



Minutes

Ordinary Meeting of Council

21 October

2021

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

As this meeting is the first official meeting of Council following the nomination and unopposed election of returning Councillors and the End of Term for outgoing Councillors the CEO will open the meeting and Chair the process of the Swearing-In of Councillors and the election of the Shire President and Swearing-In of this position.

The CEO declared the meeting open at 4.02pm

Following the election of the Shire President, the CEO will vacate the Chair and the newly elected Shire President will take the Chair and undertake the election process for the Deputy Shire President position.

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

The CEO welcomed all in attendance and thanked them for coming.

3. ATTENDANCE

Members	Cr W Della Bosca Cr B Close Cr J Cobden Cr G Guerini Cr P Nolan Cr L Rose	
Council Officers	N Warren C Watson R Bosenberg S Chambers L Della Bosca	Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Executive Manager Regulatory Services Minute Taker
Apologies:	Nil	
Observers:	Mrs. P Oetiker, Ms. L Warren, Mr. G Borona, Mrs. K Crafter, Mr. R Burro, Mrs. D Della Bosca, Mrs. M Zweck, Mr. A Zweck, Mrs. J Pope, Mr. T Pope and Mr. S Rose	
Leave of Absence:	Nil	

4. DECLARATION OF INTEREST

Nil

5. SWEARING-IN OF NEWLY ELECTED AND RETURNED COUNCILLORS

Returned Councillors, Bryan Close, Wayne Della Bosca and Gary Guerini were individually called upon to make Declaration of Elected Member in the presence of the CEO, Mr. Nic Warren.

Following the taking of the Declaration Councillors were congratulated

6. ELECTION OF SHIRE PRESIDENT POSITION

The CEO informed the meeting he had received a written nomination form Cr Bryan Close for the election of Cr Wayne Della Bosca to the position of Shire President.

The CEO asked if Cr Wayne Della Bosca would accept the position.

Cr Wayne Della Bosca verbally accepted the nomination.

The CEO then called for any further nominations.

With there being no further nominations Cr Wayne Della Bosca was called upon to make the Declaration of Elected Member in the presence of the CEO, Mr. Nic Warren.

The CEO vacated the Chair with the newly elected Shire President taking the chair.

7. ELECTION OF DEPUTY SHIRE PRESIDENT POSITION

Cr Wayne Della Bosca thanked Council for their faith in him to preside and informed council he had submitted a written nomination for Councillor Bryan Close for the position of Deputy Shire President.

Cr Wayne Della Bosca asked if Cr Bryan Close would accept the position.

Cr Bryan Close verbally accepted the nomination.

The Shire President then called for any further nominations.

With there being no further nominations Cr Bryan Close was called upon to make the Declaration of Elected Member in the presence of the CEO, Mr. Nic Warren.

8. ELECTION OF COUNCILLORS TO VARIOUS ADVISORY COMMITTEES OF COUNCIL

8.1 SHIRE OF YILGARN AUDIT COMMITTEE

Section 7.1A of the *Local Government Act 1995* states the following in respect to the appointment of an Audit Committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

** Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

***A recommendation that arose from a report issued by the Office of Auditor General on 15 March 2019 indicated that as far as practicable, the Audit Committee should include a few Council members rather than the entire Council.**

Mrs Julie Della Bosca has indicated her willingness to continue to serve as the community representative.

Recommendation and Decision

That Council appoints Crs Della Bosca, Cobden, Close, and Nolan to the Shire of Yilgarn Audit Committee and reconfirms Mrs Julie Della Bosca as the Community representative on the Audit Committee.

8.2 SHIRE OF YILGARN BUSH FIRE ADVISORY COMMITTEE

Crs Guerini and Rose were Council's previous representatives on Bush Fire Advisory Committee.

The Executive Manager Regulatory Services also attends the meetings and undertakes the secretarial work of the Committee

Recommendation and Decision

That Council appoints Cr Rose and Cr Guerini as its representatives on the Shire of Yilgarn Bush Fire Advisory Committee with the Executive Manager Regulatory Services being responsible for secretarial duties associated with the Committee.

8.3 SHIRE OF YILGARN LOCAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE

The Shire President (by virtue of the position) together with Cr Close were Council's previous representatives on the Local Emergency Management Advisory Committee.

The CEO and Executive Manager Regulatory Services also attend the meetings.

Recommendation and Decision

That Council appoints the Shire President together with Cr Close as its representatives on the Shire of Yilgarn Local Emergency Management Advisory Committee with the CEO and Executive Manager Regulatory Services attending and being responsible for secretarial duties associated with the Committee.

8.4 SHIRE OF YILGARN HISTORY MUSEUM ADVISORY COMMITTEE

Crs Cobden and Rose were Council's previous representatives on the History Museum Advisory Committee.

Recommendation and Decision

That Council appoints Cr Rose as its representatives on the Shire of Yilgarn History Museum Advisory Committee.

8.5 SHIRE OF YILGARN TOURISM ADVISORY COMMITTEE

Crs Cobden and Rose were Council's previous representatives on the Tourism Advisory Committee.

Recommendation and Decision

That Council appoints Crs Cobden and Rose as its representatives on the Shire of Yilgarn Tourism Advisory Committee.

181/2021

Moved Cr Cobden/Seconded Cr Rose

That the above named members of Council be elected to the various Advisory Committees of Council

CARRIED BY ABSOLUTE MAJORITY (6/0)

9. ELECTION OF COUNCILLORS TO VARIOUS COMMITTEES OF COUNCIL AND EXTERNAL COMMITTEES

9.1 YILGARN COMMUNITY SUPPORT GROUP INC.

Cr Cobden was Council's previous representatives on the Yilgarn Community Support Group Inc. Committee.

*The Yilgarn Community Support Group Inc. Committee is previously the Health Agencies of the Yilgarn (HAY) Committee.

Recommendation and Decision

That Council appoints Cr Cobden as its representative on the Health Agencies of Yilgarn Committee.

9.2 LOCAL ACTION GROUP SKELETON WEED COMMITTEE

Crs Guerini and Rose were Council's previous representatives on the Local Action Group Skeleton Weed Committee.

Recommendation and Decision

That Council appoints Crs Rose and Guerini as its representatives on the Local Action Group Skeleton Weed Committee.

9.3 WHEATBELT EAST REGIONAL ORGANISATION OF COUNCILS (WEROC)

The Shire President and CEO were Council's previous representatives on the Wheatbelt East Regional Organisation of Councils.

WEROC Constitution indicates that two (2) representatives from participating Councils are eligible to be on the Board. Therefore, if two (2) Councillors are interested in being members of the WEROC Board, the CEO would accompany the Councillors to meetings and would only have observer status.

Recommendation and Decision

That Council appoints Crs Della Bosca and Close. as its representatives on the Wheatbelt East Regional Organisation of Councils with the CEO accompanying the above representatives to these meetings.

9.4 GREAT EASTERN COUNTRY ZONE (GECZ) OF WALGA

The Shire President and Deputy Shire President were Council's previous representatives on the GECZ with the CEO accompanying them to these meetings.

Recommendation and Decision

That Council appoints the Shire President and Deputy Shire President as its representatives on the Great Eastern Country Zone of WALGA with the CEO accompanying the above representatives to these meetings.

9.5 MT. WALTON INTRACTABLE WASTE DISPOSAL FACILITY COMMUNITY LIAISON COMMITTEE

Cr Close was the appointed Member to the above Committee, with Cr Nolan and the Executive Manager Regulatory Services as Deputy Members.

Recommendation and Decision

That Council appoints Cr Nolan as its appointed representative on the Mt. Walton Intractable Waste Disposal Facility Community Liaison Committee with Cr Close and the Executive Manager Regulatory Services as Deputy Members.

9.6 GREAT WESTERN WOODLANDS REFERENCE GROUP

Cr Close was Council's previous representative on the Great Western Woodlands Reference Group.

Recommendation and Decision

That Council appoints the Cr Close as its representative on the Great Western Woodlands Reference Group.

9.7 WHEATBELT NORTH REGIONAL ROAD GROUP AND SUB-GROUP

The Shire President and Deputy Shire President were Council's previous representatives on the Wheatbelt North Regional Road Group and Sub-Group.

The Executive Manager Infrastructure accompanied the above Councillors to these meetings.

Recommendation and Decision

That Council appoints the Shire President and Deputy Shire President as its representatives on the Wheatbelt North regional Road group and Sub-Group.

9.8 EASTERN WHEATBELT DECLARED SPECIES GROUP

Cr Guerini was Council's previous representative on the Eastern Wheatbelt Declared Species Group.

Recommendation and Decision

That Council appoints Cr Guerini as its representative on the Eastern Wheatbelt Declared Species Group.

9.9 RURAL HEALTH WEST

Crs Shaw and Cobden were Council's previous representative on Rural Health West.

Recommendation and Decision

That Council appoints Cr Cobden as its representatives on Rural Health West.

9.10 LOCAL HEALTH ADVISORY COMMITTEE

Cr Cobden was Council's previous representative on the Local Health Advisory Committee

Council currently has no representative on the District Health Advisory Committee. It is believed to be preferable for the Shire to have a representative on the Local Health Advisory Committee, a community based Committee.

Recommendation and Decision

That Council appoints Cr Cobden as its representative on the Local Health Advisory Committee.

9.11 WHEATBELT AGCARE COMMITTEE

Cr Nolan was Council's previous representative on Wheatbelt AgCare.

Recommendation and Decision

That Council appoints Cr Nolan as its representative on the Wheatbelt AgCare Committee.

9.12 CENTRAL EAST AGED CARE ALLIANCE INC. (CEACA)

The Shire President was Council's appointed representative on CEACA

CEACA's Constitution only allows Council to appoint a Member and does not provide for Deputy Members to be appointed although the CEO would always accompany Council's representatives to CEACA meetings.

Recommendation and Decision

That Council appoints Cr Della Bosca as its Member on the Central East Aged Care Alliance (CEACA) Inc.

9.13 WHEATBELT COMMUNITIES INC.

WEROC has now become the Incorporated body and Wheatbelt Communities Inc. has ceased.

Recommendation

That Council notes the cessation of Wheatbelt Communities Inc.

9.14 SHIRE OF YILGARN ROADS COMMITTEE

Crs Nolan, Close and Guerini were Councils appointed representative on the Shire of Yilgarn Roads Committee together with the CEO and Executive Manager Infrastructure.

Recommendation and Decision

That Council appoints Crs Guerini, Close and Nolan as its representatives on the Shire of Yilgarn Roads Committee.

9.15 DEVELOPMENT ASSESMENT PANEL

Crs Shaw and Cobden were the Councils appointed Members on the DAP with Crs Close and Rose being alternative members.

Recommendation and Decision

That Council appoints Cr Cobden and Cr Nolan as members to the Development Assessment Panel with Cr Close and Cr Rose as alternative members.

182/2021

Moved Cr Rose/Seconded Cr Cobden

That the above named members of Council be elected to the various Committees of Council and External Committees

CARRIED BY ABSOLUTE MAJORITY (6/0)

10. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

10.1. PUBLIC QUESTION TIME

Mr. Ron Burro attended Public Question Time and posed the following question

Question: *As the new Health and Safety Act 2020 is progressing to proclamation it will have implications for the Volunteer Bush Fire Brigade, which will include minimum training and PPE requirements. Heavy fines are to come into force for persons of authority, such as the CEO of the Shire and the Chief Bush Fire Control Officer, where administrative negligence has been determined. For example, should an untrained person be allowed to use a piece of DFES equipment without training or adequate direction, and an injury occurs, the persons of authority could be held liable, unless the person ignored cleared directions.*

Mr Burro advised, untrained persons are permitted to participate on a BFB fire ground, but you must register and be under the direction of the Officer in Charge or a person delegated to direct you by the OIC, these persons should have undertaken minimum training standards.

Whilst a portion of the Yilgarn BFB volunteers have the minimum levels of training recorded with DFES, there are a number who do not. DFES have committed to undertaking training courses within the district, however there are a number of volunteers who have been fighting fires in the district for many years, some who have undertaken training previously, but without record with DFES, and others who have not undertaken training but have decades of experience.

The training requirement will lead to volunteers whom do not have recorded training, and who would usually attend a call-out, deciding not to. With a declining rural population, Yilgarn needs all the volunteers it can get on the fire grounds, as such, Mr Burro sought of the CEO to investigate, in conjunction with WA BFB Association Chair Mr Dave Gossage, to determine if there was a method of

undertaking recognition of prior learning or Local Governments setting their own minimum training standards.

Answer: *The President passed over to the CEO for comment. The CEO reiterated Mr Burro's sentiments, that the new laws coming into proclamation will have an effect on the Yilgarn district. The CEO took the question on notice, agreeing that he would look into alternative avenues for training and recognition of prior learning, though any decision made would have to come through Council.*

Following from the question posed by Mr. Ron Burro, Mr Tim Pope enquired as to how a bush fire would be tackled if one was to happen next week in regards to the new requirements.

Cr Della Bosca confirmed that the new Act is not yet in force so everything will continue as previously for now.

Cr Della Bosca thanked Mr. Ron Burro for his time.

11. CONFIRMATION OF MINUTES

11.1 Ordinary Meeting of Council, Thursday, 16 September 2021

183/2021

Moved Cr Nolan/Seconded Cr Guerini

That the minutes from the Ordinary Council Meeting held on the 16 September 2021 be confirmed as a true record of proceedings.

CARRIED (6/0)

11.2 Central East Aged Care Alliance Inc. (CEACA) Management Committee Meeting, Monday 11 October 2021

184/2021

Moved Cr Cobden/Seconded Cr Rose

That the minutes from the CEACA Inc. Management meeting held on the 11 October be received

CARRIED (6/0)

11.3 Great Eastern Country Zone Meeting (GECZ), Monday 23 August 2021

185/2021

Moved Cr Cobden/Seconded Cr Guerini

That the minutes from the GECZ meeting held on the 23 August be received.

CARRIED (6/0)

11.4 Western Australia Local Government Association (WALGA) Annual General Meeting, Monday, 20 September 2021

186/2021

Moved Cr Close/Seconded Cr Guerin

That the minutes from the WALGA Annual General Meeting held on the 20 September be received

CARRIED (6/0)

11.5 Bush Fire Advisory Committee Meeting, Tuesday 5 October 2021

187/2021

Moved Cr Rose/Seconded Cr Cobden

That the minutes from the Bush Fire Advisory Committee Meeting held on the 5 October be received

CARRIED (6/0)

11.6 Shire of Yilgarn Tourism Advisory Committee Meeting, Wednesday 6 October 2021

188/2021

Moved Cr Rose/Seconded Cr Cobden

That the minutes from the Shire of Yilgarn Tourism Advisory Committee meeting held on the 6 October 2021 be received.

CARRIED (6/0)

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

189/2021

Moved Cr Guerini/Seconded Cr Cobden

That the recommendation contained within the Yilgarn Tourism Committee Meeting being

Moved K Crafter, Seconded A Carnicelli, that the Tourism Advisory Committee present the following prioritisation of recommendations from the WEROC Tourism Audit, for endorsement by Council:

1. Caravan and Camping; 2. Trails; 3. Nature, Parks and Reserves; 4. Attract the Right Visitors; 5. Online Presence; 6. Champion Hero Regional Experiences; 7. Utilise the Right Marketing Channels; 8. Food and Drink; 9. Events; 10. Culture, Art and Heritage; 11. Create a Distinctive Brand

Be endorsed

CARRIED (6/0)

12. PRESENTATIONS, PETITIONS AND DEPUTATIONS

Nil

13. DELEGATES' REPORTS

Cr Della Bosca announced the following;

- Attended the Yilgarn Skeleton Weed Local Action Group meeting on the 22 September 2021
- Attended the Shire of Yilgarn Bush Fire Advisory Committee Meeting on the 5 October 2021
- Attended the CEACA meeting on the 11 October 2021
- Attended the Speedway meeting on the 15 October 2021

Cr Close announced the following;

- Attended the WALAGA AGM on the 20 September 2021
- Attended the St Johns Ambulance AGM on the 21 September 2021
- Attended the Speedway meeting on the 15 October
- Attended the Mt Walton Intractable Waste Disposal Facility Community Liaison Committee October meeting

Cr Cobden announce the following;

- Attended the Shire of Yilgarn Tourism Advisory Committee meeting on the 6 October 2021
- Attended the Yilgarn Community Support Group AGM on tee 6 October 2021
- Attended the Local Health Advisory Committee Meeting on the 19 October 2021

Cr Rose announced the following;

- Attended the Yilgarn Skeleton Weed Local Action Group meeting on the 22 September 2021
- Attended the Shire of Yilgarn Bush Fire Advisory Committee Meeting on the 5 October 2021

14.1 Officers Report – Chief Executive Officer

14.1.1 Pre-Qualified Supplier Panel

File Reference	6.9.2.1
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	Assessment Matrix

Purpose of Report

To inform Council of the outcome of the applications that were received from Contractors to form Panels of Pre-Qualified Suppliers to provide Gravel/Aggregate Carting, Contract Grading, Plant Hire and Earthmoving Works throughout the Shire.

Background

As per the Shire's Purchasing and Tendering Policy 3.5 – Section 3 Panels of Pre-Qualified Suppliers, it states that the Shire will consider creating a Panel of Pre-qualified Suppliers ("Panel") when a range of similar goods and services are required to be purchased on a continuing and regular basis.

The policy also states that if the Shire decides that a Panel is to be created, it will establish the panel in accordance with the Regulations. At the June 2018 Ordinary Council meeting, Council resolved the following:

73/2018

Moved Cr Della Bosca/Seconded Cr Guerini

That Council;

- 1. Receives the advice from Civic Legal in relation to Tender Value Limits;***
- 2. Based upon the advice received, Council is satisfied of the procedures and processes undertaken by staff to date in respect to the provision of goods and services and, that Council's primary objective for not dealing with the matters in a single contract has not been to avoid the calling of tenders.***
- 3. That as a means to minimise the perceived risk of anti-avoidance provisions as per Regulation 12 of the Local Government (Functions and General) Regulations 1996, Council establishes Panels of Pre-Qualified Suppliers for Gravel Carting, Contract Grading and Earthmoving Works.***

In the case of all other Suppliers, Council continues with its current practices of procurement based on one-off contracts in accordance with purchasing thresholds contained within the Shire of Yilgarn's Purchasing and Tendering Policy.

- 4. That Council adopts the revised Purchasing and Tendering Policy as presented.***

CARRIED (6/0)

The current panel of Pre-Qualified Suppliers expires in 2021, and as such the process to establish a new Panel has commenced.

Comment

Advertisements were placed on the Shire's website, in the "*Kalgoorlie Miner*" Newspaper and "*Crosswords*" Newsletter inviting Contractors to apply to join Pre-Qualified Supplier Panels, based on a three (3) year Panel period with one (1) year contracts only.

At the close of the statutory advertising period, being Monday 4th October 2021, the attached listings detail the quotations received.

The application document advised the following criteria would be utilised to assess and rate potential suppliers, and that the Shire of Yilgarn intended to appoint at least three (3) suppliers on each Panel with an indicative maximum of six (6) Panel Members. It was indicated that the number of short listed suppliers would be at the discretion of the Shire relevant to the quality of submissions received against the selection criteria, services required and value for money.

Description of Qualitative Criteria	Weighting %
A) Capabilities Outline the key services, skills, personnel and equipment that your company can provide the Shire of Yilgarn. <ul style="list-style-type: none"> i. Key services and skills (10%) ii. Key personnel (10%) iii. Relevant equipment (5%) 	25%
B) Relevant experience in providing this service (include referees) Provide details of previous successful delivery of services: <ul style="list-style-type: none"> i. Up to a maximum of 5 projects (20%) ii. 1 paragraph description outlining scope of work (10%), iii. Cost (10%), iv. Timeframe (5%) v. Referee (5%) - Must include referee details. Scaling of Project Clients <ul style="list-style-type: none"> - Shire of Yilgarn (scale 1). - Regional WA local government authorities (scale 0.8). - WA local government authorities (scale 0.6). - State Government agencies (scale 0.4) - Other clients (scale 0.2). 	50%
C) Local Supplier Outline the primary location of your business <ul style="list-style-type: none"> i. Shire of Yilgarn (max 25%) ii. Neighbouring local government authority (max 15%) iii. Regional WA (max 15%) iv. Perth (max 10%) v. Other (max 5%) 	25%
D) Price Provide unit rates for the following relevant items where applicable <ul style="list-style-type: none"> i. Service ii. Personnel iii. Equipment iv. Other 	For reference purposes only Use to compare Similar Applications.

The attached assessment matrix details the applicants, their services to be supplied and the weighting applied to each. The recommendation indicates the preferred supplier panels to be endorsed by Council.

Statutory Environment

Local Government Act (1995) and the Local Government (Functions and General) Regulations 1996.

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2016-2026 – Civic Leadership Objectives – Dynamic and visionary leadership guiding our community into the future - Maintain a high level of corporate governance, responsibility and accountability.

Policy Implications

Shire of Yilgarn Purchasing and Tendering Policy – Policy Number 3.5.

Financial Implications

Provision of costs for the engagement of Contractors is built into the 2021/2022 Budget.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Paying higher than a fair rate for various ongoing plant and services.	Moderate (9)	Pre-Qualified Suppliers Panels (PQSP), identifies fair rates across numerous ongoing plant and services requirements to ensure fair price is obtained
Service Interruption	Interruptions caused by contractors not able to meet the requirements of the Shire.	Moderate (9)	PQSP allows Shire staff to ensure prospective suppliers are able to provide the plant and services required.
Compliance	Non-compliance with Council's Policy, "Finance 3.5 Purchasing Quotes and Tenders"	Moderate (9)	PQSP established in compliance with Policy and Regulations.
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

190/2021

Moved Cr Rose/Seconded Cr Cobden

That Council, in consideration of the applications received from Contractors to form Panels of Pre-Qualified Suppliers for the Shire of Yilgarn for a three (3) year Panel period and based on one (1) year Contracts, the following Panels be formed for the specified works:-

Aggregate Carting

1. Wildfield Enterprises t/a Granich Contractors
2. P & D Stephen Transport Pty Ltd
3. Golden Valley Pastoral Co
4. Great Eastern Freightlines
5. B & RM Quadrio
6. Della Bosca Transport

Plant Hire – Dozer

1. Wildfield Enterprises t/a Granich Contractors
2. Banner Excavations

Plant Hire - Loader

1. R & E Nicholson and Son
2. Wildfield Enterprises t/a Granich Contractors
3. Della Bosca Transport
4. Banner Excavations

Gravel Carting

1. Wildfield Enterprises t/a Granich Contractors
2. R & E Nicholson and Son
3. Great Eastern Freightlines
4. Della Bosca Transport
5. Banner Excavations
6. Gilba Downs

Plant Hire – Excavator

1. Banner Excavations

Plant Hire – Trailer

1. Wildfield Enterprises t/a Granich Contractors
2. Gilba Downs

Plant Hire – Water Cart

- 1. Golden Valley Pastoral Co**
- 2. Banner Excavations**
- 3. Gilba Downs**

Earth Moving

- 1. Banner Excavations**

Contract Grading

- 1. Boof Della Bosca Grading**
- 2. R & E Nicholson and Son**

CARRIED (6/0)

Shire of Yilgarn Panel of Pre-Qualified Suppliers 2021-2024 Assessment Matrix

Activity	Contractor/Supplier	Plant			Capabilities			Services				
					Key Services and Skills 10%	Key Personell 10%	Relevant Equipment 5%	Previous Projects 20%	Scope of Works 10%	Cost 10%	Timeframe 5%	Referee 5%
Aggregate Carting	Wildfield Enterprises t/a Granich Contractors		0.132	per tonne per KM	10	10	5	20	10	10	5	5
	P & D Stephen Transport Pty Ltd		0.140	Per tonne per KM	10	10	5	20	10	10	5	5
	Golden Valley Pastoral Co		0.150	per tonne per KM	10	10	5	20	10	10	5	5
	Great Eastern Freightlines		0.1265	Per tonne per KM	10	10	5	20	10	10	5	5
	B & RM Quadrio		0.143	per tonne per KM	0	0	0	20	10	10	5	5
	Della Bosca Transport		0.115	Per tonne per KM	0	10	5	20	10	10	5	5
Gravel Carting	Wildfield Enterprises t/a Granich Contractors	Double	203.500	Per Hour	10	10	5	20	10	10	5	5
	R & E Nicholson and Son	Double	242.000	per hour	10	10	5	20	10	10	5	5
	Great Eastern Freightlines	Double	198.000	per hour	10	10	5	20	10	10	5	5
	Della Bosca Transport	Double	215.000	per hour	0	10	5	20	10	10	5	5
	Banner Excavations	Single Side Tipper	143.000	per hour	0	10	5	0	0	0	0	0
	Gilba Downs	Double	198.000	per hour	0	0	0	0	0	0	0	0
	Gilba Downs	Single Side Tipper	165.000	per hour	0	0	0	0	0	0	0	0
Plant Hire	Wildfield Enterprises t/a Granich Contractors	Dozer Wet	220.000	per hour	10	10	5	20	10	10	5	5
	Banner Excavations	Dozer Wet	308.000	per hour	0	10	5	0	0	0	0	0
	Banner Excavations	Excavator 30T Wet	165.000	per hour	0	10	5	0	0	0	0	0
	Banner Excavations	Excavator 50T Wet	187.000	per hour	0	10	5	0	0	0	0	0
	R & E Nicholson and Son	Loader Wet	200.000	per hour	10	10	5	20	10	10	5	5
	Wildfield Enterprises t/a Granich Contractors	Loader Wet	203.500	per hour	10	10	5	20	10	10	5	5
	Della Bosca Transport	Loader Dry	121.000	per hour	0	10	5	20	10	10	5	5
	Banner Excavations	Loader Dry	88.000	per hour	0	10	5	0	0	0	0	0
	Banner Excavations	Loader Wet	165.000	per hour	0	10	5	0	0	0	0	0
	Wildfield Enterprises t/a Granich Contractors	Trailer Wet	192.500	per hour	10	10	5	20	10	10	5	5
	Gilba Downs	Trailer Wet	165.000	per hour	0	0	0	0	0	0	0	0
	Golden Valley Pastoral Co	Water Cart Wet	220.000	per hour	10	10	5	20	10	10	5	5
	Banner Excavations	Water Cart Wet	154.000	per hour	0	10	5	0	0	0	0	0
	Gilba Downs	Water Cart Wet	165.000	per hour	0	0	0	0	0	0	0	0
Earth Moving Works	Banner Excavations	Dozer	308.000	per hour	0	10	5	0	0	0	0	0
	Banner Excavations	Gravel Pushup	2.783	per cubic meter	0	10	5	0	0	0	0	0
Contract Grading	Boof Della Bosca Grading	Grader	192.500	per hour	10	10	5	20	10	10	5	5
	R & E Nicholson and Son	Grader	220.000	per hour	10	10	5	20	10	10	5	5

Capabilities Total 25% Max	Services Total 50% Max	Scaling of Services	Services Adjusted Score 50%	Local Supplier	Total
25	50	1	50	25	100
25	50	1	50	25	100
25	50	1	50	25	100
25	50	0.8	40	15	80
0	50	1	50	25	75
15	50	0.8	40	15	70

25	50	1	50	25	100
25	50	1	50	25	100
25	50	0.8	40	15	80
15	50	0.8	40	15	70
15	0	1	0	25	40
0	0	1	0	25	25
0	0	1	0	25	25

25	50	1	50	25	100
15	0	1	0	25	40
15	0	1	0	25	40
15	0	1	0	25	40
25	50	1	50	25	100
25	50	1	50	25	100
15	50	0.8	40	15	70
15	0	1	0	25	40
15	0	1	0	25	40
25	50	1	50	25	100
0	0	1	0	25	25
25	50	1	50	25	100
15	0	1	0	25	40
0	0	1	0	25	25

15	0	1	0	25	40
15	0	1	0	25	40

25	50	1	50	25	100
25	50	1	50	25	100

14.1 Officers Report – Chief Executive Officer

14.1.2 EV Highway

File Reference	1.6.26.9
Disclosure of Interest	None
Voting Requirements	Absolute Majority
Attachments	Nil

Purpose of Report

To have Council endorse the proposed location for the Electric Vehicle Highway charging station location, and commit to minor preparations of the site.

Background

On the 17th August 2021, the Labor Government announced its plan to implement an Electric Vehicle (EV) highway, with ninety (90) new electric vehicle fast charging stations at forty-five (45) locations along key travel routes in Western Australia, averaging less than 200 kilometres apart.

Southern Cross was earmarked as a location for a charging station, and on the 7th October 2021, the CEO and EMRS met with representatives from Synergy, who have been engaged as the Project Managers for the Southern half of the State, to discuss possible locations.

Whilst several locations were discussed, it was agreed that the ideal location was 1 Altair Street, Southern Cross, being the lot adjacent to Emu Park.



The preference of 1 Altair Street was based on the following:

- Located on Highway, with good exposure;
- Located near main business/commercial area, to encourage users to venture down the main street;
- HV power running along highway, with good access;
- Large open area with easy access and manoeuvrability, with space for future expansion;
- Shire owned;
- Minimal ground preparation required;
- Open area to provide visual security for users;

Southern Cross is earmarked for a fast charge station with 2 outlets, and a trickle charger as a back up should there be an issue with the fast charger.

Synergy representatives advised there would need to be a minimum standard for sites, which include a sealed area of adequate size to enable a car and trailer to enter and exit safely on two sides. They advised that the State Government funding did not cover upgrades to sites, only equipment, and that LG's would be asked to contribute if site upgrades were required.

The following concerns held by Staff were raised with Synergy Representatives, with the following responses provided:

- ***Who is responsible for ongoing operation and maintenance:*** Synergy advised that the State Government would be responsible for the ongoing operation and maintenance of the equipment, they indicated local supplier contracts would be established with local trades for maintenance and servicing.
- ***Would the land be transferred to State Government:*** Synergy advised the plan would be to set up a peppercorn lease with the Shire, so the Shire still owned the land and could upgrade the area as they see fit, however Synergy would own and manage the EV charging infrastructure;
- ***Who pays for the electricity if it is Shire land:*** Synergy, as part of the peppercorn lease, would install a ground mounted transformer of about 1 by 1 metre, fed from the Main High Voltage Line which would then feed the charging stations, as this would be Synergy infrastructure, there would be no meter or supply costs to the Shire.

Comment

To progress with the planning process, Synergy representatives advised they need confirmation from the Shire that Council agree to the location, agree to entering into a peppercorn lease for use of the land, and agree to upgrade the area to the minimum surface requirement, prior to them proceeding with applications for connection to the Western Power network.

The Shire had previously undertaken investigations into surface treatments at 1 Altair Street, as a parking area for caravan's and RV's, with costings undertaken in 2019/2020 equating to \$28,045.28 to seal a 50 metre by 30 metre area and install 100 linear metres of kerbing. This would be more than sufficient to meet the minimum surface standard required by Synergy for the install and would help to improve the aesthetics of the area for travellers passing through.

It is the reporting officers opinion that the EV highway is a great opportunity to add another drawcard to Southern Cross and the Yilgarn district, which may help to attract a new and ever increasing type of traveller to the region, for a relatively small cost to Council.

The current 2021/2022 budget has no allocation of funds for this purpose. As the roll out of the EV highway is still in it's planning stages, seeking Council endorsement for the funds to complete the works in the current financial year may be premature. As such, it is recommended Council endorse the location, endorse entering into a peppercorn lease and endorse as a minimum, the sealing of 1 Altair Street, with the relevant funding, estimated to be around \$30,000 to \$35,000, to be endorsed either via separate agenda item should works be required prior to the 2021/2022 midyear review, or otherwise, through the 2021/2022 mid-year review or 2022/2023 annual budget process.

Whilst normally the disposition of land would require public notice, the Local Government (Functions and General) Regulations 1996, exempt the requirement as it will be disposed to an agency of the Crown.

Statutory Environment

Local Government Act 1995

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to

- a. the highest bidder at public auction; or
- b. the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- a. it gives local public notice of the proposed disposition —
 - i. describing the property concerned; and
 - ii. giving details of the proposed disposition; and
 - iii. inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
- b. it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4)-Omitted

(5) This section does not apply to —

- d. any other disposition that is excluded by regulations from the application of this section.

Local Government (Functions and General) Regulations 1996

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
 - c. the land is disposed of to —
 - i. the Crown in right of the State or the Commonwealth; or
 - ii. a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
 - iii. another local government or a regional local government;

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Environmental Objectives: Protecting, utilising and enhancing our beautiful natural heritage - Outcome 3.4 Increase investment in renewable energy (private and/or public) - 3.4.1 Investigate the feasibility of renewable energy projects to cater for the long term energy needs of the community

Policy Implications

Nil.

Financial Implications

Commitment to fund future works to undertake a seal of 1 Altair Street, Southern Cross, estimated to be approximately \$30,000 to \$35,000, with costs to be endorsed by Council at a later date.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Ongoing costs associated with operation and maintenance of EV charging station	Moderate (9)	Synergy/State Government to operate and maintain the EV charging station.
Service Interruption	Nil	Nil	Nil
Compliance	Non-compliance with Section 3.58 of LG Act, regarding disposal of property	Moderate (6)	Regulations exempt requirement due to lease with agency of the Crown.
Reputational	Damage to reputation from not	Moderate (9)	Working with Synergy to ensure EV charging

	having an EV charging station available.		station for Southern Cross to be installed.
Property	Nil	Nil	Nil
Environment	Noise impacts from EV use	Moderate (6)	Negligible noise produced by transformer and EV charging station. Highway noise will reduce impact of any entering and exiting vehicles.

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

191/2021

Moved Cr Close/Seconded Cr Guerini

That Council;

- 1. Endorse 1 Altair Street, Southern Cross as the location for the State Governments EV Highway electric vehicle charging station;***
- 2. Commit to applying a 2-coat seal to the area required for the EV Charging station, being approximately 50 metres by 30 metres; and***
- 3. Commit to entering into a peppercorn lease with Synergy, or another agency of the Crown, for the use of 1 Altair Street, Southern Cross, for the purpose of an EV charging station. Council also endorses the Chief Executive Officer to negotiate the terms and conditions of the peppercorn lease, and consent to the President and Chief Executive Officer signing the agreement and applying the Shire of Yilgarn common seal.***

CARRIED BY ABSOLUTE MAJORITY (6/0)

14.1 Officers Report – Chief Executive Officer

14.1.3 Cropping Lease - Lots 36, 44 and 88 Great Eastern Highway

File Reference	2.4.1.1
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	Draft Agreement

Purpose of Report

For Council to determine the preferred candidate to take on the cropping lease of Lots 36, 44 and 88 Great Eastern Highway for a further three (3) years.

Background

The cropping lease for Lots 36, 44 and 88 (the Lots) expires on the 21st March 2022, as such, expressions of interest were sought via Crosswords and the Shire's website and notice board, from interested parties to take on the lease as of the 22nd March 2022 until the 21st March 2025.

Expressions of interest were accepted up until the 7th October 2021, after which three interested parties responded as follows:

- Shaun Pedrin – Interested in Lot 88, (would consider lots 36 and 44);
- Southern Cross Football Club – Interested in Lots 36, 44 & 88;
- Andrew and Sandra Parker – Interested in Lots 36, 44 & 88.

Comment

The draft agreement is attached for Councillors perusal.

The expression of interest detailed that the lots could be leased separately.

Statutory Environment

Nil

Strategic Implications

Nil

Policy Implications

Nil.

Financial Implications

Annual lease income.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Cost of maintaining leased lots	Moderate (6)	Agreement requires lessee to maintain lots.
Service Interruption	Nil	Nil	Nil
Compliance	Non-compliance with Shire lease conditions with DoPLH	Moderate (6)	Agreement requires lessee to maintain lots
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Lessee creates environmental issues during tenure	Moderate (6)	Management conditions in agreement.

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

192/2021

Moved Cr Guerini/Seconded Cr Cobden

That Council endorse awarding the lease of Lots 36, 44 and 88 Great Eastern Highway, as used for cropping purposes for the period 22nd March 2022 to 21st March 2025 to Southern Cross Football Club and endorse the Chief Executive Officer signing the lease agreement on behalf of the Shire.

CARRIED (6/0)

14.1 Officers Report – Chief Executive Officer

14.1.4 Covalent Lithium Haulage Options

File Reference	3.2.1.27
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	Map of Haulage Route Options

Purpose of Report

For Council to consider two proposed haulage routes by Covalent Lithium for the ongoing haulage of lithium product from the Mount Holland mine.

Background

Covalent Lithium (Covalent) are in the process of constructing a mine and concentrator at Mt Holland (approximately 120km south of Southern Cross) that will produce approximately 435,000 tonnes (wet) of lithium concentrate.

This concentrate requires transportation to the Covalent lithium hydroxide refinery in Kwinana, Western Australia.

Covalent is evaluating road and rail options for the transportation of the concentrate to Kwinana, however under both scenarios Covalent is required to transport the concentrate from the mine site to Great Eastern Highway (nearest available rail intermodal facility is Moorine Rock).

Covalent has evaluated various routes to Moorine Rock and shortlisted two routes, of which are detailed in the attached map.

The configuration of the trucks utilising this route will depend on if road or rail is selected:

- Road – the preferred road contractor is proposing the use of pocket road trains with a payload of either 68 tonnes or subject to approvals a quad axel pocket road train with a payload of approximately 80 tonnes;
- Rail – the preferred rail contractor is proposing the use of triple road trains to Moorine Rock where the containers have a payload of approximately 33.5 tonnes per container.

Even if road is selected the preference (budget permitting) would be to design the road upgrades to meet the configuration required for rail to ensure this option is not precluded in the future.

The Shire of Yilgarn has advised Covalent that approval to utilise the selected route is contingent on the roads being upgraded and maintained by Covalent for the duration of the project.

Based on the requirements detailed in a report by RMECS (Rod Munns) covering route 1, it is determined that the condition of the roads along both options are variable with substantial

improvements required in many sections. This includes widening the existing sealed section of Parker Range Road.

Covalent have detailed the following regarding the two options:

Both routes utilise existing public roads that support the local agricultural and mining industry.

To maintain all weather access, minimise ongoing maintenance and reduce dust from haulage activities Covalent will seal the selected route.

The Wheatbelt North, Regional Strategies for Significant Local Government Roads (2021) report, specifically identifies each of the routes Option 1 and Option 2, as requiring upgrades to support mining and agricultural activities.

Comment

Covalent will be undertaking to determine the preferred route post the Shire of Yilgarn October Council meeting, however will be lodging relevant applications prior to the November Council meeting. As such, they have requested Council endorsement of their proposed haulage options.

It is the CEO's opinion that haulage Route 2 would provide a greater level of benefit to the Shire of the following reasons:

- The number of individual business entities located along Route 2 is significantly higher than those along Route 1, and as such, Route 2 would provide greater benefit in this regard;
- The business entities along Route 2 are predominately farming, and whilst farming and mining are both equally important to the Yilgarn district, farming doesn't suffer the significant market fluctuations that can see mining operations placed into care and maintenance or abandoned, meaning the Route 2 option has a better chance of providing long term benefits to the business community in the area;
- Covalent have their water pipeline traversing along Route 2, by having this as the haulage route, it would reduce the spread of assets of which Covalent would be required to maintain. Any road used for haulage would be required to be maintained by Covalent, and it would be assumed, that over a 50 year mine life and beyond, there is bound to be maintenance requirements for the pipeline, which will have an effect on the road surface, as such, it seems practicable to have assets liability's collocated and minimised;

In order to assist Covalent progress this project, it is proposed that Council endorse a preferred haulage route, being option 2, however commit to working with Covalent, regardless of their preferred option, to draft and implement a Council endorsed agreement covering road upgrades, maintenance and monetary contributions to allow Covalent's use of relevant Shire roads.

Statutory Environment

Nil

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	Nil	Nil	Nil.
Service Interruption	Damage to Road caused by haulage campaign	Moderate (6)	Maintenance agreement will be entered into
Compliance	Use of non-compliant vehicles on Shire roads.	Moderate (6)	Agreement to stipulate approved haulage vehicles types
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Lessee creates environmental issues during road upgrades or maintenance	Moderate (9)	Covalent required to seek all relevant approvals prior to commencing works..

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)

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
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

193/2021

Moved Cr Close/Seconded Cr Guerini

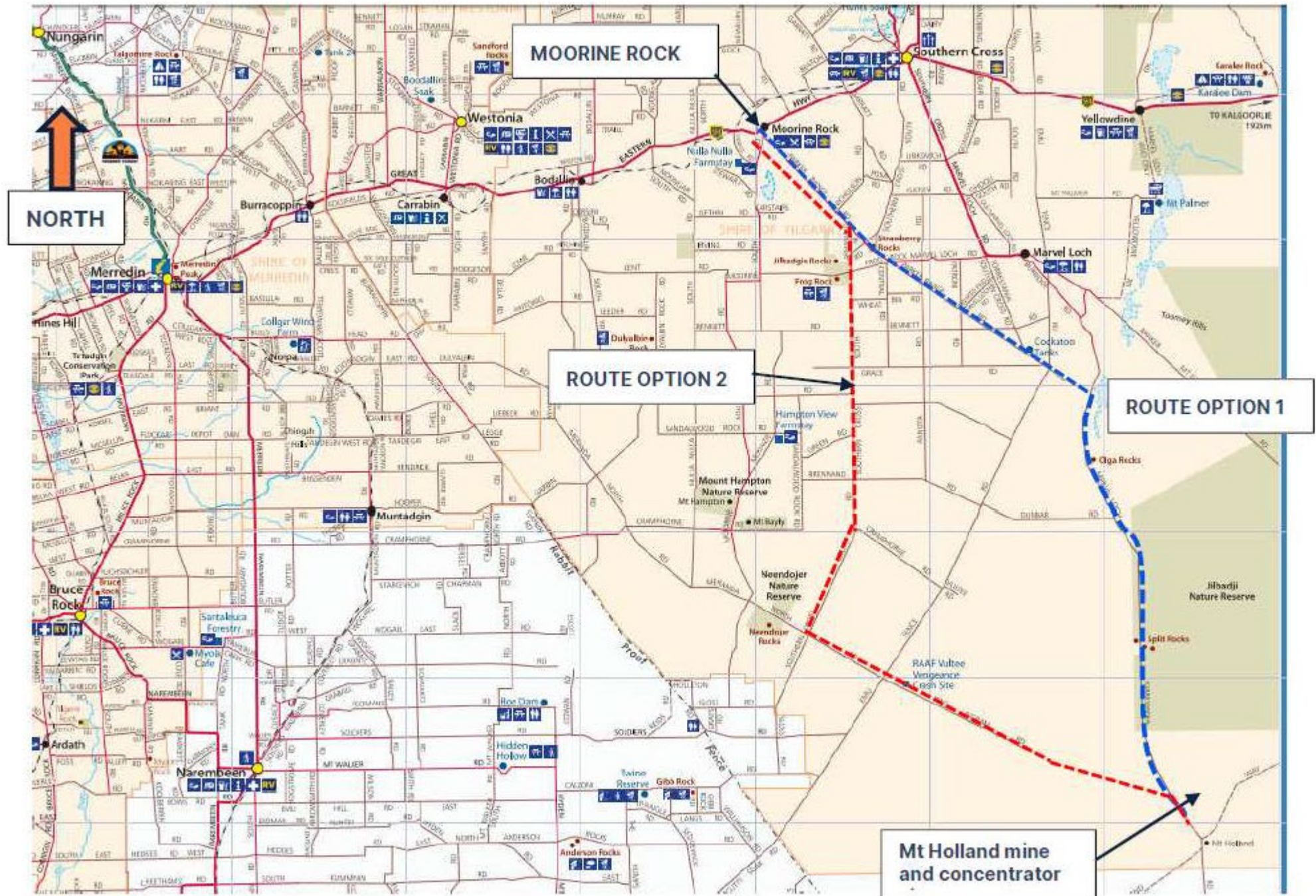
That Council endorse Covalent Lithium's Haulage Route Option 2, (Marvel Loch-Forrestania Rd, King-Ingram Road, Merenda North Rd, Southern Cross South Road, Armanasco Rd and Parkers Range Rd) as the Shire of Yilgarn's preferred haulage route for Covalent Lithium's lithium concentrate from the Mt Holland mine site;

And

That Council commit to working with Covalent Lithium, on either Haulage Route Option 1 or 2, to draft and implement a Council endorsed agreement covering road upgrades, maintenance and monetary contributions to allow Covalent Lithium's haulage of lithium concentrate on relevant Shire roads.

CARRIED (6/0)

Covalent Lithium Haulage Route Options



14.1 Officers Report – Chief Executive Officer

14.1.5 Extraordinary Election

File Reference	2.2.1
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To advise Council of the need to hold an extraordinary election to fill one (1) vacant Councillor Position, and to endorse the proposed format of the extraordinary election.

Background

During the 2021 ordinary election process, the Shire of Yilgarn had four Councillor vacancies to fill, with only three nominations received, Councillors Wayne Della Bosca, Bryan Close and Gary Guerini were all elected unopposed.

In order to fill the remaining vacancy, an extraordinary election is to be conducted. Section 4.57 – “Less candidates than vacancies” of the local Government Act 1995 (the Act), states;

- (2) *If, at the close of nominations, the number of candidates is less than the number of offices to be filled at the election —*
 - (a) *the candidate or candidates is or are elected; and*
 - (b) *an extraordinary election is to be held to fill the remaining office or offices as if it or they had become vacant on the day after the close of nominations.*

Section 4.9 of the Act states:

4.9. Election day for extraordinary election

- (2) *The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.*
- (3) *If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to —*
 - i. fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with; and*
 - ii. advise the CEO of the day fixed.*

It is the CEO's preference, as to ensure correct procedure and timing is followed, is to seek a suitable date from the Electoral Commission.

At the time of writing the report, the Electoral Commission had been notified, but a response had not yet been received.

Section 4.20 of the Act states:

(1) Subject to this section the CEO is the returning officer of a local government for each election.

Whilst there is provision to appoint another person as Returning Officer, or declare the Electoral Commissioner to be responsible for the conduct of the election, it is the CEO's intention to be the Returning Officer for the extraordinary election. As per Section 4.21 of the Act, when the CEO is the Returning Officer, they must appoint one or more deputy returning officers.

Section 4.61. of the Act states

(1) The election can be conducted as a —

postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

Whilst the ordinary election had intended to be held as a postal election, of which the Electoral Commission were engaged to conduct at Shire's cost, it is proposed to hold a voting in person election for the extraordinary election, of which will be run by the Shire. The voting in person election has a smaller statutory timeframe, and therefore, depending on the response from the Electoral Commission, the election can be held earlier than if a postal election was to be held.

Section 4.37 of the Act states;

(1) An electoral roll is to be prepared for the election.

(2) If the district is not divided into wards the same electoral roll can be used for the election of an elector mayor or president and the election of a councillor or councillors.

(3) A new electoral roll need not be prepared for the election if —

(a) it is an extraordinary election the election day for which is less than 100 days after the election day for another election; and

- (b) the CEO, with the approval of the Electoral Commissioner, decides that the roll that was used for the earlier election is suitable for use at the extraordinary election.*

It is the CEO's intention to seek the Electoral Commissions approval to utilise the residents roll prepared for the ordinary elections, as this extraordinary election will have been conducted within 100 days from the date of the ordinary elections, being the 16th October 2021.

Comment

Council endorsement of the proposed format of the extraordinary election is sought as follows:

1. Council note the requirement to hold an extraordinary election and note the Electoral Commission, as per Section 4.9 of the Local Government Act 1995, will set a date for the poll to be conducted that allows enough time for the electoral requirements to be complied with;
2. Council endorse the Chief Executive Officer as Returning Officer for the next extraordinary election;
3. Council endorse holding the extraordinary election as a voting in person election.
4. Council endorse the CEO's intentions to seek the Electoral Commissions approval to use the same residents roll prepared for the 2021 Local Government Ordinary Elections.

Statutory Environment

Local Government Act 1995

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030

Civic Leadership

Objectives Dynamic and visionary leadership guiding our community into the future

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

Nil.

Financial Implications

Costs associated with running a voting in person election to be taken from 2021/2022 governance budget.

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	Failure to comply with statutory requirements	Moderate (9)	Compliance with LG Act 1995
Reputational	Reputational damage from nomination and election process	Moderate (6)	Compliance with LG Act 1995
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

194/2021

Moved Cr Cobden/Seconded Cr Close

That Council:

- 1. Note the requirement to hold an extraordinary election and note the Electoral Commission, as per Section 4.9 of the Local Government Act 1995, will set a date for the poll to be conducted that allows enough time for the electoral requirements to be complied with;***
- 2. Endorse the Chief Executive Officer as Returning Officer for the next extraordinary election;***
- 3. Endorse holding the extraordinary election as a voting in person election.***
- 4. Endorse the CEO's intentions to seek the Electoral Commissions approval to use the same residents roll prepared for the 2021 Local Government Ordinary Elections.***

CARRIED (6/0)

14.2 Reporting Officer– Executive Manager Corporate Services

14.2.1 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 30 September 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 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

195/2021

Moved Cr Cobden/Seconded Cr Rose

That Council endorse the various Financial Reports as presented for the period ending 30 September 2021

CARRIED (6/0)

14.2 Reporting Officer– Executive Manager Corporate Services

14.2.2 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 41065 to 41074 totalling \$3,529.70
- Municipal Fund- EFT Numbers 11766 to 11861 totalling \$381,249.85
- Municipal Fund – Cheque Numbers 1781 to 1798 totalling \$321,748.06
- Municipal Fund Direct Debit Numbers 16071.1 to 16071.12 totalling \$20,529.98
- Municipal Fund Direct Debit Numbers 16122.1 to 16122.12 totalling \$21,781.07
- Municipal Fund Direct Debit Numbers 16154.1 to 16154.11 totalling \$20,607.29
- Trust Fund - Cheque Numbers 402582 to 402607, totalling \$53,516.92

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
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 and Council Decision

196/2021

Moved Cr Close/Seconded Cr Nolan

- ***Municipal Fund – Cheque Numbers 41065 to 41074 totalling \$3,529.70***
- ***Municipal Fund- EFT Numbers 11766 to 11861 totalling \$381,249.85***
- ***Municipal Fund – Cheque Numbers 1781 to 1798 totalling \$321,748.06***
- ***Municipal Fund Direct Debit Numbers 16071.1 to 16071.12 totalling \$20,529.98***
- ***Municipal Fund Direct Debit Numbers 16122.1 to 116122.12 totalling \$21,781.07***
- ***Municipal Fund Direct Debit Numbers 16154.1 to 116154.11 totalling \$20,607.29***
- ***Trust Fund - Cheque Numbers 402582 to 402607, totalling \$53,516.92***

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

CARRIED (6/0)

14.2 Reporting Officer– Executive Manager Corporate Services

14.2.3 Amendment to 21/22 Schedule of Fees & Charges – Aerodrome Passenger Service Charge

File Reference	8.2.5.3
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Requests Councils endorsement of an amendment to the 2021/2022 Schedule of Fees & Charges to include additional items relating to Aerodrome Landing Fees.

Background

The adoption of the 2021/2022 Annual Budget included the adoption of the Schedule of Fees & Charges for the same financial year. The adopted schedule of fees & charges relating to the use of aerodrome facilities is limited to an annual landing fee for locally based aircraft owners and a per tonne landing fee for non-locally based aircraft.

Historically, landing fees have only been charge on aircraft who have filed a flight plan indicating the Southern Cross aerodrome is their destination. This has meant that many landings have gone uncharged as the flight has been of a purely local or private nature, ie. mining related geophysical survey and resource mapping flights originating and ending at the aerodrome and private flights either in transit or by a local pilot.

In May 2021 a trial of an Avdata Data Logger device was commenced. The data logger records both a pilot's vocal notification of their intent to approach and land at the Southern Cross Aerodrome and the aircraft's identifying transponder. This information is the sent to Avdata who invoices the registered aircraft owner the relevant landing fees.

Comment

The current Aerodrome fee structure only includes a per tonne (or part thereof) aircraft landing fee. This fee is intended as a way of recouping the cost associated with maintaining safe and suitable runway and apron facilities for aircraft, it does not include the operations and maintenance of the aerodrome's terminal facilities.

Operators of aerodrome facilities with terminals will usually charge a per passenger fee (PAX) for the use of these facilities. The following is an indication of what other Local Government authorities operating aerodromes with similar circumstances to the Shire of Yilgarn, ie. regular commercial or charter flights carrying paying passengers, charge:

Shire of Dundas

Details	Unit / Type	Fee	GST	Total
Disembarking & Departing Passengers	Per Passenger	11.82	1.18	13.00

Shire of Wiluna

Details	Unit / Type	Fee	GST	Total
Passenger Service Charge - Inbound & Outbound				
Regular Passenger Transport (RPT) Services	Per Passenger	27.27	2.73	30.00
Charter & Other Services	Per Passenger	34.55	3.45	38.00

Shire of Ravensthorpe

Details	Unit / Type	Fee	GST	Total
Passenger Handling Fee				
Adult	Per Passenger	41.82	4.18	46.00
Child	Per Passenger	13.91	1.39	15.30

Shire of Meekatharra

Details	Unit / Type	Fee	GST	Total
RPT Services - In lieu of Landing Fees	Per Passenger	13.64	1.36	15.00
Regular Charter - Plus Landing Fees	Per Passenger	13.64	1.36	15.00

As an indication of the cost of the Terminal maintenance pre and post fly-in fly-out (FIFO) operations recommencing, the following information is presented:

YEAR	BUDGET	ACTUAL
2016/17	6,000.00	1,040.69
2017/18	2,920.00	597.41
2018/19	5,932.00	1,699.46
2019/20	4,724.00	9,564.60
2020/21	5,485.00	5,884.18

It will be recommended that Council endorse an amendment to the 2021/2022 Schedule of fees and charges to include a "Passenger Service Charge – Inbound & Outbound" of \$15.00 including GST in the Transport / Aerodrome section of the schedule. It will further be recommended that the proposed passenger service charge be introduced effective 1st of February 2022 as this will allow time for FIFO carriers to implement the charge within their current contracts.

Statutory Environment

Local Government Act 1995

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Strategic Goal

Economic Objective – A prosperous future for our community.

Strategic Outcome

Economic Outcome 2.5 – Safety and quality of transport networks are maintained and improved.

Strategy

2.5.2 - Continue to maintain the Southern Cross Airstrip and facilities.

Policy Implications

Nil

Financial Implications

Additional fees associated with the operations of the Southern Cross Aerodromes terminal facilities will be raised, however at this time there is insufficient information to ascertain how much this will be.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Ensure adequate funding is available to maintain and improve passenger terminal facilities at the Southern Cross Aerodrome/	Moderate (6)	Implement additional usage fee structures for the facility.
Service Interruption	Unavailability of terminal facilities due to poor maintenance.	Moderate (6)	Ensure adequate funding is allocated in a given years budget to ensure ongoing maintenance and improvements are carried out during periods of high use.
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Adequate maintenance and improvement of Councils built assets to ensure fit for use status.	Moderate (6)	Ensure adequate funding is allocated.
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

197/2021

Moved Cr Rose/Seconded Cr Close

That Council

1. *approves an amendment to include a "Passenger Service Charge – Inbound & Outbound" of \$15.00 including GST per passenger, in the Transport / Aerodrome section of its 2021/2022 Schedule of Fees and Charges; and*
2. *approves the date of introduction for the new Fee recommended above of the 1st of February 2022.*

CARRIED BY ABSOLUTE MAJORITY (6/0)

14.2 Reporting Officer– Executive Manager Corporate Services

14.2.4 Amendment to 21/22 Schedule of Fees & Charges – Standpipe Water Charges

File Reference	8.2.5.3
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Requests Councils endorsement of an amendment to the 2021/2022 Schedule of Fees & Charges to update standpipe water usage charges.

Background

The Water Corporation has recently increased the cost per kilolitre for water dispensed from Council's network of public standpipes from \$8.00 per kilolitre for high flow (40mm and above) to \$8.995 per kilolitre or an increase of 12.4%. The cost of water dispensed from low flow (below 40mm) standpipes has increase from \$2.50 per kilolitre to \$2.729 per kilolitre or an increase of 9.1%.

Additional to the per kilolitre cost of water, Council charges an additional \$0.50 to alleviate the administrative and maintenance costs associated with the Shire's standpipe network.

Comment

Council currently maintains a network of 14 standpipes, these include 12 high flow outlets and 6 low flow outlets.

Statutory Environment

Local Government Act 1995

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;

- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Recoup the additional cost of water to maintain as close as possible a net zero cost to Council

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Ensure service costs are adequately recovered.	Moderate (6)	Charge to be maintained at a suitable level required to recoup costs.
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 and Council Decision

198/2021

*Moved Cr Cobden/Seconded Cr Rose
That Council*

- approves the amendment of the following standpipe fees:*

Standpipe	Fee	GST	Total
Beaton - 50mm	9.50	0.00	9.50
Bodallin - 50mm	9.50	0.00	9.50
Bodallin - 25mm	3.23	0.00	3.23
Bullfinch - 50mm	9.50	0.00	9.50
Bullfinch - 25mm	3.23	0.00	3.23
Castor - 25mm	3.23	0.00	3.23
Garrett - 50mm	9.50	0.00	9.50
Gatherer - 50mm	9.50	0.00	9.50
Ghooli - 50mm	9.50	0.00	9.50
Koolyanobbing - 50mm	9.50	0.00	9.50
Marvel Loch - 50mm	9.50	0.00	9.50
Moorine Rock - 50mm	9.50	0.00	9.50
Moorine Rock - 25mm	3.23	0.00	3.23
Noongar - 50mm	9.50	0.00	9.50
Noongar - 25mm	3.23	0.00	3.23
North Bodallin - 40mm	9.50	0.00	9.50
O'Neils - 25mm	3.23	0.00	3.23
Perilya - 50mm	9.50	0.00	9.50

2. *approves the date of introduction for the new standpipe fees recommended above of the 1st of November 2021.*

CARRIED BY ABSOLUTE MAJORITY (6/0)

14.3 Reporting Officer– Executive Manager Infrastructure

14.3.1 Disposal of Councils two existing 2010 *HaulPro* Tandem Axel Side Tipping Trailers

File Reference	6.6.5.13
Disclosure of Interest -	Nil
Voting Requirements –	Simple Majority
Attachments -	Nil

Purpose of Report

To consider the disposal of Council's two(2) x 2010 *HaulPro* Tandem Axel Side Tipping Trailers

Background

In Councils 2021-2022 Financial Year Budget an income amount of \$35,000 per trailer has been allowed for the disposal of council existing 2010 *HaulPro* Tandem Axel Side Tipping Trailers (asset numbers 1865 and 1866)

Comment

The two 2010 *HaulPro* tandem axel side tipping trailers will become surplus on the arrival of two new Howard and Porter side tipping trailers. Council endorsed to purchase two Howard and Porter side tipping trailers at its Ordinary Meeting of Council's held in March 2021 in the 2020-2021 Financial Year. It is expected the new Howard and Porter side tipping trailers will be arriving mid to late November 2021. At the March 2021 Council was also advised that there would be a lengthy waiting period for the new trailers as a result of manufacturing back log and parts availability due to the COVID pandemic.

"42/2021

Moved Cr Close/Seconded Cr Cobden

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.

CARRIED (7/0)"

In accordance to Councils Finance Policy 3.5 Purchasing and Tendering and the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and 3.58 Disposing of Property (3), Tender 4/2021-2022 was advertised in Saturday's 18th September

edition of Western Australia and local Crosswords with the closing date on Monday 4th October 2021.

The following tenders were received for the outright purchase of the two (2) 2010 *HaulPro* tandem axel trailers (*GST inclusive*):

Smith Broughton Auctioneers	\$110,000.00
B & RM Quadrio & Son	\$92,400.00
Apache Investments Australia Pty Ltd	\$88,000.00
R & E Nicholson & Son	\$70,400.00
WA Machinery Brokers	\$66,000.00
WE & D Maddock	\$66,000.00
Manheim Australia	\$60,000.00

As it can be seen from the above the tender submitted by Smith Broughton Auctioneers of \$110,000 (*GST inclusive*) is by far the better outright purchasing price for councils existing two 2010 *HaulPro* tandem axel side tipping trailers, with the next best being from a local supplier B & RM Quadrio & Son of \$92,400 (*GST inclusive*)

If council was to apply its Regional Price Preference Policy of 10% to suppliers located within the Shire of Yilgarn, there would still be a short fall of \$7,600 to the closers tender price submitted by B & RM Quadrio & Son.

In the condition of sale for the purchase of the side tipping trailers, companies submitting tenders have been advised that the tendered vehicles are current working vehicles and will not be available to the successful tenderer until a replacement vehicle has been sourced and delivered to Shire of Yilgarn

Statutory Environment

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

Strategic Implications

Council's Ten Year, Plant Replacement Program

Policy Implications

"Finance Policy 3.5 Purchasing and Tendering"

and

"Regional Price Preference Policy 3.5(A)"

OBJECTIVES

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

POLICY

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

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

Stipulated Area

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

Financial Implications

An income amount of \$35,000 per trailer for the sale of the 2010 *HaulPro* Tandem Axel Trailers has being allowed for in the 2021-2022 Financial Year

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	An income amount of \$35,000 per trailer for the sale of the 2010 <i>HaulPro</i> Tandem Axel Trailers has being allowed for in the 2021-2022 Financial Year	Moderate (9)	The 2010 <i>HaulPro</i> tandem axel trailers were advertised in Saturday's 18 th September edition of Western Australia and local Crosswords to maximise monetary income from the sale of these trailers
Service Interruption	Nil	Nil	Nil
Compliance	In accordance to the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and Section 3.58 Disposing of Property (3) and Councils	Moderate (9)	Tender 4/2021-2022 was advertised in Saturday's 18 th September edition of Western Australia and local Crosswords with the closing date on Monday 4 th October

	Policy 3.5 Purchasing and Tendering,		2021 for the disposal of two x 2010 HaulPro Tandem Axel Trailers has
Reputational	Nil	Nil	Nil
Property	Disposal of councils two x 2010 HaulPro Tandem Axel Trailers	Moderate (9)	Companies tendering for the two x side tipping trailers have been advised that both vehicles are currently working vehicles and will not be available to the successful tenderer until a replacement vehicle has been sourced and delivered to Shire of Yilgarn
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

199/2021

Moved Cr Close/Seconded Cr Guerini

That councils accepts the tender submitted by Smith Broughton Auctioneers for the outright purchase of the two x 2010 HaulPro tandem axel trailers for the tendered amount of \$110,000.00

CARRIED (6/0)

14.4 Reporting Officer– Executive Manager Regulatory Services

14.4.1 Miscellaneous Mining Licence 77/320 – Request for Comment

File Reference	3.2.1.6
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Aerial Map Tenure Map

Purpose of Report

To consider a response to the Department of Planning, Lands and Heritage – Lands Division, regarding an application for exploration licence 77/2334 over portions of reserves 19577, 19578, 20161, 20937, 21086 and various ucl lots within the Shire of Yilgarn.

Background

The Shire has received email correspondence from the Department of Planning, Lands and Heritage – Lands Division, which states:

Department of Planning, Lands and Heritage, Land Use Management (Department) has received a request from the Department of Mines, Industry Regulations and Safety (DMIRS) for consent to mine over 19577, 19578, 20161, 20937, 21086 and UCL lots within the Shire of Yilgarn.

Exploration Licence 77/2334 has been requested by DMIRS on behalf of Edna May Operations Pty Ltd.

The parcels of land that are subject of the above proposal are depicted on the attachments Tenure Maps and Aerial Map attached.

To facilitate this request further, please advise me of any objections or comments that the Shire of Yilgarn may have regarding DMIRS request.

Comment

Limited details have been provided to the Shire at this stage. None of the reserves listed in the exploration license are vested with the shire and the Department of Planning, Lands and Heritage are currently the responsible agency.

It should be noted, DPLH's approval, if granted, will be conditional on DMIRS liaising with relevant landowners, prior to the licence being issued.

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	Compliance with relative environmental and mining legislation.	Moderate 6	DMIRS Assessment and Approval Processes
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Environmental Impacts from Mining Activities	Moderate 6	DMIRS Assessment and Approval Processes

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

20082021

Moved Cr Close/Seconded Cr Nolan

Council endorse the following response to the Department of Planning, Lands and Heritage – Lands Division:

The Shire of Yilgarn have no objection exploration licence 77/2334 over portions of reserves 19577, 19578, 20161, 20937, 21086 and various ucl lots.

CARRIED (6/0)

14.4 Reporting Officer– Executive Manager Regulatory Services

14.4.2 Bush Fire Advisory Committee Appointments

File Reference	5.1.1.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Draft - Bush Fire Advisory Committee Meeting - Minutes – October 2021

Purpose of Report

To endorse appointments made by the Bush Fire Advisory Committee at their meeting held on the 05th October 2021.

Background

At the Bush Fire Advisory Committee (BFAC) meeting held on the 05th October 2021, the Chief and Deputy Chief Fire Control Officer positions were declared vacant, with returning officer Jeremy Willis, DFES Acting Area Officer Central Wheatbelt declaring all seats vacant. The following nominations and appointments were made:

Chief Bushfire Control Officer

Nominations:

Ron Burro (Nominated Alan Nicholson)
R Burro accepted nomination.

No other nominations.

Appointed Chief Bush Fire Control Officer: Ron Burro

Deputy Chief Bush Fire Control Officer North

Nominations:

John Roberts (Nominated Ron Burro)
J Roberts accepted nomination

No other nominations.

Appointed Deputy Chief Bush Fire Control Officer North: John Roberts

Deputy Chief Bush Fire Control Officer South

Nominations:

Alan Nicholson (Nominated Graham Maddock)
A. Nicholson accepted nomination

No Other Nominations

Appointed Deputy Chief Bush Fire Control Officer South: Alan Nicholson

Comment

The draft minutes from the BFAC meeting are attached for Councillors perusal.

It is recommended that the appointments made by the BFAC are endorsed by Council to ensure the ongoing protection from bush fires within the Shire of Yilgarn.

Statutory Environment

*Bush Fires Act 1954
Part IV Control and extinguishment of bush fires
Division 1 Local governments*

38. Local government may appoint bush fire control officer

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

Strategic Implications

Goal:

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

Outcome:

Maintain a liveable, safe and secure community

Strategy:

Continue to support our volunteer fire fighters

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	Bush Fires Act 1954	Low 4	Shire may appoint Chief bush fire control officer and deputy bush fire control officers.
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

201/2021

Moved Cr Rose/Seconded Cr Cobden

That Council appointment the following persons under Section 38(1) of the Bush Fires Act 1954:

Chief Bush Fire Control Officer:

Ron Burro

Deputy Chief Bush Fire Control Officer North:

John Roberts

Deputy Chief Bush Fire Control Officer South:

Alan Nicholson

CARRIED (6/0)

15 APPLICATION FOR LEAVE OF ABSENCE

202/2021

Moved Cr Guerini/Seconded Cr Rose

That Cr Cobden be granted leave of absence for the November 2021 Ordinary Meeting of Council

CARRIED (6/0)

16 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

18 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

Nil

19 CLOSURE

Cr Della Bosca thanked the Mount Hampton Progress Association for hosting the Council Meeting at Mount Hampton Hall and the observers for attending the meeting.

As there was no further business to discuss, the Shire President declared the meeting closed at 5.02pm

I, Wayne Della Bosca confirm the above Minutes of the Meeting held on Thursday, 21 October 2021, are confirmed on Thursday, 18 November 2021 as a true and correct record of the October 2021 Ordinary Meeting of Council.

Cr Wayne Della Bosca
SHIRE PRESIDENT