



*"good country for hardy people"*

# *Minutes*

## *Ordinary Meeting of Council*

### *16 September 2021*

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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

Cr Della Bosca welcomed to Council Mr. Nic Warren in his new role as Chief Executive Officer and Mr. Shane Chambers as the new Executive Manager Regulatory Services.

## 3. ATTENDANCE

Presiding Member   Cr W Della Bosca   President

Members                      Cr B Close  
                                    Cr J Cobden  
                                    Cr G Guerini  
                                    Cr P Nolan  
                                    Cr S Shaw

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

Apologies:                  Nil

Observers:                  Mrs. Kaye Crafter

Leave of Absence:   Cr L Rose

## 4. DECLARATION OF INTEREST

Nil

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

Nil

## 5.1 PUBLIC QUESTION TIME

Nil

## 6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council, Thursday, 19 August 2021

**160/2021**

***Moved Cr Shaw/Seconded Cr Cobden***

***That the minutes from the Ordinary Council Meeting held on 19 August 2021 be confirmed as a true record of proceedings.***

**CARRIED (6/0)**

6.2 Wheatbelt North Regional Road Group Meeting, Monday, 26 July 2021

**161/2021**

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

***That the minutes from the Wheatbelt North Regional Road Group meeting held on the 26 July 2021 be received.***

**CARRIED (6/0)**

6.3 Central East Aged Care Alliance Inc. (CEACA) Management Meeting, Monday 23 August 2021

**162/2021**

***Moved Cr Shaw/Seconded Cr Guerini***

***That the minutes from the CEACA Inc. Management meeting held on the 23 August be received***

**CARRIED (6/0)**

6.4 Yilgarn History Museum Advisory Committee Meeting, Wednesday, 1 September 2021

**163/2021**

***Moved Cr Cobden/Seconded Cr Shaw***

***That the minutes from the Yilgarn History Museum Advisory Committee meeting held on the 1 September be received***

**CARRIED (6/0)**

6.5 Shire of Yilgarn Tourism Advisory Committee Meeting, Wednesday, 1 September 2021

**164/2021**

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

***That the minutes from the Shire of Yilgarn Tourism Advisory Committee meeting held on the 1 September 2021 be received.***

**CARRIED (6/0)**

**\*Recommendation contained within the Yilgarn Tourism Committee Minutes**

**165/2021**

***Moved Cr Guerini/Seconded Cr Shaw***

***That the recommendation contained within the Yilgarn Tourism Committee Meeting being***

*Moved K Crafter Seconded L Gethin that Council funds the astronomy evening proposed for early 2022.*

***Be adopted***

**CARRIED (6/0)**

**7. PRESENTATIONS, PETITIONS, DEPUTATIONS**

Nil

**8. DELEGATES' REPORTS**

Cr Della Bosca announce the following;

- Attended the 'Standing for Council' information evening on the 25 September 2021
- Attended the Wheatbelt North Regional Road Group meeting on the 26 September 2021

Cr Guerini announce the following;

- Attended the Southern Cross Motor Cycle club 2 Day event, of which the Shire of Yilgarn was the main sponsor.

## 9. OFFICERS REPORTS

### 9.1 Officers Report – Chief Executive Officer

#### 9.1.1 Shire of Yilgarn – Branding Refresh

<b>File Reference</b>	<b>2.3.3.5</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Market Creations Agency - Brand Concept Presentations</b>

#### Purpose of Report

To submit to Council for its consideration, the concepts provided by Market Creations Agency for the Branding Refresh (new Logo Design) for the Shire of Yilgarn.

#### Background

As part of the development of a dedicated Tourism website, Council also concurred with the Tourism Advisory Committee's recommendation of including in the 2021/2022 Budget considerations, the preparation of designs and consideration of new branding for the Shire of Yilgarn.

#### Comment

At the Shire of Yilgarn's Tourism Advisory Committee meeting held on Wednesday, 1 September 2021, Brand concept designs were presented for consideration of the Committee, with the intent of recommending to Council a preferred design for adoption.

The Committee considered the 4 design options and favoured a blend of designs 3 and 4 and requested the CEO and EMRS to liaise with Market Creations for a new design to be forwarded for Council consideration.

#### Statutory Environment

Nil.

#### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Economic Objectives Outcome 2.4 – Tourism Opportunities are Maximised.

#### Policy Implications

Nil

#### Financial Implications

Brand redesign included in 2021/2022 budget.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Engagement of Marketing firm to prepare Brand refresh concepts	Moderate (6)	To provide residents of the district with a sense of identity and include community consultation on the preferred logo
Financial Impact	Cost of developing brand and including same on all Shire stationary/signage	High (10)	Ongoing Budget considerations
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational			
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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

*Submitted for Council consideration.*



## Council Decision

**166/2021**

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

***That Council endorse Concept A, for the Branding Refresh (new Logo Design) for the Shire of Yilgarn, as provided in the Market Creations Agency Brand Concept presentation and recommended by the Shire of Yilgarn Tourism Advisory Committee.***

**CARRIED (6/0)**

## 9.1 Reporting Officer – Chief Executive Officer

### 9.1.2 Annual Policy Manual Review

<b>File Reference</b>	<b>2.3.3.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	<b>Council and Staff Policy Manuals</b>

#### Purpose of Report

To inform Council of the Annual Review in relation to Council and Staff Policy Manuals.

#### Background

Council previously undertook a substantial review of Council Policies at its Ordinary Council meeting held on Thursday 17 September 2020.

#### Comment

Following a review of the Council Policies by the Council staff, the following amendments/deletions and new Policies are submitted for Council consideration:

#### Council Policy Manual

#### New Policy

#### **3.13 – Discretionary Capital Expenditure – Business Case Proposal**

That any Discretionary Capital Expenditure items exceeding \$100,000 listed in annual Budgets (excluding road construction and maintenance expenditure) must be accompanied by an adequate Business Case to assist Council in determining the relevance of the expenditure.

The requirement of a documented Business Case will ensure that Councillors are making sound judgements on expenditure in excess of the \$100K amount.

#### **Comment**

The above requirement was discussed at the 2021/2022 Budget meeting with Council determining that a Policy be developed in relation to same.

## **Staff Policy Manual**

### **Amendment to Existing Policies**

#### **7.2 - Employee Benefits**

##### Superannuation Contributions

- (b) To maintain consistency with Council contributions on superannuation over and above the normal statutory requirements, all employees be afforded the opportunity of the additional 7.5% Council contribution if employees contribute the minimum 1%.

##### **Comment**

The Policy previously differentiated between a commencement date of 16 September 2016, with a 7.5% contribution prior to this date and a 5.5% contribution for those employees that were employed following the said date.

### **Deletion of Policy**

#### **7.15 - CEO Performance Review**

The Performance Review Process for the CEO is detailed in the CEO's Contract of Employment and therefore this Policy is not relevant as the Contract of Employment takes precedence.

## **Statutory Environment**

Section 2.7 of the *Local Government Act 1995*

2.7. Role of council

(1) The council —

(a) governs the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to —

(a) oversee the allocation of the local government's finances and resources; and

(b) **determine the local government's policies.**

### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Civic Leadership Objectives – Outcome 4.1 – A trustworthy and cohesive Council that functions efficiently and effectively  
4.1.2 Maintain a high level of corporate governance, responsibility and accountability.

### Policy Implications

Recommended changes to Policy Manuals

### 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	Annual review of Policy Manuals	High (15)	Once reviewed and adopted by Council, Policy Manuals to be placed on Shire website for community information
Reputational	Demonstration of good governance through review processes	High (15)	Open and transparent review
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

#### Officer Recommendation and Council Decision

167/2021

*Moved Cr Cobden/Seconded Cr Close*

*That Council notes the Annual Review of Council's Policies undertaken by Council's Executive Managers and endorses the inclusion, deletion and amendments of the Policy's indicated above and for same to be included in the 2021 Council and Staff Policy Manuals.*

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

## 9.1 Officers Report – Chief Executive Officer

### 9.1.3 Local Government Professionals Australia (WA) - Annual State Conference

<b>File Reference</b>	<b>1.6.13.1</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To seek the approval of Council for the CEO to attend the Local Government Professionals Australia (WA) Division Annual State Conference.

#### Background

The CEO's Contract of Employment supports Professional Development which is detailed below:-

#### 6.7 Attendance at Conferences and further Studies

1. In this clause, '**conference**' include workshop, forum of similar event.
2. In addition to Your membership of professional bodies, the Local Government –
  - (a) Supports, as part of Your performance of the Functions, Your attendance at conferences.
  - (b) Must pay the costs associated with Your attendance at conferences, relevant to Your performance of the Functions, as approved by the Council (or, if the council so resolves, by the President).

#### Comment

Local Government Professionals Australia is the peak body of local government professionals, which the CEO is a member of the Western Australian Branch.

The 2021 Conference will be held in Perth on Wednesday, 3 and Thursday, 4 November 2021. The program's content over the 2 days is highly relevant to the current issues affecting the local government sector.

#### Statutory Environment

CEO Contract of Employment.

### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Civic Leadership Objectives – Outcome 4.2 – A community that respects and values Council staff and elected members 4.2.1 Ensure adequate training programs for elected members and staff.

### Policy Implications

Nil

### Financial Implications

Provision for Conference attendance included in 2021/2022 Budget.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Ensure Professional development opportunities are afforded to staff	High (10)	Annual Budget allowance for ongoing Professional Development
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)

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

**Officer Recommendation and Council Decision**

**168/2021**

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

***That Council grants approval for the CEO to attend the Local Government Professionals Australia (WA Division) Annual State Conference to be held in Perth on Wednesday, 3 and Thursday, 4 November 2021 and pays all associated costs with such attendance.***

**CARRIED (6/0)**



## 9.1 Officers Report – Chief Executive Officer

### 9.1.4 Department of Water and Environmental Regulation – National Water Grid Connections “AA” Dams – Bodallin Dam

<b>File Reference</b>	<b>1.6.26.3</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To submit to Council for its consideration the proposal submitted by the Department of Water and Environmental Regulation (DWER) for the Shire of Yilgarn to take on the Management Order of the Bodallin “AA” Dam once Catchment Refurbishment Works are completed under the National Water Grid Connections Fund.

#### Background

In the Information Booklet presented at the August 2021 Ordinary Council, correspondence was received from the Minister for Water, the Hon. Dave Kelly, advising that the State Government had successfully secured funding for the \$7.3 million project to upgrade and refurbish 70 agricultural area strategic community water supplies from the Midwest through to the Wheatbelt and Great Southern.

Prior to receiving the above advice, at the February 2021 Discussion Session Council was informed of DWER’s proposal to refurbish old AA Dams as per below Agenda item.

#### **4.6 Department of Water and Environmental Regulation (DWER)-AA Dams**

*The CEO received correspondence from DWER on 1 February advising that it was preparing a funding submission through the National Water Grid Authority on behalf of the State Government to seek financial support from the Authority to refurbish a number of AA Dams, some which fall within the Shire of Yilgarn.*

*To assist DWER with its funding submission, it sought a letter of support from the Shire of Yilgarn. The refurbishment of AA Dams within the Shire would be welcomed to build on water security for off-farm emergency, farm and firefighting non-potable water supplies and therefore, the CEO had no hesitation in providing the letter of support on behalf of Council*

The Minister for Water has been advocating the refurbishment of “AA Dams” for a number of years and its success was subject to the Federal Government providing matching funds to the State Government’s commitment.

With the Federal Government now coming to the party, DWER is now able to proceed with this project. It appears from the information provided by DWER in relation to the Bodallin Dam, the proposed works mainly relate to the improvement of the catchment area.

### Comment

On Tuesday, 24 August 2021, DWER's Community Water Supply Project Team formally advised that funding had been secured under the National Water Grid Connections fund (NWGCf) - Agricultural Area (AA) and Strategic Community Dam Program, which was aimed at providing water security and to build resilience in farming communities to improve their drought preparedness.

As part of the above funding, DWER advised that the *Bodallin Dam* has been earmarked for the following works:-

**Year 01 of Funding:** '*Bodallin Dam*' – catchment works to make sure it is working at its best. Water Corporation vesting currently, DPLH have authority.

Following on from the above advice, on Monday, 30 August 2021, DWER sought confirmation from the Shire of Yilgarn that if DWER undertook the works required to get the Bodallin Dam up and running again, would the Shire be prepared to take on the Management of the Vesting post works. DWER indicated that currently Water Corporation has control of this site but has indicated that it wishes hand over non-potable sites to those local government authorities who require them.

Staff were reluctant to approve of the Shire of Yilgarn taking on the Management Order and therefore have referred this matter to Council for its consideration.

The CEO did contact DWER to ascertain if the Shire of Yilgarn did take responsibility for the Management Order, what would be the likely requirements for ongoing maintenance etc. DWER advised that maintenance in the future would be minimal, partly as it is a rock catchment, therefore little silting of the dam would take place. DWER also advised that as part of the funding, they would provide a tank/s for storage and an easy swipe card system in order the Shire can control and manage water usage.

### Statutory Environment

Management Order responsibilities for the Bodallin Dam.

*Land Administration Act 1997*

**management order** means order by which the care, control and management of a reserve are placed under section 46(1) or 59(4);

## Part 4 — Reserves

### 41. Reserving Crown land, Minister's powers as to

Subject to section 45(6), the Minister may by order reserve Crown land to the Crown for one or more purposes in the public interest.

### 46. Care, control and management of reserves

- (1) The Minister may by order place with any one person or jointly with any 2 or more persons the care, control and management of a reserve for the same purpose as that for which the relevant Crown land is reserved under section 41 and for purposes ancillary or beneficial to that purpose and may in that order subject that care, control and management to such conditions as the Minister specifies.

#### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Social Objectives – Outcome 1.4 Maintain a liveable, safe and secure community – 1.4.1 Advocate and actively support emergency management and services in the district.

#### Policy Implications

Nil

#### Financial Implications

There are no immediate financial implications to the Shire of Yilgarn as the National Water Grid Connections fund (NWGCf) - Agricultural Area (AA) and Strategic Community Dam Program will fund all refurbishment works.

Following the above works, there will be ongoing maintenance works to maintain catchment areas etc.

## Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
<b>Health/People</b>	To ensure that the Shire of Yilgarn has water security for off-farm emergency, farm and firefighting non-potable water supplies	High (16)	Work with State Government to refurbish "AA" Dams in the district
<b>Financial Impact</b>	Ongoing maintenance costs	High (12)	Annual Budget allocations
<b>Service Interruption</b>	Nil	Nil	Nil
<b>Compliance</b>	Management Order of Crown land	High (15)	Care, control and management of the land as per Ministerial conditions
<b>Reputational</b>	Nil	Nil	Nil
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	Nil	Nil	Nil

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

**Officer Recommendation and Council Decision**

**169/2021**

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

***That Council advises the Department of Water and Environmental Regulation (DWER) that it is prepared to accept responsibility for the Management Order associated with the Bodallin "AA Dam" subject to the following:-***

- 1. That DWER undertakes refurbishment works to the Dams catchment area to the satisfaction of the Shire of Yilgarn, which is to include the following;***
  - a) Improved vehicle access to the Dam with provision of an adequate turn-around area;***
  - b) The placement of suitable water storage tank/s with associated infrastructure for the drawing of water from the Dam; and***
  - c) The installation of a Swipe Card system that is compatible with the Shire of Yilgarn's Standpipe system to allow Council to control water usage into the future.***

**CARRIED (6/0)**





## 9.1 Officers Report – Chief Executive Officer

### 9.1.5 Appointment of Executive Manager Infrastructure

<b>File Reference</b>	<b>1.1.1.3</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments Nil</b>	<b>Nil</b>

#### Purpose of Report

To advise Council of the appointment of Mr Glen Brigg in the Executive Manager Infrastructure position in accordance with Section 5.37(2) of the Local Government Act 1995.

#### Background

With the incumbent Executive Manager Infrastructure advising of his intention to relinquish his position, it was necessary to commence the recruitment process for Mr Robert Bosenbergs position.

#### Comment

Advertisements were placed in the "West Australian" newspaper and circulated on other media platforms during the month of August with applications for the position closing on Monday, 16<sup>th</sup> August 2021.

At the close of the application period, four (4) applications were received, with one (1) being considered for further interview assessment on Wednesday, 18<sup>th</sup> August 2021, which was conducted by the CEO and EMRS.

At the conclusion of this process, the CEO and EMRS unanimously agreed to appoint Mr Glen Brigg to the position. Mr Brigg has held similar roles in rural and regional centres and is currently the Manager of Works & Services at the Shire of Cocos Keeling Islands. Mr Brigg will commence duties on Monday, 25<sup>th</sup> October 2021.

#### Statutory Environment

##### *Local Government Act 1995*

##### **5.37. Senior employees**

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) ***The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the***



- council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.
- (3) Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.
  - (4A) Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
  - (4) For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Civic Leadership Objectives 4.1.2 – Maintain a high level of corporate governance, responsibility and accountability.

### Policy Implications

Nil

### Financial Implications

In accordance with Budget allocations.

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

#### Officer Recommendation and Council Decision

**170/2021**

**Moved Cr Cobden/Seconded Cr Close**

***That in accordance with Section 5.37(2) of the Local Government Act 1995, Council acknowledges the CEO and EMRS's decision in appointing Mr Glen Brigg in the Executive Manager Infrastructure position for the Shire of Yilgarn based on an initial 3 year Contract of Employment***

**CARRIED (6/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.6 Request for Comment – Clearing Permit – Barto Gold

<b>File Reference</b>	<b>3.2.1.7</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments Nil</b>	<b>Natmap and Photomap</b>

#### Purpose of Report

To consider a response to the Department of Mines, Industry Regulation and Safety, regarding a clearing permit application for Barto Gold Mining Pty Ltd on Mining Leases 77/31, 77/775 and 77/790.

#### Background

The Shire is in receipt of correspondence from the Department of Mines, Industry Regulation and Safety (DMIRS), relating to a submission for Barto Gold Mining Pty Ltd, for a clearing permit (CPS 9409/1) under the Environmental Protection Act 1986 (EP Act) for Mining Leases 77/31, 77/775 and 77/790.

The permit is for the mineral production and associated activities and covers 75 hectares.

#### Comment

The clearing is associated with the Windmills project, with the relevant natmap and photomap attached for Councillors perusal.

#### 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.

### 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	Environmental Impacts from Mining Activities	M6	DWER Assessment and Approval Processes

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

### Officer Recommendation and Council Decision

**171/2021**

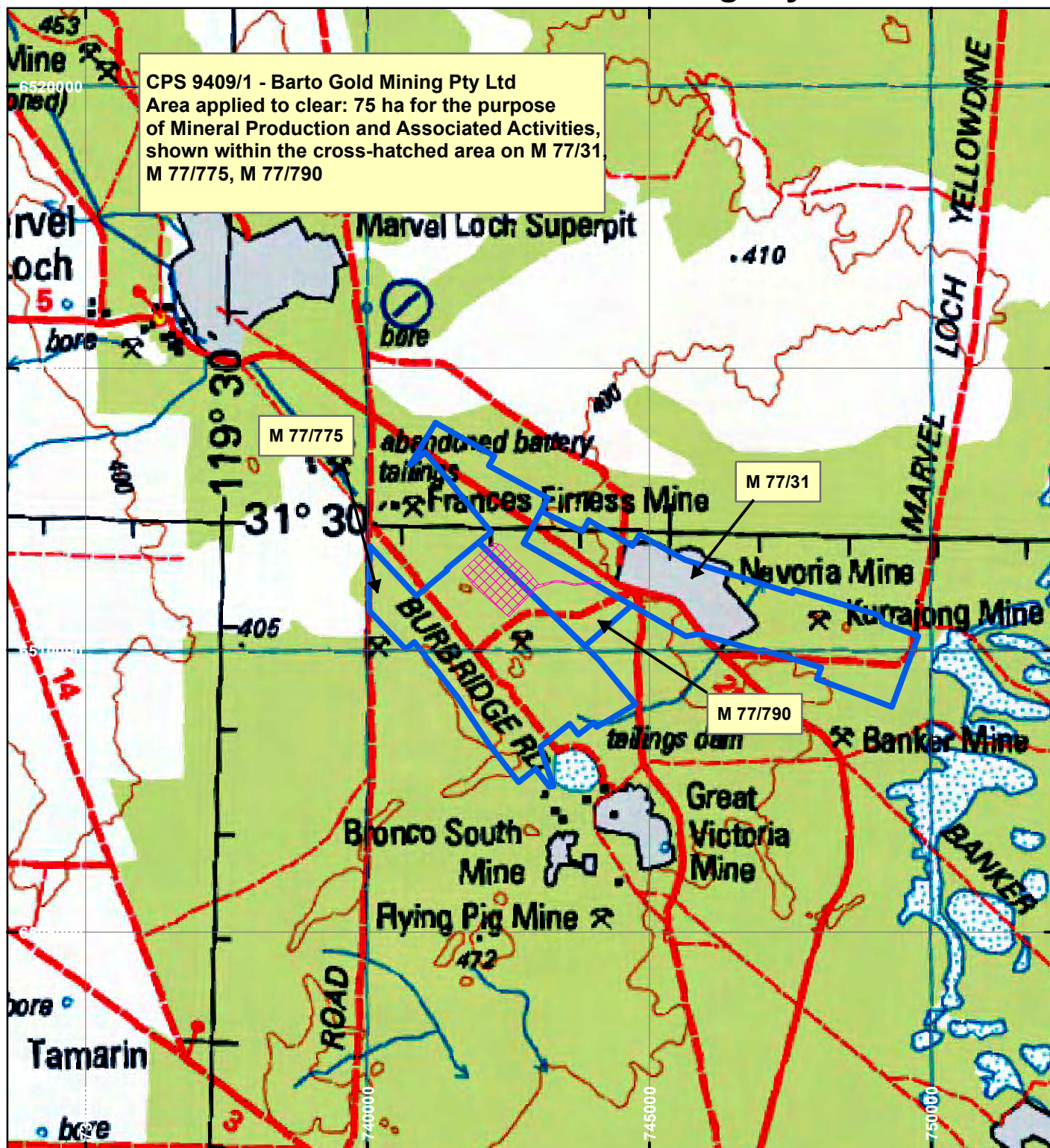
**Moved Cr Nolan/Seconded Cr Guerini**

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

*In regards to application CPS 9409/1 for Barto Gold Mining Pty Ltd seeking a clearing permit under the Environmental Protection Act 1986, for the purpose of mineral production and associated activities across Mining Leases 77/31, 77/775 and 77/790; the Shire of Yilgarn have no objections to the proposal.*

**CARRIED (6/0)**

# CPS 9409/1 -Barto Gold Mining Pty Ltd



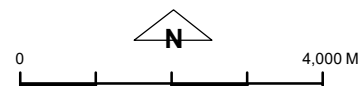
## LEGEND



Clearing Instruments



Mining Tenements



Scale 1:100,000

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

..... Date .....

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

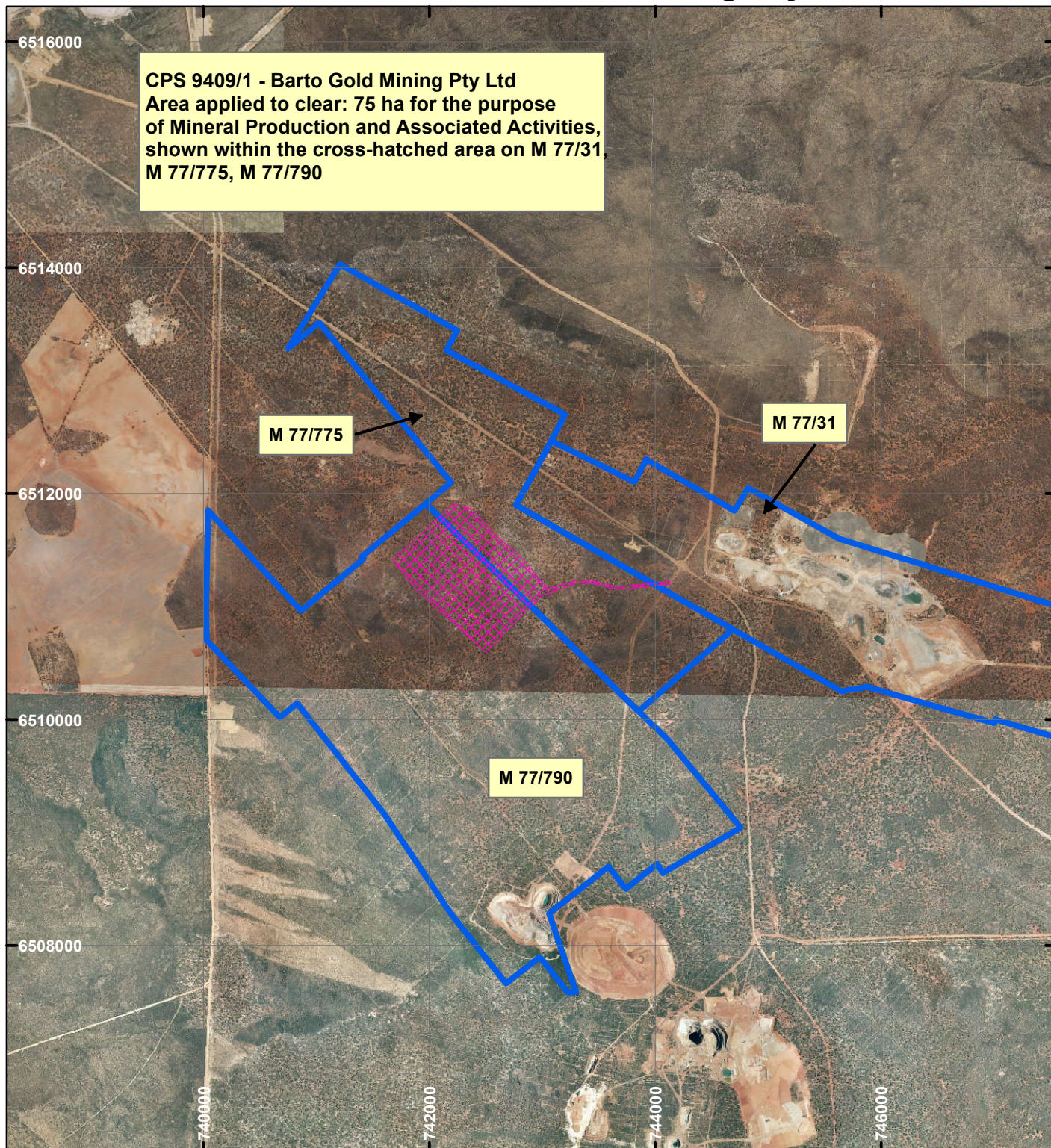
Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



WA Crown Copyright 2002



# CPS 9409/1 -Barto Gold Mining Pty Ltd



## LEGEND

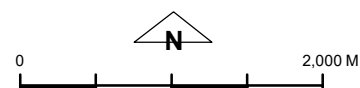


**Clearing Instruments**



**Mining Tenements**

Orthophotography sourced from Landgate



Scale 1:50,000

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

..... Date .....

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



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## 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 August 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 —

- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- 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 and Council Decision

172/2021

*Moved Cr Close/Seconded Cr Nolan*

*That Council endorse the various Financial Reports as presented for the period ending 31 August 2021*

**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 Paid under delegated authority.

#### Background

##### Municipal Fund

- Cheque Numbers 41056 to 41064 totalling \$41,722.60
- EFT Numbers 11665 to 11765 totalling \$768,421.87
- Cheque Numbers 1765 to 1780 totalling \$233,859.91
- Direct Debit Numbers 15946.1 to 15946.12 totalling \$21,054.44
- Direct Debit Numbers 15990.1 to 15990.12 totalling \$21,134.68,

##### Trust Fund

- Cheque Numbers 402578 to 402581, totalling \$1,213.80

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

#### Comment

Nil

#### Statutory Environment

##### Local Government Act 1995

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

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

\* Absolute majority required.

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

Local Government (Financial Management) Regulations 1996

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

- (1) A payment may only be made from the municipal fund or the trust fund —
- (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
  - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

**13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
- (a) the payee's name; and
  - (b) the amount of the payment; and
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
- (a) for each account which requires council authorisation in that month —
    - (i) the payee's name; and
    - (ii) the amount of the payment; and
    - (iii) sufficient information to identify the transaction;and
  - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be —
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

**Strategic Implications**

Nil

## Policy Implications

Council Policy 3.11 – Timely Payment of Suppliers

## Financial Implications

Drawdown of Bank funds

## Risk Implications

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

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		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)

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

### Officer Recommendation and Council Decision

**173/2021**

**Moved Cr Cobden/Seconded Cr Close**

**Municipal Fund**

- **Cheque Numbers 41056 to 41064 totalling \$41,722.60**
- **EFT Numbers 11665 to 11765 totalling \$768,421.87**
- **Cheque Numbers 1765 to 1780 totalling \$233,859.91.**
- **Direct Debit Numbers 15946.1 to 15946.12 totalling \$21,054.44.**
- **Direct Debit Numbers 15990.1 to 15990.12 totalling \$21,134.68.**

**Trust Fund**

- **Cheque Numbers 402578 to 402581, totalling \$1,213.80.**

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

**CARRIED (6/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.3 Budget Amendment – Netball Court Seating & Cropping Land Fencing

<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>Nil</b>

#### Purpose of Report

This report seeks Council's approval for an amendment to its 2021/2022 budget to allow for expenditure from its municipal fund for the completion of the netball court resurfacing project and repairs/replacement of the perimeter fencing of Councils leased cropping land.

#### Background

As part of the Federal Governments COVID-19 stimulus campaign, Council has received funding under the Local Roads and Community Infrastructure (LRCI) Grant. To date Council has received \$1.165m of the approved \$1.603m round 1 & 2 grants.

The second request for a budget amendment relates to correspondence received, post budget adoption, from the Department of Planning, Lands and Heritage requesting that Council undertake remedial works to the fencing for the leased cropping land situated along Great Eastern Highway.

#### Comment

During the process for setting the 2021/22 budget, an amount of \$27,500 required for the completion of the LRCI Round 2 project for the resurfacing of the Southern Cross netball courts was omitted. To satisfy the grant conditions, this amount will need to be expended on the approved project or refunded. It is intended to install spectator seating and shelters.

As previously indicated, the Department of Planning, Lands and Heritage has requested Council undertake remedial works to the perimeter fencing for the cropping land leased by Council located Lot 36 on Deposited Plan 89823 and Lot 44 on Deposited Plan 89830 which is locally known as the community cropping paddock.

The estimated cost of these works is \$20,000 and will be wholly based on contractor labour.

The effect of these amendments will be:

<i>Sub-Program</i>	<i>Account / Job</i>	<i>Current Budget \$</i>	<i>Budget Adjustment \$</i>	<i>Proposed Budget \$</i>
<u>Expenditure</u>				
113. Other Recreation & Sport	J11339 - LRCI Rnd 2 - Renew Outdoor Netball Courts	-	27,500	27,500
041. Members of Council	E04119 - Support to Community Groups	22,250	20,000	42,250
			47,500	
	<i>Total Cost to Council</i>		47,500	

## Statutory Environment

### Local Government Act 1995

#### 6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* Absolute majority required.

The recommendation that follows is consistent with the legislative requirements.

## Strategic Implications

### Strategic Goal

Social Objective - An inclusive, secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term.

### Strategic Outcome

Social Outcome 1.1 - Maintain / increase percentage of residents engaged in recreation, cultural and leisure activities for all demographics in the Shire.

### Strategy

1.1.2 - Provide and maintain high quality community infrastructure (recreation centre, oval, bowls, swimming pool, library, community centre, halls).

1.1.5 - Provide support to local sport, recreation and community groups.

## Policy Implications

There are no policy implications as a result of this report

### Financial Implications

If the recommendation below is endorsed, an additional \$47,500 will be incurred in Councils Operational Expenditure Budget.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Ensure adequate funds are available in 2021/22 budget.	Moderate (5)	Include funding in 2021/22 budget.
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

**Officer Recommendation and Council Decision**

**174/2021**

**Moved Cr Nolan/Seconded Cr Cobden**

**That Council approves the following budget amendments:**

<i>Sub-Program</i>	<i>Account / Job</i>	<i>Current Budget \$</i>	<i>Amended Budget \$</i>
<u>Expenditure</u>			
113. Other Recreation & Sport	J11339 - LRCI Rnd 2 - Renew Outdoor Netball Courts	-	27,500
041. Members of Council	E04119 - Support to Community Groups	22,250	42,250

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



## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.4 Amendment to Delegation LGA20 – Payments from Municipal and Trust Funds

<b>File Reference</b>	<b>2.3.3.6</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	<b>Amended Delegation LGA20 – Payments from Municipal &amp; Trust Funds</b>

#### Purpose of Report

Request Councils endorsement of an amendment to its Delegation Register relating to purchasing limits.

#### Background

With the reinstatement of the Works Supervisors position within the works crew, there is a need to amend Delegation LGA20 - Payments from Municipal Fund and Trust Fund to allow for this position to purchase minor road construction materials.

#### Comment

The intent of this amendment requests is to allow the position of Works Supervisor to have a purchasing power of up to \$15,000. This will allow the officer to purchase smaller road construction / maintenance materials such as gravel push-ups and materials such as road markers and delineators.

Historically, this position has had similar purchasing powers.

#### 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.

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

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.

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

The recommendation that follows is consistent with the legislative requirements.

### Strategic Implications

Nil

### Policy Implications

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

### Financial Implications

Nil

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	To ensure that Council Officers are aware of their obligations relating to delegations	Moderate (9)	An up-to-date Delegation Register approved by Council and disseminated to appropriate staff
Financial Impact	Allows Officers to be aware of their delegation responsibilities	Moderate (9)	Approved delegations ensure minimal impact
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with Section 5.42 of the Local Government Act 1995	Moderate (6)	Annual review of Register
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

**Officer Recommendation and Council Decision**

**175/2021**

**Moved Cr Shaw/Seconded Cr Guerini**

***That Council approves the amendment to Delegation LGA20 – Payments from Municipal & Trust Funds as presented.***

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

<b>Date Adopted:</b>	17 March 2016
<b>Date Last Reviewed:</b>	20 February 2020
<b>Policy Reference:</b>	

<b>Delegate:</b>	CEO
<b>Sub-Delegated:</b>	Yes
<b>Chief Executive Instruction/Procedure:</b>	<p>The following staff are authorised to issue purchase orders:</p> <p>Exec Mngr Corp Serv to \$150,000;  Exec Mngr Infra to \$150,000;  Exec Mngr Reg Serv to \$150,000;  <b>Works Supervisor to \$15,000;</b>  Finance Manager to \$10,000;  Mechanic to \$10,000;  Build Mtce Officer to \$5,000;  Assets Officer to \$5,000</p> <p>Authority to make payments in accordance with Council Policy</p>

<b>Legal (Parent):</b>
<ol style="list-style-type: none"> <li>1. Local Government Act 1995, Section 5.42.</li> <li>2.</li> </ol>

<b>Legal (Subsidiary):</b>
<ol style="list-style-type: none"> <li>1. Local Government Act 1995, Section 6.7(2)</li> <li>2. Local Government Act 1995, Section 6.8</li> <li>3. Local Government Act 1995, Section 6.10</li> <li>4. Local Government Act 1995, Section 3.1</li> <li>5. Local Government (Financial Management) Regulations, Regulations 5, 11, 12 and 13.</li> </ol>

Council delegates its authority and power to the Chief Executive Officer to-

1. Sign and issue purchase orders to incur liabilities from the Municipal Fund or the Trust Fund on behalf of the Shire,

Subject to-

- (a) Compliance with Council Purchasing Policy & Council Signing of Cheques Policy; and
- (b) Purchase orders only being issued for items of expenditure detailed within the adopted annual budget, or for payments that have been authorised by a resolution of Council in advance, or authorised in advance by the president in an emergency.

2. Authorise and make payments by cheque or electronic funds transfer (EFT) from the Municipal Fund or the Trust Fund,

Subject to-

- (a) The payment(s) only being for items of expenditure detailed within the adopted annual budget, or for payments that have been authorised by a resolution of Council in advance, or authorised in advance by the President in an emergency; and
- (b) Compliance with the requirements of Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

### **11. Payments, procedures for making etc.**

(1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of—

(a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and (b) petty cash systems.

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.1 Supply Granite Aggregate for 2021-/2022 Financial Year

<b>File Reference</b>	<b>6.6.7.12</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

Supply Granite Aggregate for 2021/2022 Financial Year Road Construction and Maintenance Program

#### Background

Quotations were invited for the annual supply of Granite Aggregate in accordance with council's 2021/2022 Financial Year Road Construction and Maintenance Programs.

Aggregate demand for the 2021/2022 Financial Year Road Construction Programs is for bitumen road maintenance works and bitumen sealing works on Moorine Rock South Road, Koolyanobbing Road, Bodallin North Road, Bodallin South Road, Southern Cross South Road and town streets located in Southern Cross. The estimated total of both 10mm and 7mm aggregate quantities required for these works is 4,600 tonnes. A per tonne unit cost was also requested for 5mm aggregate and cracker dust.

The quotation requested is for supply only as haulage contractors on Council's Local Preferred Supply Panel will be utilised to deliver the washed aggregate.

#### Comment

Three companies were invited to submitted quotations, BGC, Little Industries and Holcim to supply granite aggregate for 2021-2022 Financial Year, Little Industries and BGC supplied quotes. Holcim notified council that they would not be submitting a quote due to current project commitments.

The following quotations have been received (*GST exclusive*)

#### Little Industries

<i>Volume</i>	<i>Description</i>	<i>Unit Price</i>	<i>Total</i>
4500 tonne	10 mm washed aggregate	\$50.00 per tonne	\$225,000
100 tonne	7 mm washed aggregate	\$65.00 per tonne	\$ 6,500
<b>Total</b>			<b>\$231,500</b>

Unit price for 5mm washed aggregate and cracker dust (*this aggregate is used for maintenance purposes only and is sourced as required*)

	<b>Unit Price</b>
5mm washed aggregate	65.00 per tonne
Cracker Dust	\$15.00 per tonne

### **BGC**

<b>Volume</b>	<b>Description</b>	<b>Unit Price</b>	<b>Total</b>
4500 tonne	10 mm washed aggregate	\$30.00 per tonne	\$135,000.00
100 tonne	7 mm washed aggregate	\$30.00 per tonne	\$ 3,000.00
<b>Total</b>			<b>\$138,000.00</b>

Unit price for 5mm washed aggregate and cracker dust (*this aggregate is used for maintenance purposes only and is sourced as required*)

	<b>Unit Price</b>
5mm washed aggregate	30.00 per tonne
Cracker Dust	\$2.50 per tonne

When setting the 2021/2022 Financial Year Construction Budget an estimated monetary allocation of \$165,600 (*GST exclusive*) was allowed for in council's construction program for the supply of aggregate.

### **Risk Implications**

<b>Risk Category</b>	<b>Description</b>	<b>Rating (Consequence x Likelihood)</b>	<b>Mitigation Action</b>
<b>Health/People</b>	Nil	Nil	Nil
<b>Financial Impact</b>	There is significant financial cost to council with initial indications showing costs to purchase aggregate is estimated at \$138,000	Moderate (9)	When setting the 2021/2022 Financial Year Construction Budget an estimated monetary allocation of \$165,600 has been allowed

			for in council's construction program for the of aggregate.
<b>Service Interruption</b>	Lack of funding to maintain Council roads will result in deterioration of Councils road network, affecting agriculture, mining and transport industries. It will also have an impact on safety for motorist utilising these roads if left to deteriorate	Moderate (9)	Adequate funding has been included in the 2021/2022 budget consideration to maintain council's road network
<b>Compliance</b>	In line with Council's Policy, " <i>Finance 3.5 Purchasing Quotes and Tenders</i> "	Moderate (9)	In accordance with Councils Policy, " <i>Finance 3.5 Purchasing Quotes and Tenders</i> " Three quotes were invited with two been received
<b>Reputational</b>	Nil	Nil	Nil
<b>Property</b>	Lack of funding to maintain Council roads will result in deterioration of Councils road network	Moderate (9)	Adequate funding has been included in the 2021/2022 budget consideration to maintain council's road network
<b>Environment</b>	Nil	Nil	Nil

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

#### Statutory Environment

Nil

#### Strategic Implications

2021/2022 Construction Program

#### Policy Implications

In line with Council's Policy, "Finance 3.5 Purchasing Quotes and Tenders table 1.4.3"

#### Financial Implications

Monetary costs associated for the purchase of aggregate has been allowed for in Council's 2021/2022 Construction Program Budget

#### Officer Recommendation and Council Decision

**175/2021**

**Moved Cr Nolan/Seconded Cr Guerini**

**Councils accepts the quotation from BGC for the supply of aggregate required for the 2021/2022 Financial Year**

**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

**176/2021**

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

***That the late item be introduced for consideration by Council.***

**CARRIED (6/0)**

## 12 Reporting Officer– Executive Manager Corporate Services

### 12.1 Budget Amendment – Southern Cross Medical Practice Server & PC Upgrades

<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>Nil</b>

### Purpose of Report

This report seeks Council's approval for an amendment to its 2021/2022 budget to allow for expenditure from its municipal fund for the upgrade of the Southern Cross Medical Practice Server and 3 x desktop computers and for corresponding income transfer from the Health Services - Capital Reserve.

### Background

The Southern Cross Medical Practice, Practice Manager has requested that the aging computer server and desktop computers located at the Medical Practice be upgraded. Discussions with the Practice Manager and a representative from Perfect Computer Solutions, Councils external IT support consultants has indicated that the equipment is at least 8 years old.

The current Medical Practice computer hardware was in place at the conclusion of Dr Bushes' tenure and has had little in the way of upgrades since.

## Comment

The Practice Manager has indicated that the current hardware is struggling with the level of data being generated and with communications between software applications. As software has been enhanced over time with additional capabilities, the hardware running it has remained unchanged.

Additionally, required communications with external parties such as the Federal Governments "My Health Record" system has put a further load on both the data and hardware requirements of the Southern Cross Medical Practice.

A quote has been sought for the upgrade of the Practice server hardware which totals \$19,110 with an estimated further amount of \$8,535 for the replacement of 3 x desktop computers, which includes the acquisition of up-to-date Microsoft Office applications.

It will be recommended that that these costs be recouped from the Health Services – Capital Reserve which at the time of writing this report has a balance of \$238,970.25.

## Statutory Environment

### Local Government Act 1995

#### **6.8. Expenditure from municipal fund not included in annual budget**

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

*\* Absolute majority required.*

The recommendation that follows is consistent with the legislative requirements.

## Strategic Implications

### Strategic Objective

An inclusive, secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term.

### Strategic Outcome

Social Outcome 1.2 - Retention and upgrade of the current health and education services and infrastructure (Shire and State responsibility).

### Strategy

1.2.2 - Maintain quality infrastructure for health providers (medical centre, housing)

### Policy Implications

There are no policy implications as a result of this report

### Financial Implications

If the recommendation below is endorsed, income transferred from reserve will equal expenditure incurred, so nil effect on the budget bottom line.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
<b>Health/People</b>	Continuing viability of the Southern Cross Medical Practice.	High (12)	Provided suitable equipment and infrastructure for the Doctors use.
<b>Financial Impact</b>	Nil	Nil	Nil
<b>Service Interruption</b>	Loss or restricted access to medical services.	High (12)	Provided suitable equipment and infrastructure for the Doctors use.
<b>Compliance</b>	Nil	Nil	Nil
<b>Reputational</b>	Loss of Community confidence in Community Strategic planning.	Moderate (9)	Provide adequate support to the Southern Cross Medical Practice and Doctor.
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	Nil	Nil	Nil

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

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

### Officer Recommendation and Council Decision

177/2021

*Moved Cr Nolan/Seconded Cr Cobden*

*That Council approves the following budget amendments:*

Sub-Program	Account / Job	Current Budget \$	Amended Budget \$
<u>Expenditure</u>			
074. Medical Services	E07453 - Medical Centre - Furniture & Equipment Capital	-	27,700
<u>Income</u>			
147. Unclassified	R14727 - Transfer from Health Services - Capital Reserve	-	( 27,700 )

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

## 13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

### CONFIDENTIAL ITEM

178/2021

*Moved Cr Close/Seconded Cr Cobden*

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

**CARRIED (6/0)**

\*Mrs Kaye Crafter and Laura Della Bosca left the meeting at 4.30pm

## 13 Officers Report – Chief Executive Officer

### 13.1 Workforce Enterprise Bargaining Agreement 2021

File Reference	1.1.7.14
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments Nil	Draft Enterprise Agreement

**180/2021**

***Moved Cr Nolan/Seconded Cr Shaw***

***That the meeting be reopened to the public.***

**CARRIED (6/0)**

### **13.1 Workforce Enterprise Bargaining Agreement 2021**

<b>File Reference</b>	<b>1.1.7.14</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments Nil</b>	<b>Draft Enterprise Agreement</b>

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

**179/2021**

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

***That Council endorse the Chief Executive Officer's actions in negotiating a new Enterprise Bargaining Agreement.***

**CARRIED (6/0)**

## **14 CLOSURE**

Cr Della Bosca thanked the Shire of Yilgarn's outgoing Councillor, Cr Suzy Shaw, for her years of service on Council and wished her well for future endeavours.

As there was no further business to discuss, the Shire President declared the meeting closed at 4.34pm

I, Wayne Della Bosca confirm the above Minutes of the Meeting held on Thursday, 16 September 2021, are confirmed on Thursday, 21 October 2021 as a true and correct record of the September 2021 Ordinary Meeting of Council.

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