



Shire of
YILGARN

“good country for hardy people”

*Council Meeting
Agenda*

18 March

2021

SHIRE OF YILGARN NOTICE OF MEETING



Councillors:
Please be advised that the

MARCH 2021 ORDINARY MEETING OF COUNCIL

Will be held in the Council Chambers on
Thursday, 18 March 2021
Commencing at **4pm**

COUNCILLORS PLEASE NOTE:

- *The Discussion Session will start at 3pm*
- *The Ordinary Meeting of Council will start at 4pm*
- *Covalent Lithium will be in attendance to present to Council at the start of the Ordinary Meeting of Council*

Peter Clarke
Chief Executive Officer

11/03/2021

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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 Deputy President
Cr J Cobden
Cr G Guerini
Cr P Nolan
Cr L Rose
Cr S Shaw

Council Officers P Clarke Chief Executive Officer
C Watson Executive Manager Corporate Services
R Bosenberg Executive Manager Infrastructure
N Warren Executive Manager Regulatory Services
L Della Bosca Minute Taker

Apologies:

Observers:

Leave of Absence:

4. DECLARATION OF INTEREST

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5.1 PUBLIC QUESTION TIME

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council, Thursday 18 February 2021- (Minutes Attached)

Recommendation

That the minutes from the Ordinary Council Meeting held on 18 February 2021 be confirmed as a true record of proceedings

Voting Requirements: Simple Majority

6.2 Audit Committee Meeting, Thursday 18 February 2021

Recommendation

That the minutes from the Audit Committee meeting held on the 18 February 2021 be confirmed as a true record of proceedings.

Voting Requirements: Simple Majority

6.3 Great Eastern Country Zone Meeting (GECZ), Monday 22 February 2021-(Minutes Attached)

Recommendation

That the minutes from the GECZ meeting held on the 22 February 2021 be received.

Voting Requirements: Simple Majority

6.4 Westonia/Yilgarn Local Emergency Management Committee Meeting (LEMC), Thursday 4 March 2021-(Minutes Attached)

Recommendation

That the minutes from the LEMC meeting held on the 4 March 2021 be received.

Voting Requirements: Simple Majority

6.5 Yilgarn Tourism Committee Meeting, Tuesday 9 March 2021-(Minutes Attached)

Recommendation contained with the minutes for Councils consideration

RECOMMENDATION TO COUCIL

Moved J Stephen Seconded K Crafter

That it be recommended to Council that provision for signage and associated infrastructure at the old Southern Cross Railway Station at a projected cost of \$6,133.70 be considered in the 2021/2022 Budget deliberation

Recommendation

That the minutes from the Yilgarn Tourism Committee meeting held on the 9 March 2021 be received and the recommendation within be adopted.

Voting Requirements: Simple Majority

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

Covalent Lithium will be in attendance to present to Council

8. DELEGATES' REPORTS

9. OFFICERS REPORTS

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 28 February 2021.

- 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

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Monthly snapshot of Councils financial position	Moderate (6)	Ongoing review of Councils operations
Service Interruption	Nil	Nil	Nil
Compliance	Local Government (Financial Management) Regulations 1996	Moderate (6)	Adherence to statutory requirements
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council endorse the various Financial Reports as presented for the period ending 28 February 2021

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 Paid under delegated authority.

Background

Municipal Fund – Cheque Numbers 40993 to 41006 totalling \$7662.45 Municipal Fund- EFT Numbers 10998 to 11119 totalling \$526,581.43 Municipal Fund – Cheque Numbers 1699 to 1707 totalling \$188,301.28, Municipal Fund Direct Debit Numbers 15466.1 to 15466.11 totalling \$18,686.73, Municipal Fund Direct Debit Numbers 15520.1 to 15520.14 totalling \$19,098.20, Trust Fund – Cheque Numbers 6273 to 6276 (DPI Licensing), totalling \$37,464.95 Trust Fund - Cheque Numbers 402558 to 402559, totalling \$443.50 are presented for endorsement as per the submitted list.

Comment

Nil

Statutory Environment

Local Government Act 1995

5.42. Delegation of some powers and duties to CEO

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

* Absolute majority required.

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

Local Government (Financial Management) Regulations 1996

12. Payments from municipal fund or trust fund, restrictions on making

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or

- (b) otherwise, if the payment is authorised in advance by a resolution of the council.
 - (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.
- 13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**
- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
 - (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;and
 - (b) the date of the meeting of the council to which the list is to be presented.
 - (3) A list prepared under subregulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Strategic Implications

Nil

Policy Implications

Council Policy 3.11 – Timely Payment of Suppliers

Financial Implications

Drawdown of Bank funds

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Transactions require two senior managers to approve.	Moderate (8)	Transactions require two senior managers to sign cheques or approve bank transfers.
Financial Impact	Reduction in available cash.	Moderate (5)	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Local Government (Financial Management) Regulations 1996	Moderate (6)	Adherence to statutory requirements
Reputational	Non or late payment of outstanding invoices and/or commitments	Moderate (9)	Adherence to Timely Payment of Suppliers Policy
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

Municipal Fund – Cheque Numbers 40993 to 41006 totalling \$7662.45 Municipal Fund-EFT Numbers 10998 to 11119 totalling \$526,581.43 Municipal Fund – Cheque Numbers 1699 to 1707 totalling \$188,301.28, Municipal Fund Direct Debit Numbers 15466.1 to 15466.11 totalling \$18,686.73, Municipal Fund Direct Debit Numbers 15520.1 to 15520.14 totalling \$19,098.20, Trust Fund – Cheque Numbers 6273 to 6276 (DPI Licensing), totalling \$37,464.95 Trust Fund - Cheque Numbers 402558 to 402559, totalling \$443.50 are presented for endorsement as per the submitted list.

9.3 Reporting Officer– Executive Manager Infrastructure

9.3.2 2020/2021 Plant Replacement Program – Side Tipping Trailers

File Reference	6.6.7.11 & 5.1.6.11
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To consider the purchase of two side tipping trailers

Background

In accordance with Councils 2020/2021 Plant Replacement Program, quotations were invited to supply and deliver two tandem axel side tipping trailers.

The new side tipping trailers will replace councils existing side tipping trailers which were purchased in 2010. These trailers are utilized by council staff to couple up to councils prime mover for the purpose of hauling road building material on council road construction works, it is expected that the new trailers will be used for the same purpose

Comment

In accordance to Council's Finance Policy 3.5 Purchasing and Tendering, three quotes were sourced and received from Howard and Porter, Bruce Rock Engineering, and Duraquip to supply two new tandem side tipping trailers.

Companies quoting to supply trailers have indicated that there is a six month wait for the supply of new trailers, therefore any trailers put on order now will not be available until September 2022. It will be proposed to include a monetary amount in the 2021-2022 Financial Year Plant Replacement Budget deliberations for the purchase of the two side tipping trailers.

It was also proposed to dispose of Council's existing side tipping trailers in the 2020/2021 Financial Year budget. This will now be done when council takes delivery of the new trailers in the 2022/2023 Financial Year. The disposal of Council's existing trailers will be in accordance to the Local Government Act 1995 Section 3.58 Disposing of Property

The following responses have been received to supply two new side tipping trailers (*excluding GST*):

DURAQUIP

Two x HaulPro (20m³ per trailer) Tandem Axle Trailers \$226,840.00
 (\$113,420 per trailer excluding GST)
 Standard warranty – 12 months

Licencing cost not included

Bruce Rock Engineering

Two x (23m³ per trailer) Tandem Axle Trailers \$234,400.00
(*\$117,200 per trailer excluding GST*)

Standard warranty – 12 months

Licencing cost not included

Howard and Porter

Two x (21m³ per trailer) Tandem Axle Trailers \$198,540.00
(*\$99,270.00 per trailer excluding GST*)

Standard warranty – 12 months

Licencing cost are included in the quoted amount

It will be recommended that Council accept the quotation submitted by Howard and Porter to supply two side tipping trailers and that the trailers are placed on order in this current 2020-2021 Financial Year to ensure the delivery of the trailers early in the 2021-2022 Financial Year.

It will also be recommended that a monetary allocation is included in the 2021-2022 Financial Year Budget deliberations for the purchase of the two side tipping trailers.

Statutory Environment

Nil

Strategic Implications

Councils Ten Year, Plant Replacement Program

Policy Implications

“Finance Policy 3.5 Purchasing and Tendering”

Financial Implications

A monetary allocation has been allowed for in Councils 2020-2021 Financial Year Budget to purchase two side tipping trailers. Due to the new trailers not being available prior to the end of 2020-2021 Financial Year, it is proposed to include a monetary amount in the 2021-2022 Financial Year Budget to purchase the two side tipping trailers.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Injury to personal while delivering	Low (1)	Safety procedures followed
Financial Impact	Significant cost to council for the purchase of the two side tipping trailers	Moderate (9)	Trailers to be placed on order in 2020-2021 Financial Year and a monetary amount included in Councils 2021-2022 Financial Year Budget deliberations to purchase the trailers
Service Interruption	There will be a delay in suppling replacement trailers. This is due to the fabrication back log of side tipping trailers as a result of coronavirus	Moderate (9)	Out of Councils Control
Compliance	Councils Policy 3.5 Purchasing and Tendering,	Low (1)	Three quotes have been sourced in accordance to Councils Policy 3.5 Purchasing and Tendering,
Reputational	Nil	Nil	Nil
Property	Goods being damaged in transit	Low (1)	All goods to be inspected to identify any damage prior to taking delivery and signing of any documentation
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council accepts the quote submitted from Howard and Porter for the purchase of two side tipping trailers for the quoted cost of \$198,540.00 (excluding GST),

and

That Councils includes a monetary amount in the 2021-2022 Financial Year Budget deliberation for the purchase of the two side tipping trailers.

9.3 Reporting Officer– Executive Manager Infrastructure

9.3.2 Ten Year Plant Replacement Program

File Reference	5.1.6.11
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Attachments:	Ten Year Plant Replacement Spread Sheet

Purpose of Report

To consider Shire of Yilgarn Plant Replacement Program – 2021/2022 – 2030/2031

Background

A review of Councils plant replacement is carried out on an annual basis, with the attached Plant Replacement Program being for a ten-year period. The proposed Plant Replacement Program is expected to provide council with a Strategic Plant Replacement Program that will result in optimum return on both operating and change over costs of Councils Plant and Equipment.

In the past Council has used the following life cycles for the replacement of equipment and plant. This has resulted in Council achieving minimal costly down time and optimum trade prices of the respected plant items.

Graders/ Construction Loader	8 years or 9,000 hours
Multi Tyred/Drum Rollers	8 years or 9,000 hours
Prime Movers/Tip Trucks	8 years or 200,000km
Small Loader/Backhoe	10 years or 9,000 hours
Light Trucks/Personal Carries	5 years or 150,000kms
Utilities	3-4 years or 100,000kms
Executive Type Vehicles	2 years
Community Bus	8 years or 80,000km

Comment

In the 2021/2022 Financial Year Plant Replacement Program it is proposed to replace a John Deere Grader, Caterpillar Loader, and Hilux SR5 Dual Cab Utility.

Also included in the 2021/2022 Financial Year Plant Replacement Program is the purchase of two new side tipping trailers. These trailers were included in the 2020/2021 Financial Year Budget for replacing but unfortunately companies supplying such trailers have indicated that there is a lengthy waiting period of upwards of six months for the fabricating of new trailers, this would take the replacement of the trailers well into the 2021/2022 Financial Year.

The John Deere grader included in the 2021/2022 Plant Replacement Program was purchased in 2013. This vehicle is utilised by council staff to carry out road maintenance programs throughout Shire of Yilgarn.

It is also proposed to include the replacement of Councils current Caterpillar 950 loader in the 2021/2022 Plant Replacement Program. This loader was purchased in 2013 and is utilised by council staff for loading of road building materials onto roadtrains/eight-wheel tip trucks utilised for road building purposes. This loader when required is also utilised for bush fire control.

It is also proposed to replace the Hilux SR5 Dual Cab Utility being utilised by the Executive Manager Infrastructure in the 2021/2022 Financial Year

Statutory Environment

Nil

Strategic Implications

Ten-Year Plan will provide Council with a Strategic Plant Replacement Program that will result in optimum return on investment of Plant and Equipment.

Policy Implications

“Staff Policy N^o 7.12 Motor Vehicle Replacement and Vehicle Standard and Accessories”

Financial Implications

Ten Year Plant Replacement Programs will form the basis of Capital Plant Replacement Purchases in future Budgets. Initial indications show the Plant Replacement Programme for 2021/2022 Financial Year is estimated to cost (net) \$753,000

The monetary amount to replace these vehicles will be sourced from Council’s Plant Replacement Reserve

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Significant financial cost to Council with initial indications show the Plant Replacement Programme for 2021/2022 Financial Year is estimated to cost (net) \$753,000	Moderate (9)	That all vehicles listed for replacement in the 2021/2022 Plant Replacement Program be included in 2021/2022 Financial

			Year Budget deliberations
Service Interruption	Nil	Nil	Nil
Compliance	Noncompliance with Councils Purchasing and Tendering Policy	Moderate (9)	Compliance with Councils Purchasing and Tendering Policy
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That the Ten-Year Plant Replacement Program for the period 1st July 2021 to 30th June 2031 as attached, be adopted

and

That all vehicles listed for replacement in the 2021/2022 Plant Replacement Program be included in 2021/2022 Financial Year Budget deliberations.

								(25,000)	70,000			(25,000)	73,000			(25,000)	76,100									
2043	YL4949	Truck Dual Cab 4x4 (with Crane)	Mitsubishi (personal carrier)	2020	4			95,000				98,000				101,100										
								(25,000)	70,000			(25,000)	73,000			(25,000)	76,100									
2046	YL 046	Light Tip Truck - Parks & Gardens	Mitsubishi	2021	5						84,500				88,000											
											(25,000)	59,500			(25,000)	63,000										
2012	YL 5410	Light Tip Truck - Maintenance	Mitsubishi	2017	5			82,200				85,500						89,500								
								(25,500)	56,700			(25,500)	60,000			(25,500)	64,000									
2027	YL329	Truck - Maintenance - (flatdeck with crane)	Mitsubishi	2018	5			96,500							101,500											
								(35,500)	61,000						(35,500)	66,000										
1885	YL121	4 x 4 Ute (AS)	Hilux Ute	2020	3			45,500				46,500			47,500											
								(30,000)	15,500			(30,000)	16,500		(30,000)	17,500										
2028	YL 13	4 x 4 Ute (P&G)	Hilux Ute	2019	3			44,500			45,500			47,500												
								(30,000)	14,500		(30,000)	15,500		(30,000)	17,500											
1867	YL 363	2 x 4 Ute (Handyman)	Mazda BT50	2019	4			39,500						41,500												
								(15,000)	24,500					(15,000)	26,500											
2018	YL 645	4 x 4 Ute (Mechanic)	Lnd Crs	2020	3			71,500				75,500			79,500											
								(40,000)	31,500			(40,000)	35,500		(40,000)	39,500										
2031	YL 5067	4 x 4 Ute (Works)	Lnd Crs	2019	3			70,500			74,500			78,500												
								(40,000)	30,500		(40,000)	34,500		(40,000)	38,500											
2030	YL 38	4 x 4 Ute (Works)	Lnd Crs	2019	3			70,500			74,500			78,500												
								(40,000)	30,500		(40,000)	34,500		(40,000)	38,500											
2034	YL 150	4x4 Ute (MWS)	Toyota Hilux SR5	2020	2		57,000			60,000			64,500			67,000										
							(35,000)	22,000		(35,000)	25,000		(35,000)	29,500		(35,000)	32,000									
2045	YL333	4 x 4 Ute (works)	Toyota Landcruiser	2020	3			71,500				75,500			79,500											
								(40,000)	31,500			(40,000)	35,500		(40,000)	39,500										
	YL 285	Community Car	Toyota RAV	2017	6			39,500				41,500														
								(12,000)	27,500			(12,000)	29,500													
	YL 50	SUV (DCEO)	Kluger AWD	2021	2			55,500			56,500			59,500			60,000									
								(30,000)	25,500		(30,000)	26,500		(30,000)	29,500		(30,000)	30,000								
	YL 1	Sedan (CEO)	Toyota Prado	2021	2			70,500			73,000			78,500			81,000									
								(50,000)	20,500		(50,000)	23,000		(50,000)	28,500		(50,000)	31,000								
	YL 252	Dual Cab (EHO)	Toyota Hilux SR5	2021	2			59,000			61,500			66,000			68,500									
								(35,000)	24,000		(35,000)	26,500		(35,000)	31,000		(35,000)	33,500								
CAPITAL COST OR OUTRIGHT PURCHASE PRICE							1,003,000	1,065,700	1,223,000	1,196,000	1,112,500	1,327,000	936,000	1,111,000	1,285,200	1,029,000										
(ESTIMATED TRADE) NET REPLACEMENT COST							(250,000)	(404,000)	(332,500)	(265,000)	(345,000)	(412,500)	(238,500)	(375,500)	(335,000)	(270,500)	753,000	772,200	795,500	811,000	732,000	914,500	659,000	695,000	950,200	758,500

9.4 Reporting Officer– Executive Manager Regulatory Services

9.4.1 Request To Renew Lease L342769 Lot 205 On Deposited Plan 188777 , Koolyanobbing

File Reference	1.6.17.4
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Aerial View and Tenure Map

Purpose of Report

To consider a response to the Department of Planning, Lands and Heritage regarding a request to renew lease L342769 for Lot 205 on Deposited Plan 188777, Koolyanobbing.

Background

The Shire is in receipt of correspondence from the Department of Planning, Lands and Heritage (the Department), seeking comments in regards to a proposal to renew lease L342769 for Lot 205 on Deposited Plan 188777, on Dowd Road, Koolyanobbing.

The Department have advised the Lease is to be issued to Yilgarn Iron Pty Ltd, which is a subsidiary of Mineral Resources Limited

Comment

The aerial and tenure maps from the Department are attached for Councillors perusal.

There are no outstanding issues relating to the property, and the reporting officer can see no issues relating to the renewal of the lease.

Statutory Environment

Nil

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

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

Council endorse the following response to the Department Planning Lands and Heritage:

In relation to the proposal to renew lease L342769 for Lot 205 on Deposited Plan 188777, Koolyanobbing, the Shire of Yilgarn holds no objections.



Legend

- Cadastre (View 1)
- Roads**
 - Main
 - Minor
 - Track

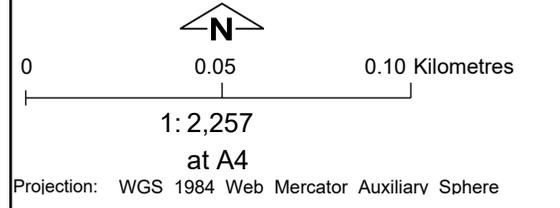
Notes:

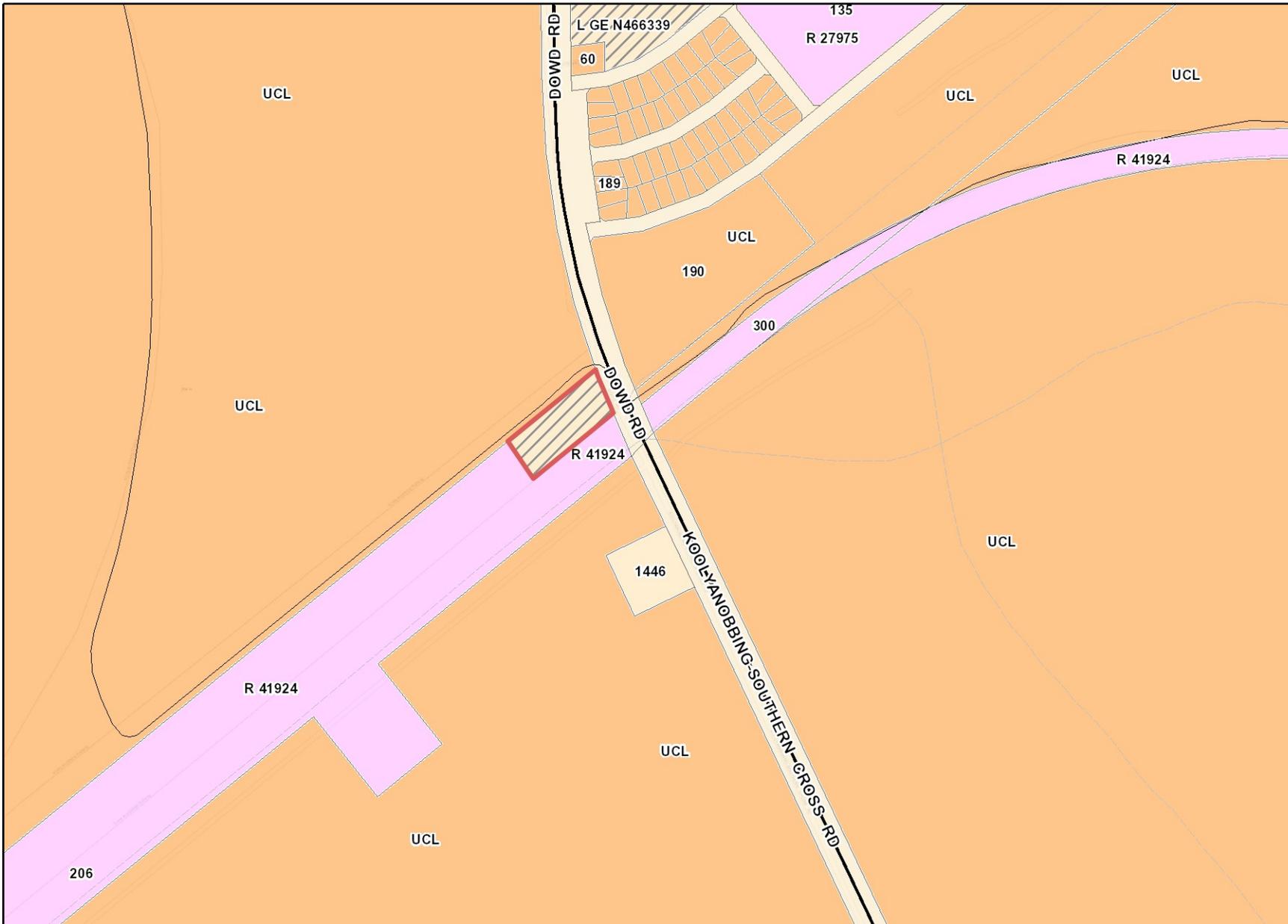
- * The data that appears on the map may be out of date, not intended to be used at the scale displayed, or subject to license agreements. The map should only be used in matters related to Department of Planning, Lands and Heritage business.
- * This map is not intended for measurement purposes.

Map was produced using DPLH's InQuery.

Lease L342769 Lot 205 on Deposited Plan 187771

DPLH BUSINESS USE ONLY





Legend

- Cadastre (View 1)
- Roads**
 - Main
 - Minor
 - Track
- Land Tenure Small Scale ALL**
 - Crown Allotment (Type 2)
 - Unallocated Crown Land
- Land Tenure Small Scale 256K**
 - Unallocated Crown Land
 - Reserve
- Land Tenure Small Scale 64K**
 - Crown Allotment (Type 2)
 - Lot on Survey (Type 1)
 - Public Road
 - Unallocated Crown Land
 - Lease
- Land Tenure Small Scale 16K**
 - Crown Allotment (Type 2)
 - Lot on Survey (Type 1)
 - Public Road
 - Unallocated Crown Land
 - Lease
 - Reserve

Notes:

* The data that appears on the map may be out of date, not intended to be used at the scale displayed, or subject to license agreements. The map should only be used in matters related to Department of Planning, Lands and Heritage business.

* This map is not intended for measurement purposes.

Map was produced using DPLH's InQuery.

Lease L342769 Lot 205 on Deposited Plan 187771

DPLH BUSINESS USE ONLY


 0 0.19 0.39 Kilometres

1: 9,028
 at A4
 Projection: WGS 1984 Web Mercator Auxiliary Sphere

9.4 Reporting Officer– Executive Manager Regulatory Services

9.4.2 Request to Convert Leases L804773, N971226 and N971231 into Feehold

File Reference	1.6.17.4
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Aerial View and Tenure Map

Purpose of Report

To consider a response to the Department of Planning, Lands and Heritage regarding the proposed conversion of Leases L804773, N971226 and N971231 into freehold.

Background

The Shire is in receipt of correspondence from the Department of Planning, Lands and Heritage (the Department), seeking comments in regards to a proposal to convert Leases L804773, N971226 and N971231 into freehold.

The details of the leases are as follows:

- Lease L804773 over Lot 292 on DP156528, Lots 1049 and 1050 on DP195190 for the purpose of ‘Cropping and Grazing’, which is expiring on 31 March 2021.
- Lease N971226 over Lot 368 on DP203770 for the purpose of ‘Cropping and Grazing’, which is expiring on 31 December 2027.
- Lease N971231 over Lots 365 and 366 on DP203770 for the purpose of ‘Cropping and Grazing’, which is expiring on 31 December 2027.

Comment

The aerial maps from the Department are attached for Councillors perusal.

There are no outstanding issues relating to the property, and the reporting officer can see no issues relating to the renewal of the lease.

Statutory Environment

Nil

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

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

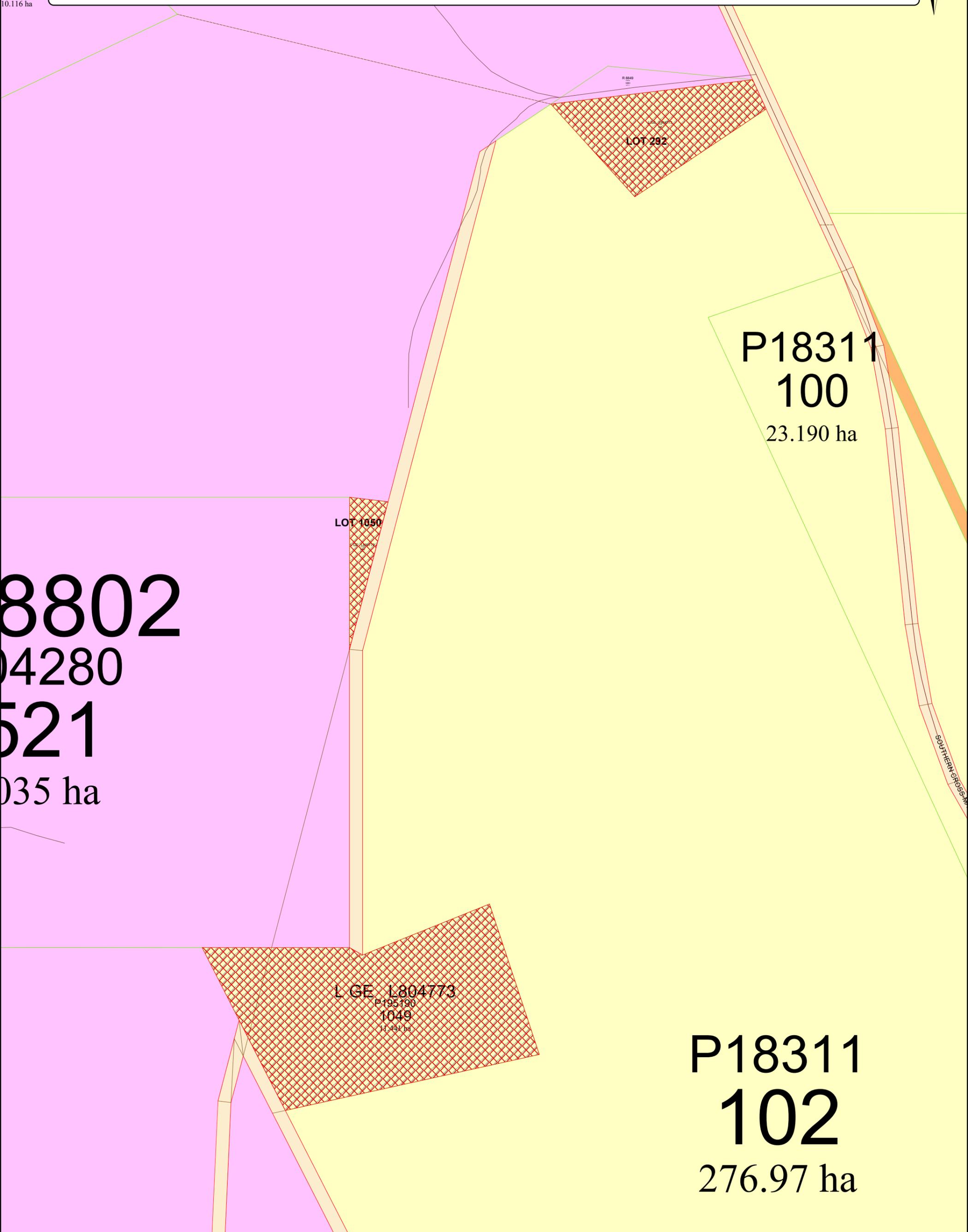
Officer Recommendation

Council endorse the following response to the Department Planning Lands and Heritage:

In relation to the proposal to convert Leases L804773, N971226 and N971231 into freehold, the Shire of Yilgarn holds no objections.

30776
190176
925
10.116 ha

Lease L804773 - Lot 292 on DP 156528 & Lots 1049 & 1050 on DP 195190



8802
04280
035 ha

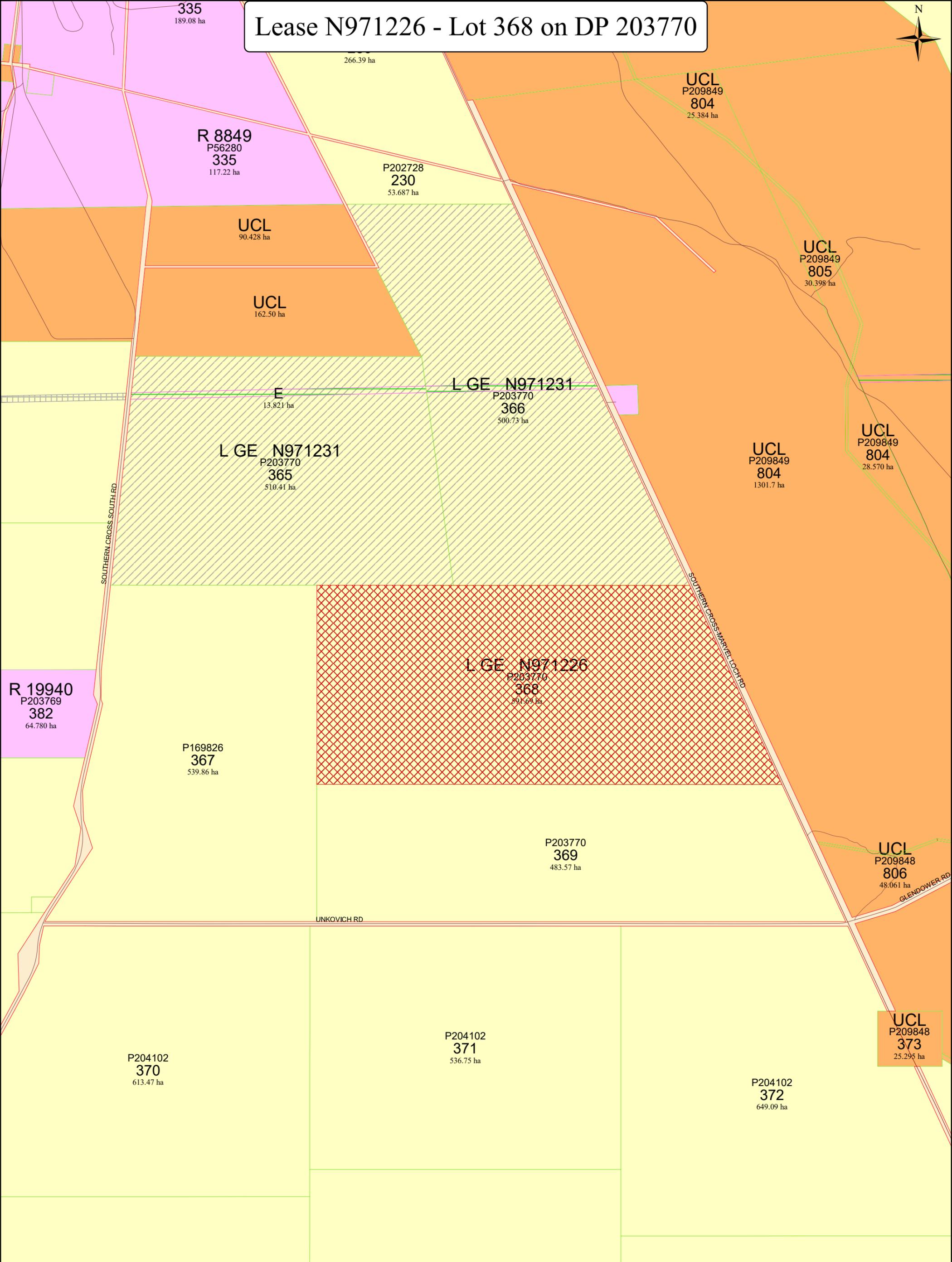
P18311
100
23.190 ha

LOT 1050

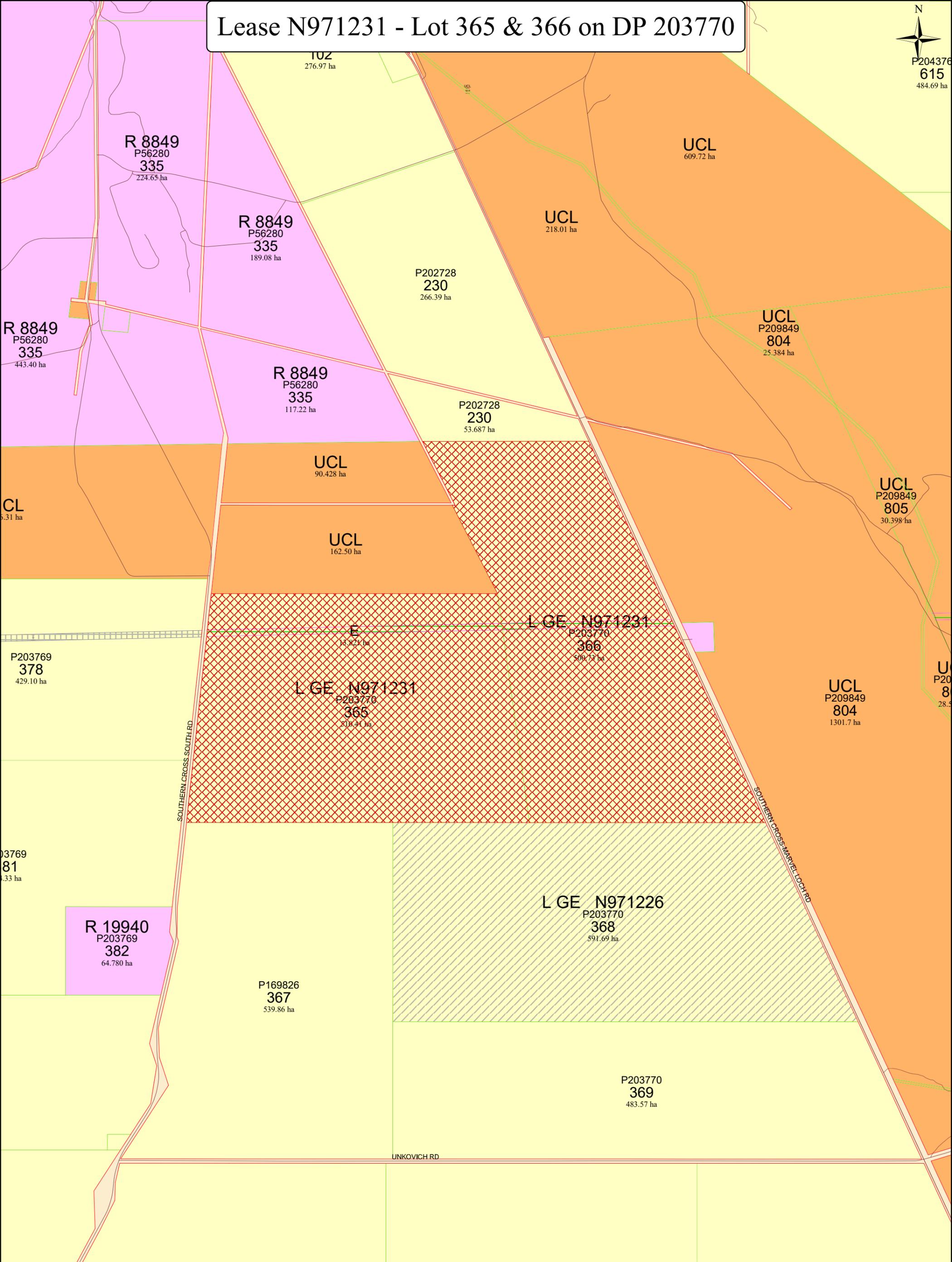
L GE L804773
P195190
1049
10.441 ha

P18311
102
276.97 ha

Lease N971226 - Lot 368 on DP 203770



Lease N971231 - Lot 365 & 366 on DP 203770



9.4 Reporting Officer– Executive Manager Regulatory Services

9.4.3 Dulyalbin Road Deviation

File Reference	6.1.1.083
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Attachment 1 - Proposed road closure sketch Attachment 2 - Survey Plan - 15004

Purpose of Report

To commence the administrative process for the deviation of Dulyalbin Road.

Background

In late 2018, local landowners raised an issue with Shire staff relating to the past deviation of Dulyalbin Road.

Records indicate that in circa 1982 a road deviation was commenced to close a portion of Dulyalbin Road and to subdivide a new section of road out of Lot 637 on DP159430, Lot 288 on DP156231, Lot 529 on DP204185, Lot 528 on DP204185 and Lot 758 on DP169354.

The road deviation was surveyed on DP215004, however processing of the survey by the then Department of Lands and Surveys was never completed. However the physical road deviation was undertaken.

The local landowners hoped to re-commence the road realignment subdivision process to ensure the land they owned was adequately portrayed in their certificate of titles, as some lots were affected by the constructed road.

As such, Shire staff contacted Cardno (WA) Pty Ltd to investigate whether the original survey plan was adequate or if a new survey would be required.

In February 2019, Cardno wrote to the Department of Planning, Lands and Heritage (the Department), lodging a Crown Land Enquiry form and seeking direction for the commencement of the road closure and land subdivision process.

Despite repeated enquiries to the Department by Cardno, the matter did not progress, until the 9th March 2021, when the Department wrote to the Shire enquiring as to the status of our application.

It stated, should the Shire wish to undertake the original proposal the Department required the following:

In accordance with Section 58 of the Land Administration Act 1997

- *Formal request for the road closure is to be provided from the Shire to the Minister*
- *evidence of notice for advertisement s.58 (3)*

In accordance with Regulation 9 of the Land Administration Regulations 1998

- *Any submissions made in response to advertisement*
- *Any services or notice to service providers*

Evidence of referral to the applicant who has applied to attain portion of proposed road closure.

Comment

Councillors are required to endorse the commencement of proceedings for the closure of the existing Dulyalbin Road reserve as shown on Attachment 1 - Proposed road closure sketch and 2 - Survey Plan - 15004, and the subdivision and creation of the proposed Road Reserve, which is in keeping with the constructed road, as shown on Attachment 2 - Survey Plan - 15004.

Once Council endorse the proposal, a 35 day public notice period can commence, including contacting affected landholders to seek their endorsement of the proposal. After the closure of the public notice period, the matter will be returned to Council for a resolution prior to applying to the Minister.

It is proposed to engage Cardno to prepare the relevant documentation for submission to the Minister.

Statutory Environment

Land Administration Act 1997

Roads Part 5

Conventional roads Division 1

58. Closing roads

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —*
 - a. by order grant the request; or*
 - b. direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
 - c. refuse the request.*

- (5) *If the Minister grants a request under subsection (4) —*
- a. *the road concerned is closed on and from the day on which the relevant order is registered; and*
 - b. *any rights suspended under section 55(3)(a) cease to be so suspended.*
- (6) *When a road is closed under this section, the land comprising the former road —*
- a. *becomes unallocated Crown land; or*
 - b. *if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.*

Land Administration Regulations 1998

Part 2 General

9. Local government request to close road permanently (Act s. 58(2)), requirements for

For the purposes of preparing and delivering under section 58(2) of the Act a request to the Minister to close a road permanently, a local government must include with the request —

- (a) written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and*
- (b) sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed; and*
- (c) copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government's comments on those submissions; and*
- (d) a copy of the relevant notice of motion referred to in paragraph (c); and*
- (e) any other information the local government considers relevant to the Minister's consideration of the request; and*
- (f) written confirmation that the local government has complied with section 58(2) and (3) of the Act.*

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

Ongoing costs associated with Cardno and submissions to DoPLH

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Affected landowners paying rates on land of which their use is affected by constructed road;	High 10	The subdivision will correct land parcels to be in keeping with current layout
Service Interruption	Nil	Nil	Nil
Compliance	Road constructed outside of road reserve	High 10	The subdivision will correct the road reserve to match the current constructed road
Reputational	Possible reputational effects of constructing road outside of reserve.	Moderate 5	The subdivision will correct the road reserve to match the current constructed road
Property	Current road reserve does not match with constructed road	Moderate 5	The subdivision will correct the road reserve to match the current constructed road
Environment	Effects of clearing	Low 4	Road already constructed, this is an administrative process only.

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

Council endorse commencing a 35 day public notice period, as per Section 58 of the Land Administration Act 1997, detailing the intention to close a portion of Dulyalbin Road, in the vicinity of Lot 637 on DP159430, Lot 288 on DP156231, Lot 529 on DP204185, Lot 228 on DP204185 and Lot 758 on DP169354.

and

Council, subject to affected landholder consent, endorse the subdivision of land and creation of Road Reserve as per Survey DP215004.

P159430
637
319.66 ha

P204185
529
604.90 ha

Proposed Road Closure

Proposed Road Closure

P156231
288
170.12 ha

DULYALBIN RD

P169354
758

36



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

Recommendation

That the new business be received by Council for consideration.

Voting Requirements Simple Majority

13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

Recommendation

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

Voting Requirements Simple Majority

14 CLOSURE