd's Koolyanobbing operations;
3. Transportation of tailings will adversely impact on all communities between Kemerton and Southern Cross/Koolyanobbing. Wear and tear on roads, noise, dust and traffic hazards will increase unless there are deliberate measures taken to reduce these impacts. There is very limited commentary on these issues within the Amendment documentation;
4. Yilgarn Iron Pty Ltd be instructed to liaise with the Shire of Yilgarn regarding proposed transportation routes/upgrades within the Shire of Yilgarn as Council controlled roads will be adversely affected due to increased heavy haulage usage;

5. Council considers that a higher level of assessment needs to be undertaken on the activity/project i.e., Public Environmental Review, before Council would consider supporting the project. The PER process would expose the project to a higher level of environmental, social and economic scrutiny than the current level of assessment being undertaken by DWER.

Other Issues/Queries

1. At the time of the Kemerton Refinery being granted works approval to operate, what measures/processes were given for the storage of the tailings generated by the Refinery?
2. If the Licence Amendment is proposed to be a temporary measure until alternative sites can be investigated, what is the timeframe for the temporary period proposed?
3. What measures are proposed to monitor windblown dust to surrounding flora at the Koolyanobbing Operations if the tailings are dumped?

Comment

In DWER's correspondence of 3 November and attachment, L5850 Amendment Decision Report – FINAL, Council's objections are addressed and DWER's response is provided.

DWER does advise in the above correspondence that in accordance with Section 102(3) of the EP Act, if Council is concerned about, or disagree with the amendment, it can lodge an appeal with the Minister for Environment within 21 days from the date on which the decision was made. The expiration of the 21 day period expires on **24 November 2020**. Fees do apply in lodging an appeal.

Statutory Environment

Environmental Protection Act 1986

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Officer Recommendation

That whilst Council is disappointed with DWER's decision to grant approval for Yilgarn Iron Pty Ltd to establish a tailings storage facility to store lithium refinery tailings from the Kemerton Lithium Refinery, Council reluctantly accepts the approval notification.

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.1 Financial Reports

File Reference	8.2.3.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Financial Reports

Purpose of Report

To consider the Financial Reports

Background

Enclosed for Council's information are various financial reports that illustrate the progressive position of Council financially on a month-by-month basis.

The following reports are attached and have been prepared as at the 31 October 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

That Council endorse the various Financial Reports as presented for the period ending 31 October 2020

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.2 Accounts for Payment

File Reference	8.2.1.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Accounts for Payment

Purpose of Report

To consider the Accounts for Payment

Background

Municipal Fund – Cheque Numbers 40952 to 40966 totalling \$11,582.99 Municipal Fund-EFT Numbers 10554 to 10717 totalling \$1,843,928.10 Municipal Fund – Cheque Numbers 1663 to 1671 totalling \$190,040.16, Municipal Fund Direct Debit Numbers 15143.1 to 15143.12 totalling \$19,771.67, Municipal Fund Direct Debit Numbers 15189.1 to 15189.11 totalling \$19,939.89, Trust Fund – Cheque Numbers 6254 to 6259 (DPI Licensing), totalling \$53,463.30, Trust Fund - Cheque Numbers 402543 to 402545, totalling \$1,855.64 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

Municipal Fund – Cheque Numbers 40952 to 40966 totalling \$11,582.99 Municipal Fund-EFT Numbers 10554 to 10717 totalling \$1,843,928.10 Municipal Fund – Cheque Numbers 1663 to 1671 totalling \$190,040.16, Municipal Fund Direct Debit Numbers 15143.1 to 15143.12 totalling \$19,771.67, Municipal Fund Direct Debit Numbers 15189.1 to 15189.11 totalling \$19,939.89, Trust Fund – Cheque Numbers 6254 to 6259 (DPI Licensing), totalling \$53,463.30, Trust Fund - Cheque Numbers 402543 to 402545, totalling \$1,855.64 are presented for endorsement as per the submitted list.

9.3 Reporting Officer– Executive Manager for Infrastructure

9.3.1 2020/2021 Plant Replacement Program – Tender N° 5/2020-2021 4x4 Tray Back Utility (Re-Advertised)

File Reference	6.6.5.12
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To consider the disposal of Council's existing 4x4 2017 Toyota Landcruiser Tray-back Utility (Plant # 2018) and to a purchase new replacement 4x4 Tray-back Utility

Councillors were advised at Council's October Meeting that Tender N° 5/2020-2021 was first advertised in the September 2020 edition of Kalgoorlie Miner and local Crosswords with the closing date been 28th September 2020.

Council received three responses for the out-right purchase of councils existing 2017 4x4 Toyota Landcruiser Tray-back Utility, but unfortunately no responses were received to supply a new replacement vehicle.

Due to the lack of response to supply a new vehicle it was decided by Council management staff to re-advertise Tender N° 5/2020-2021 in Saturdays 3rd October edition of Western Australian with the closing date being Monday 19th October 2020.

Applicants that have already submitted a tender for the outright purchase of councils existing 2017 Toyota Landcruiser were advised of this and informed that their tender for the outright purchase will be taken into consideration when council deliberated on Tender N° 5/2020-2021 following the re-advertising of the tender.

Background

In accordance with Council's 2020/2021 Plant Replacement Program, tenders were once again invited to supply and deliver one only 4x4 Tray-back Utility and to trade or the outright purchase (Alternative Tender) of Councils current 2017 4x4 Toyota Landcruiser Tray-back Utility.

The 4x4 Toyota Landcruiser Tray-back Utility offered for trade or outright purchase is currently being utilised for the transport of Council's mechanical personnel to carry out repairs and servicing to council's road maintenance and road building machinery.

This vehicle was purchased in 2017 and has speedometer reading of 96,000 as of November 2020. A monetary amount of \$62,500 has been allowed for in 2020/2021 financial Year Budget to purchase a replacement vehicle.

Comment

In accordance to Council's 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° 5/2020-2021 was re-advertised for a period of not less than fourteen days in Saturday's 3rd October edition Western Australian.

The following responses were received for the Outright Purchase of Council's current 2017 Landcruiser Tray-back Utility (Plant N° 2018):

Michelle Loriso	\$15,500 Ex GST
Brian Sheehan-Sheehan's Plant and Mechanical Services	\$20,000 Ex GST
Golden City Motors	\$52,500 Inc GST

The following response was received for the trade-in of Council's current 2017 4x4 Toyota Landcruiser Utility and to supply a new replacement vehicle:

Avon Valley Toyota

4x4 Toyota Landcruiser LC70 Single Cab Workmate	\$68,500.00 Inc GST
Less trade-in 2016 4x4 Toyota Landcruiser Utility	\$55,000.00 Inc GST
Net change-over	\$13,500.00 Inc Gst

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

Council's Ten Year, Plant Replacement Program

Policy Implications

"Finance Policy 3.5 Purchasing and Tendering"

Financial Implications

A monetary allocation of \$62,500 (GST exclusive) has been allowed for the purchase of a new 4x4 Tray Back Utility in Council's 2020-2021 Financial Year Budget

Officer Recommendation

That Council accepts the quote submitted by Avon Valley Toyota to purchase the 4x4 Toyota Landcruiser LC70 Single Cab Workmate Tray-back Utility for the quoted purchase cost of \$68,500.00 (GST inclusive) and trade Council's existing 2017 4x4 Toyota Landcruiser Utility for the quoted trade price of \$55,000.00 (GST inclusive).

10 APPLICATION FOR LEAVE OF ABSENCE

Nil

11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Submitted by Cr Rose

Background Information

Lake Polaris, particularly the section that runs through the Southern Cross townsite is considered to be a neglected area that could be rehabilitated in order that it becomes a feature entrance to the town site from the eastern approach.

Over the years mining companies have utilised the Lake, obviously with Government approvals, to direct dewatering operations away from their particular mining activities. This practice saw the degradation of the Lake environs, with the majority of vegetation being adversely affected by salinity or other contaminants contained within the water. There has been some recovery of vegetation over the years since the above practice ceased however, more can be done to improve the appearance of the Lake environs.

To this end, discussions have been ongoing with Wheatbelt NRM regarding potential opportunities for rehabilitation of Lake Polaris but it has advised that the Department of Biodiversity, Conservation and Attractions (DBCA) is the responsible authority as the Lake is a Reserve (No.8849) administered by DBCA. Advice from the Shire of Yilgarn CEO is contrary to the above, whereby he states that Reserve 8849 "Common" is a Reserve Vested to the Shire of Yilgarn, with the Vesting Order issued to the Shire on 30 November 1904.

It is considered that the Shire of Yilgarn's Tourism Advisory Committee could become a leading player in the rehabilitation of the Lake and that it would need Council's support to progress this matter.

Therefore, I proposed the following Notice of Motion for consideration by Council:-

Proposed Motion

That Council seeks clarification from the Department Planning, Lands and Heritage as to who is responsible for the management of Reserve No.8849, which encompasses Lake Polaris, particularly the portion of the Lake that is contained within the Southern Cross townsite.

Following clarification on the above, Council seeks further advice on the following:-

- 1. What agreement is, or has been, in place with Mining Company's regarding maintenance and rehabilitation works in around Lake Polaris environs?*
- 2. Are there timelines for the area to be rehabilitated, and if so, when will these be implemented? and*
- 3. Is there potential for some rehabilitation works to occur in the interim, and if so, whose ultimate responsibility is it to undertake such works?*

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

Nil

13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

CONFIDENTIAL

Recommendation

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

13 Officers Report – Chief Executive Officer

13.1 Premier's Australia Day Active Citizenship Awards

File Reference	1.3.6.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	CONFIDENTIAL

Purpose of Report

To consider Premier's Australia Day Active Citizenship Award nominations.

Background

Nominations for the following categories in the Premier's Australia Day Active Citizenship Awards closed on Friday, 6 November 2020 in the following categories:

- a) Premier's Australia Day Active Citizenship Award
- b) Premier's Australia Day Active Citizenship Award for a person under 25 years
- c) Premier's Australia Day Active Citizenship Award for a community group or event

Comment

Copies of the confidential nominations have been provided to Councillors for their consideration and to choose a worthy recipient/s, which will allow staff to request the Australia Day Council to prepare the certificate/s prior to the presentation on Tuesday, 26 January 2021.

Statutory Environment

Nil

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Officer Recommendation

That considers the nomination/s received for the Premier's Australia Day Awards.

14 CLOSURE