



Ordinary Council  
Meeting  
November 2024  
Attachments

## Attachments

### Minutes/Notes

Ordinary Meeting of Council – October 2024

Yilgarn History Museum - November 2024

Wheatbelt East Regional Organisation of Councils – October 2024

CEACA Executive Committee Meeting – October 2024

CEACA Annual General Meeting – November 2024

CEACA Management Committee Meeting – November 2024

### Agenda Attachments

9.1.4 Plantation Maps

9.1.4 WAPC Fact Sheet – Tree Farms

9.1.5 Elevation & Floor Plan

9.1.6 Shire of Yilgarn – Community Strategic Plan

9.1.7 Public Places, Local Government Property and Trading  
Local Law 2025

9.1.7 Removal of Refuse, Rubbish and Disused Materials Local  
Law 2025

9.1.7 Bush Fire Brigade Local Law 2025

9.2.1 Financial Reports - October 2024

9.2.2 Accounts for Payment - October 2024

9.2.3 Bodallin Hall & Oval – Fulton Hogan Usage Agreement

9.3.1 RAV AMMS Policy

9.3.2 Shire of Yilgarn HVRIC Policy

9.3.3 Shire of Yilgarn Road Construction Policy



# *Minutes*

## *Ordinary Meeting of Council*

*17 October 2024*

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 5.01pm

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

## 3. ATTENDANCE

Members	Cr W Della Bosca Cr Close Cr B Bradford Cr G Guerini  Cr Newbury Cr L Rose
Council Officers	N Warren                      Chief Executive Officer C Watson                      Executive Manager Corporate Services G Brigg                         Executive Manager Infrastructure F Mudau                       Finance Manager K Chrisp                        Assets and Projects Manager
Apologies:	Cr L Granich
Observers:	Brendan Hockley, Shona Glassford, Chris Thompson, Kaye Crafter, Robyn Steele
Leave of Absence:	Nil

## 4. DECLARATION OF INTEREST

Nil

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

Nil

### 5.1. PUBLIC QUESTION TIME

Kaye Crafter attended public question time and posed the following question:

**Question:** *Has anyone driven along Antares Street in a low car, it is impossible to see traffic at the round about and turning point due to the high gardens, can something be done about it.*

**Answer:** The Shire President passed the question to the CEO, who advised that there are specific height requirements for vision at intersections, and Shire gardeners would address the issue if required.

## 6. CONFIRMATION OF MINUTES

### 6.1 Ordinary Meeting of Council, Thursday, 19 September 2024

**118/2024**

**Moved Cr Close/Seconded Cr Rose**

***That the minutes from the Ordinary Council Meeting held on the 19 September 2024 be confirmed as a true record of proceedings.***

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

### 6.2 Yilgarn History Museum Meeting, Wednesday, 11 September 2024

**119/2024**

**Moved Cr Bradford/Seconded Cr Guerini**

***That the minutes from the Yilgarn History Museum meeting held on the 11 September 2024 be received.***

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

### 6.3 Yilgarn Bush Fire Advisory Committee, Thursday, 3 October 2024

**120/2024**

**Moved Cr Guerini/Seconded Cr Bradford**

***That the minutes from the Yilgarn Bush Fire Advisory Committee meeting held on the 3 October 2024 be received.***

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

6.4 Yilgarn Tourism Advisory Committee, Wednesday, 2 October 2024

*121/2024*

*Moved Cr Rose/Seconded Cr Bradford*

*That the minutes from the Yilgarn Tourism Advisory Committee meeting held on the 2 October 2024 be received.*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

## 7. PRESENTATIONS, PETITIONS, DEPUTATIONS

Brendan Hockley attended Council to present on his proposed mining activities and plans for his tenement under the Wimmera Hill precinct.

Mr Hockley advised he and his father own the mining tenement that covers the grassland area between Wimmera Hill, the Southern Cross Motel, Altair Street residential properties and Frasers Pit. Mr Hockley advised they have the right to mine from 50 feet below the surface.

Mr Hockley advised there has been subsidence in some areas of the mining tenement, and stated he believed this whole area was historically used as an old rubbish tip, and this may have added to the subsidence in addition to water ingress due to the dewatering into Frasers.

Mr Hockley sought Council's permission to enter the surface land, dig out the areas of subsidence, reinforce using railway sleepers and power poles and then backfill.

Cr Della Bosca advised dust would be a concern, to which Mr Hockley advised the logistics have not yet been finalised but that dust management would be considered. Mr Hockley also stated they would operate during business hours and would also talk to neighbours.

N Warren stated that in previous discussions with Mr Hockley, it was agreed that due to the end outcome for this work being to re-commence active mining in the area, it would seem prudent that a mining proposal/works approval be lodged with DMIRS, and once approved, the Shire and Hockley's could then revisit what needs to be undertaken to address the subsidence, of which Mr Hockley concurred with.

Cr Newbury asked about Health and Safety requirements for the public whilst undertaking these works, with Mr Hockley responding that a temporary fenced area would be established to exclude the general public.

Cr Rose asked Mr Hockley what qualification he had to determine that the proposed works would be safe and suitable. Cr Rose also queried why they could not avoid these areas of subsidence in their mining plan as it may create further subsidence. Mr Hockley responded that whilst he does not have formal qualifications, he has many years experience. He also stated they have a responsibility to manage the whole tenement, and can't ignore these areas of subsidence. Mr Hockley also stated the subsidence does not pose a significant risk at this stage, and that the risk of further subsidence is low.

N Warren stated, due to Mr Hockley's statement that the subsidence does not pose a significant risk then there is no need to undertake the works until such time as a mining approval is issued by DMIRS. The mining plan should cover all issues relating to further subsidence and proposed works relating to dust, noise and vibration.

N Warren then asked Mr Hockley to discuss the historic mine waste heap, located adjacent to the North side of the Goldfields water pipeline, of which the Hockley's sought to process. Mr Hockley advised he had planned to extract the heaps and was working with Barto in regards to processing. The plan would be to take 4-6 weeks, using a semi-trailer and excavator, to remove the dirt, and would put in a works plan to the Shire to cover dust, noise and neighbour notice.

N Warren asked, given Mr Hockley's comment that they have the rights to mine 50 feet below the surface, and the heaps were on the surface, what legal instrument gives the Hockley's the right to the heaps. Brendan advised it was a grey area, but stated given they held the mining rights for the site, that would allow them rights to the heaps on the surface.

Cr Della Bosca sought that DMIRS be consulted to determine who hold the rights to the heaps.

*C Thompson left the meeting at 5:34pm*

N Warren stated, if the Hockley's are permitted access, the issues with the Water Corporation pipeline and rehabilitation of the area would need to be addressed. Mr Hockley concurred.

Cr Rose sought clarification that the Hockley's were the owner of the land to the South of the Highway, to which Mr Hockley advised they were. Cr Rose stated her concern regarding the unsightly nature of the site, and its impact on tourism for the town.

Mr Hockley stated he had been working on cleaning up the site over the past 12 months, and sought if Council thought there had been any improvement, to which the Council consensus was that there had not been. Mr Hockley then stated it is an active mine site and he needs room to store his equipment.

Given Council's concerns and Mr Hockley's want to clean up but also need to keep equipment relevant to mining at the site, N Warren suggested Shire staff and Mr Hockley meet onsite and

conduct an audit of the materials to see what could be removed in an effort to speed up the process. Mr Hockley agreed.

Cr Bradford asked if both sides of the highway were on one tenement. Mr Hockley confirmed it was one tenement.

With no further questions, the Shire President thanked Mr Hockley for his presentation.

## 8. DELEGATES' REPORTS

Cr Newbury announced the following:

- WALGA Conference – 8<sup>th</sup> – 10<sup>th</sup> October
- Yilgarn Community Group Meeting 16<sup>th</sup> October

Cr Rose announced the following:

- Far Eastern Agricultural Research Group Meeting – 23<sup>rd</sup> September
- Tourism Committee Meeting - 2<sup>nd</sup> October
- Bush Fire Advisory Committee Meeting – 3<sup>rd</sup> October
- WALGA Convention – 8<sup>th</sup> – 10<sup>th</sup> October
- Skeleton Weed Local Action Group Meeting – 14<sup>th</sup> October
- Bushfire Vehicle Refresher Course – 16<sup>th</sup> October

Cr Guerini announced the following:

- Bush Fire Advisory Committee Meeting – 3<sup>rd</sup> October
- WALGA Convention – 8<sup>th</sup> – 10<sup>th</sup> October

Cr Bradford announced the following:

- WALGA Convention – 8<sup>th</sup> – 10<sup>th</sup> October

Cr Close announced the following:

- WALGA Convention – 8<sup>th</sup> – 10<sup>th</sup> October
- Pox Eclipse Event – St Johns – 10<sup>th</sup> – 13<sup>th</sup> October

Cr Della Bosca announced the following:

- Regional Road Group Meeting – 30<sup>th</sup> September
- WALGA Convention – 8<sup>th</sup> – 10<sup>th</sup> October

## 9 OFFICERS REPORTS

### 9.1 Reporting Officer – Chief Executive Officer

#### 9.1.1 Request For Exemption To Place Temporary Sea Container On Front Verge – 51 Spica St

<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements.</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Kelly Watts – Regulatory Services Officer</b>
<b>Attachments</b>	<b>Planning and Development (Local Planning Schemes) Regulations 2015 Site Map</b>

#### Purpose of Report

For Council to consider the owner temporarily placing a 20 foot sea container on the front verge of 51 Spica Street, Southern Cross for the purpose of furniture removal.

#### Background

The owner of 51 Spica Street is relocating furniture and requires short-term storage to pack up furniture and household goods.

The owner requests an exemption from the need for planning approval for ‘temporary works’, to place the 20 foot sea container upon the front verge of the property. The request is for a period of approximately 2 months.

#### Comment

Under the Planning and Development (Local Planning Schemes) Regulations 2015, the Local Government can determine works to be “Temporary works” removing the need for a planning application to be submitted.

Furthermore, as the sea container is on a Shire road reserve, as per the Local Government Act 1995 and the Local Government (Uniform Local Provisions) Regulations 1996, Council may approve the placing of items within the thoroughfare, with whatever conditions they deem necessary, as well as conditions required by the Regulations.

As such, it is proposed to permit the placing of the sea container on public thoroughfare, on the following conditions required by the Local Government (Uniform Local Provisions) Regulations 1996:

- a. placed things and protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and
- b. protective structures are kept and maintained in good condition, to the satisfaction of the CEO of the local government, during such time as the CEO thinks necessary for the public safety and convenience; and



- c. placed things or protective structures are removed within a reasonable time after the person granted the permission is required in writing to do so by the local government; and
- d. damage to the public thoroughfare resulting from the placement of a thing or a protective structure is repaired to the satisfaction of the CEO of the local government within a reasonable time after the person granted the permission is required in writing to do so by the local government.

Site plan with location of Sea Container



**Statutory Environment**

**Planning and Development (Local Planning Schemes) Regulations 2015**  
**Schedule 2** Deemed provisions for local planning schemes  
**Part 7** Requirement for development approval  
**cl. 61**

	Column 1 Works	Column 2 Conditions
		(e) The works are not located in a heritage-protected place.
15.	The installation of solar panels on the roof of a building.	(a) The solar panels are parallel to the angle of the roof. (b) The works are not located in a heritage-protected place.
16.	Maintenance and repair works.	Either — (a) the works are not located in a heritage-protected place; or (b) the maintenance and repair works are of a kind referred to in the <i>Heritage Regulations 2019</i> regulation 41(1)(b) to (i).
17.	Temporary works.	The works are in existence for less than 48 hours, or a longer period agreed by the local government, in any 12-month period.
18.	Works that are urgently necessary for any of the following — (a) public safety; (b) the safety or security of plant or equipment; (c) the maintenance of essential services; (d) the protection of the environment.	The works are not located in a heritage-protected place of a kind referred to in clause 1A(1)(a), (b) or (d).

**Local Government Act 1995**

**Schedule 9.1 Certain matters for which Governor may make regulations**

**3. Obstructing or encroaching on public thoroughfare**

- (1) Regulations may be made about the obstruction of public thoroughfares by things that—  
a. have been placed on the thoroughfare; or





- d. damage to the public thoroughfare resulting from the placement of a thing or a protective structure is repaired to the satisfaction of the CEO of the local government within a reasonable time after the person granted the permission is required in writing to do so by the local government.*
- (6) The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.*
- (7) A person granted permission under this regulation must comply with each condition of the permission.  
Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.*
- (8) The local government may charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m<sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.  
For the purposes of section 3.37 of the Act, a contravention of subregulation (1) or (7) is a contravention that can lead to impounding of goods comprising a placed and left thing or structure.*

#### 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	Nil	Nil	Nil
Compliance	Non-compliance with legislation.	Low (4)	Council approval meets legislative requirements
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

### Officer Recommendation

122/2024

*Moved Cr Rose/Seconded Cr Bradford  
That Council:*

1. *Determine the placement of a 20 foot sea container at 51 Spica Street, Southern Cross for approximately two months to be “Temporary Works”, and therefore removing the need for a planning application to be submitted.*

*And*

2. *As per the Local Government (Uniform Local Provisions) Regulations 1996, permit the placement of a sea container on the thoroughfare, being the adjacent verge to 51 Spica Street, Southern Cross, on the following conditions:*
  - a. *placed things and protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and*
  - b. *protective structures are kept and maintained in good condition, to the satisfaction of the CEO of the local government, during such time as the CEO thinks necessary for the public safety and convenience; and*
  - c. *placed things or protective structures are removed within a reasonable time after the person granted the permission is required in writing to do so by the local government; and*
  - d. *damage to the public thoroughfare resulting from the placement of a thing or a protective structure is repaired to the satisfaction of the CEO of the local*

*government within a reasonable time after the person granted the permission is required in writing to do so by the local government.*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

unconfirmed

## 9.1 Reporting Officer – Chief Executive Officer

### 9.1.2 Shire of Yilgarn Tourism Advisory Committee – Changes to Committee

<b>File Reference</b>	<b>1.3.10.5</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Author</b>	<b>Nic Warren – Chief Executive Officer</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

For Council to consider and endorse changes to the membership of the Shire of Yilgarn Tourism Advisory Committee.

#### Background

At the February 2023 Ordinary Council meeting, Councillors moved the following changes to the Tourism Advisory Committee:

**7/2023**

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

***That Council notes the resignation of Mr Malcolm Tabner from the Shire of Yilgarn Tourism Advisory Committee.***

***And***

***That Council endorses the inclusion of Mrs Robin Stevens to the Shire of Yilgarn Tourism Advisory Committee.***

***And***

***That Council notes the updated committee membership as follows:***

- ***Cr Jodie Cobden – Council Delegate***
- ***Cr Linda Rose – Council Delegate***
- ***Kaye Crafter – Community Member***
- ***Liz Sheehan – Community Member***
- ***Onida Truran – Community Member***
- ***Robin Stevens – Community Member***

**CARRIED BY ABSOLUTE MAJORITY (4/0)**

Since the last changes to the committee, the Ordinary Shire elections have been held, and voting member Robin Stevens has left the district.

Due to a number of meetings without a quorum, the endorsing of Robin's replacement has only occurred at the October Yilgarn Tourism Advisory Committee meeting. Jodie Cobden was the sole nominee and was endorsed by the committee present.

### Comment

It recommended that Council endorse Jodie Cobden for the vacant voting position on the committee.

### Statutory Environment

#### *Local Government Act 1995*

#### **5.8. Establishment of committees**

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

*\* Absolute majority required.*

#### **5.9. Committees, types of**

(1) In this section —

*other person* means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

#### **5.10. Committee members, appointment of**

a) A committee is to have as its members —

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

*\* Absolute majority required.*

- b) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- c) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.
- d) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- e) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
  - (a) to be a member of the committee; or
  - (b) that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

*[Section 5.10 amended: No. 16 of 2019 s. 18.]*

### **Strategic Implications**

Shire of Yilgarn Strategic Community Plan 2020-2030 – Economic – Tourism Opportunities Maximised – Re-establish a Yilgarn Tourism Committee to advise /recommend to Council on actions to promote tourism in the district.

### **Policy Implications**

Nil.

### **Financial Implications**

Nil.

### **Risk Implications**

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
<b>Health/People</b>	Inability for community to provide input into the Tourism activities of the district	Moderate (6)	Inclusion of new members to the Tourism Advisory Committee to permit a voice towards Tourism activities undertaken by the Shire.
<b>Financial Impact</b>	Nil	Nil	Nil
<b>Service Interruption</b>	Nil	Nil	Nil
<b>Compliance</b>	Nil	Nil	Nil
<b>Reputational</b>	Reputational damage caused by lack of tourism activities and ability for community to provide input	Moderate (6)	Inclusion of new members to the Tourism Advisory Committee to permit a voice towards Tourism activities undertaken by the Shire
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	Nil	Nil	Nil

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



## Recommendation

*123/2024*

*Moved Cr Close/Seconded Cr Rose*

*That Council:*

*Notes the resignation of Mrs Robin Stevens from the Shire of Yilgarn Tourism Advisory Committee.*

*And*

*By absolute majority endorses the inclusion of Mrs Jodie Cobden as a voting member of the Shire of Yilgarn Tourism Advisory Committee.*

*And*

*That Council notes the updated committee membership as follows:*

- *Cr Linda Rose – Council Delegate*
- *Cr Lisa Granich – Council Delegate*
- *Kaye Crafter – Community Member*
- *Liz Sheehan – Community Member*
- *Onida Truran – Community Member*
- *Jodie Cobden – Community Member*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

## 9.1 Reporting Officer – Chief Executive Officer

### 9.1.3 Bush Fire Advisory Committee – Recommendation to Appoint Deputy Chief Bush Fire Control Officer

<b>File Reference</b>	<b>5.1.1.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To endorse a recommendation by the Yilgarn Bush Fire Advisory Committee at their meeting held on the 3<sup>rd</sup> October 2024, to endorse a Deputy Bush Fire Control Officer.

#### Background

At the Yilgarn Bush Fire Advisory Committee (BFAC) meeting held on the 3<sup>rd</sup> October 2024, the Chief Bush Fire Control Officer (CBFCO) declared a new deputy role vacant, with the following nomination and appointment made:

#### **Deputy Chief Bush Fire Control Officer Central Nominations:**

Leigh Dal Busco (Nominated by Ron Burro, Seconded by Rob Pownall)  
L Dal Busco accepted nomination.

**No other nominations.**

#### **Appointed Deputy Chief Bush Fire Control Officer Central: Leigh Dal Busco**

The following appointments will remain unchanged:  
Chief Bush Fire Control Officer Central: Ron Burro  
Deputy Chief Bush Fire Control Officer North: John Roberts  
Deputy Chief Bush Fire Control Officer South: Alan Nicholson

#### Comment

The draft minutes from the BFAC meeting are attached for Councillors perusal as part of the minutes section of this agenda.

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.

Once endorsed by Council, the appointment will be advertised in line with the Bush Fires Act 1954.

#### 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	Compliance with Bush Fires Act 1954	Low (4)	Shire may appoint Chief bush fire control officer and

			<b>deputy bush fire control officers.</b>
<b>Reputational</b>	<b>Nil</b>	<b>Nil</b>	<b>Nil</b>
<b>Property</b>	<b>Nil</b>	<b>Nil</b>	<b>Nil</b>
<b>Environment</b>	<b>Nil</b>	<b>Nil</b>	<b>Nil</b>

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

*124/2024*

*Moved Cr Guerini/Seconded Cr Close*

*That Council, as per the Yilgarn Bush Fire Advisory Committees recommendation, appoint the following person under Section 38(1) of the Bush Fires Act 1954:*

*Deputy Chief Bush Fire Control Officer Central:*

*Leigh Dal Busco*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

## 9.1 Reporting Officer – Chief Executive Officer

### 9.1.4 Budget Amendment – Sports Complex Upgrade

<b>File Reference</b>	
<b>Disclosure of Interest</b>	Nil
<b>Voting Requirements</b>	Absolute Majority
<b>Attachments</b>	Additional Works Specifications

#### Purpose of Report

For Council to endorse a budget amendment for unbudgeted expenditure related to the Sports Complex Upgrade.

#### Background

At the February 2024 Ordinary Council meeting, Councillors endorsed the following motion:

*14/2024*

*Moved Cr Guerini/Seconded Cr Close*

*That Council:*

- 1. Note the tenders received and assessment undertaken by Rob White Consulting;*
- 2. Award the contract for the whole of works associated with the Southern Cross Sports Complex upgrade, as per Tender 01-2023/2024 documentation, to Devlyn Australia Pty Ltd, at a cost of \$4,855,737.00 excluding gst;*
- 3. Endorse a \$250,000 project contingency;*
- 4. Commit to obtaining a \$1,000,000 loan from the Western Australian Treasury Corporation within the 2024/2025 budget, noting indicative interest rate is 4.4867% per annum, to be repaid over 10 years, with annual repayments estimated at \$125,448.44.*
- 5. Commit to the full use of funds contained in the Sport and Recreation Facilities Reserve for the project in the 2024/2025 budget; and*
- 6. Commit to the use of funds contained in the Building Reserve for the remainder of the funding requirements for the project in the 2024/2025 budget.*

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

Subsequently, Devlyn have been awarded the construction contract and works at the complex are progressing.

Through ongoing discussions with Devlyn staff, Rob White from Rob White Consulting and Shire representatives, a number of additional work items to those in Devlyn's scope of works

have been identified of which may be necessary to ensure the completed project meets the needs and wants of the Yilgarn community.

The table below details the additional items.

Disappointingly, the larger value additional works (highlighted in red below) were specifically included in the Shire's Work Agreement with Rob White Consulting to be included in the final tender specifications, however were not included in the final construction plans produced for tender, meaning Devlyn did not originally quote on these, nor did any of the other original tenderers.

The other items have been identified throughout the construction program to complement the works already included in scope of works.

Attached is the specification document for the additional works.

Devlyn have quoted to complete the majority of the works, with their pricing being deemed competitive based on alternative quotations and known pricing, however the installation of roller doors will be completed in-house.

New grey exposed aggregate concrete to both side entries	\$34,582.32
Plasterboard to internal main entry 1, entry 2 and mezzanine stairs (Cover existing colorbond)	\$23,876.59
Replace Floor Coverings (excluding new additions already included)	\$120,888.00
Direct fix plasterboard to existing cool room	\$3,459.06
Replace existing bar lounge ceiling	\$178,145.12
Flush plasterboard drywall all the existing face brick walls to the showroom prep room	\$5,926.56
Repaint balance of all interior areas (excluding new additions already included)	\$56,484.00
Upgrade the existing internal open riser timber steps & upgrade mezzanine spectator seating	\$64,924.51
Replace three roller doors	\$23,545.20
Cabinet upgrades	\$17,250.00
Supply and install doors	\$24,319.50
Additional electrical works	\$11,995.81
Total	\$565,396.67

## Comment

The Local Government (Functions and General) Regulations 1996 Regulation 21A states a contract entered into may be varied in the event the “variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract”.

It is not believed that the scope of the contract is materially varied, in that the overall scope relates to the full upgrade of the Southern Cross Sports Complex, with the variation ensuring this is completed to the Shire’s and Communities expectations.

Shire staff have checked Devlyn’s pricing for individualised items via alternative quotes or known pricing rates for similar works undertaken, and have deemed the quoted prices in the variation to be fair and reasonable in current markets.

The contract variation also ensures the defect period provided by Devlyn in the original contract is not affected by works from alternative providers.

In funding the additional works, the following funding is proposed in order to amend the 2024/2025 annual budget to include an additional \$570,000.00 under account J11342 LRCI Rnd 3 - Southern Cross Sports Complex Upgrades:

- Recreation Reserve: \$60,000 (in addition to \$622,000 budgeted to be withdrawn at end of financial year, includes estimated income from interest earned, based on YTD returns.)
- Building Reserve: \$320,000 (Leaves approximately \$869,718 in Building Reserve)
- WATC Loan: \$190,000 (In addition to current proposed \$1,000,000 loan)

## Statutory Environment.

### *Local Government (Functions and General) Regulations 1996*

#### *Section 21A Varying a contract for the supply of goods or services*

*If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless —*

- a) the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or*
- b) the variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j), (ja) or (jb).*

### 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

### Policy Implications

Nil

### Financial Implications

Nil

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Risk to Shire reputation due to incomplete upgrade to the complex	Moderate (6)	Variation to ensure complex meets community's expectations.
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)



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

### Officer Recommendation

125/2024

*Moved Cr Close/Seconded Cr Rose*

*That Council:*

- (1) *Endorses the additional works, as presented, for the Southern Cross Sports Complex Upgrade and endorses the contract variation with Dvlyn to complete the works.;*
- (2) *Endorses, by absolute majority, the following amendments to the 2024/2025 annual budget:*
  - a. *\$570,000 increase to J11342 LRCI Rnd 3 - Southern Cross Sports Complex Upgrades*
  - b. *\$60,000 transferred out of Recreation Facility Reserve;*
  - c. *\$320,000 transferred out of Building Reserve;*
  - d. *\$190,000 via Western Australian Treasury Corporation loan.*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

## 9.1 Reporting Officer – Chief Executive Officer

### 9.1.5 Local Government Elections – WALGA Advocacy Positions

#### File Reference

**Disclosure of Interest**

Nil

**Voting Requirements**

Simple Majority

**Attachments**

Nil

#### Purpose of Report

For Council to consider a response to the Western Australian Local Government Association regarding their advocacy positions as they relate to Local Government Elections.

#### Background

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections, including:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, the Western Australian Local Government Association (WALGA) undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

#### Comment

##### **WALGA State Council current advocacy positions:**

The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

### 2.5.15 ELECTIONS

#### Position Statement:

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
  - Online voting
  - Postal voting, and
  - In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.

#### Background:

The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.

### 2.5.16 METHOD OF ELECTION OF MAYOR

#### Position Statement:

Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

### 2.5.18 CONDUCT OF POSTAL ELECTIONS

#### Position Statement

The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.

#### Background:

Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

## **WALGA Position Statements for Review**

WALGA has requested the following advocacy positions be considered by Councils:

### 1. PARTICIPATION

- a) The sector continues to support voluntary voting at Local Government elections.

OR

- b) The sector supports compulsory voting at Local Governments elections.

### 2. TERMS OF OFFICE

- a) The sector continues to support four-year terms with a two year spill;

OR

- b) The sector supports four-year terms on an all in/all out basis.

### 3. VOTING METHODS

- a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general election;

OR

- b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

### 4. INTERNAL ELECTIONS

- a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

- b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

### 5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

- a) Electronic voting; and/or
- b) Postal voting; and/or
- c) In-Person voting.

## 6. METHOD OF ELECTION OF MAYOR

The sector supports:

- a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
- b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

### Statutory Environment.

Nil

### Strategic Implications

Civic Leadership: Dynamic and visionary leadership guiding our community into the future

### Policy Implications

Nil

### Financial Implications

Nil

### Risk Implications

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

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

### Officer Recommendation

*That Council endorses the following responses to WALGA, in regards to their request for comments on Local Government Elections advocacy positions:*

#### 1. PARTICIPATION

*The sector continues to support voluntary voting at Local Government elections.*

#### 2. TERMS OF OFFICE

*The sector continues to support four-year terms with a two year spill;*

#### 3. VOTING METHODS

*The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general election;*

#### **4. INTERNAL ELECTIONS**

*The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.*

#### **5. VOTING ACCESSIBILITY**

*The sector supports the option to hold general elections through:*

- a) Electronic voting; and/or*
- b) Postal voting; and/or*
- c) In-Person voting.*

#### **6. METHOD OF ELECTION OF MAYOR**

*The sector supports:*

- a) First Preference: Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.*

**OR\***

- b) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.*

*\*Support Band 3 and 4 being permitted to choose election method, then support majority decision for Bands 1 & 2.*

### **Council Decision**

**126/2024**

**Moved Cr Close/Seconded Cr Rose**

***That Council endorses the following responses to WALGA, in regards to their request for comments on Local Government Elections advocacy positions:***

#### **1. PARTICIPATION**

*The sector continues to support voluntary voting at Local Government elections.*

#### **2. TERMS OF OFFICE**

*The sector continues to support four-year terms with a two year spill;*

### 3. **VOTING METHODS**

*The sector supports First Past the Post (FPTP) as the preferred voting method for general elections.*

### 4. **INTERNAL ELECTIONS**

*The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.*

### 5. **VOTING ACCESSIBILITY**

*The sector supports the option to hold general elections through:*

- d) Electronic voting; and/or*
- e) Postal voting; and/or*
- f) In-Person voting.*

### 6. **METHOD OF ELECTION OF MAYOR**

*The sector supports:*

- c) First Preference: Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

#### **Reason for alternative motion:**

Removed the reference to Optional Preferential Voting (OPV) in section 3 as not supported and removed Option (d) from section 6 as only support Council's deciding method of election of Mayor/President internally.



## 9.2 Reporting Officer – Executive Manager Corporate Services

### 9.2.1 Financial Reports - September 2024

<b>File Reference</b>	<b>8.2.3.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Fadzai Mudau - Finance Manager</b>
<b>Attachments</b>	<b>Financial Reports</b>

#### Purpose of Report

To consider the Financial Reports

#### Background

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

The following reports are attached and have been prepared as at the 30 September 2024

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity

Councillors will be aware that it is normal practice for all financial reports to be indicative of Council's current Financial Position as at the end of each month.

#### Comment

Nil

#### Statutory Environment

Local Government (Financial Management) Regulations 1996

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

(1A) In this regulation —

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

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

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

### Strategic Implications

Nil

### Policy Implications

Nil

## Financial Implications

Nil

## Risk Implications

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

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

### Officer Recommendation

**127/2024**

***Moved Cr Close/Seconded Cr Bradford***

***That Council endorse the various Financial Reports as presented for the period ending 30 September 2024.***

***CARRIED (6/0)***

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

unconfirmed

## 9.2 Reporting Officer – Executive Manager Corporate Services

### 9.2.2 Accounts for Payment – September 2024

<b>File Reference</b>	<b>8.2.1.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Steven Chilcott - Finance Officer</b>
<b>Attachments</b>	<b>Accounts for Payment</b>

#### Purpose of Report

To consider the Accounts Paid under delegated authority.

#### Background

- Municipal Fund – Cheques 41291 to 41294 totalling \$12,251.00
- Municipal Fund - EFT 15656 to 15754 totalling \$1,396,342.12
- Municipal Fund – Cheques 2452 to 2459 and 2471 to 2480 totalling \$280,098.47
- Municipal Fund - Direct Debit Numbers:
  - 19142.1 to 19142.14 totalling \$25,329.19
  - 19168.1 to 19168.14 totalling \$25,542.70
- Trust Fund – Cheques 402697 to 402698 totalling \$4,333.41

The above are presented for endorsement as per the submitted list

#### Comment

Nil

#### Statutory Environment

##### Local Government Act 1995

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

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

\* *Absolute majority required.*

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

Local Government (Financial Management) Regulations 1996

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

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

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

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

### Strategic Implications

Nil

### Policy Implications

Council Policy 3.11 – Timely Payment of Suppliers

### Financial Implications

Drawdown of Bank funds

### Risk Implications

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

Risk Matrix						
Consequence		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

128/2024

*Moved Cr Rose/Secoded Cr Bradford*

*That council endorse the following payments paid in September 2024*

- *Municipal Fund – Cheques 41291 to 41294 totalling \$12,251.00*
- *Municipal Fund - EFT 15656 to 15754 totalling \$1,396,342.12*
- *Municipal Fund – Cheques 2452 to 2459 and 2471 to 2480 totalling \$280,098.47*
- *Municipal Fund - Direct Debit Numbers:*
  - *19142.1 to 19142.14 totalling \$25,329.19*
  - *19168.1 to 19168.14 totalling \$25,542.70*
- *Trust Fund – Cheques 402697 to 402698 totalling \$4,333.41*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*



## 9.2 Reporting Officer – Executive Manager Corporate Services

### 9.2.3 Fees & Charges Amendment – Facility Usage Fees – Yilgarn Cricket Association

<b>File Reference</b>	<b>8.2.5.3</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Author</b>	<b>Cameron Watson - Executive Manager Corporate Service</b>
<b>Attachments</b>	<b>Correspondence from the Yilgarn Cricket Assoc.</b>

#### Purpose of Report

Council is asked to consider a request from the Yilgarn Cricket Association for the reduction in their allotted annual sporting facility usage fees going forward and for a discount on the fees charged in the current year.

#### Background

Initially, contact by the Yilgarn Cricket Association (YCA) was made via telephone in early September. This conversation primarily involved a request for the facility usage fees that had been charged, be either waived or reduced as the club was not yet in a financial position to pay. It was also discussed that the YCA felt that the annual usage fees of \$3,600 was excessive as, in their opinion they did not use the full facilities; only the oval, changeroom facilities and only on occasion the kitchen/canteen facilities.

It was then that the YCA was requested to provide the following information to allow for a decision to be made on this matter by Council, the following is an extract from that request for information email:

*Before a discount can be approved, Council must first authorise it. With this in mind, I will produce an agenda item for Councils consideration at next week's meeting. To do this I will need some information regarding the Yilgarn Cricket Association's activities over the previous 2 years and what is intended for the current season. Can you please provide information on the following:*

1. *Number and type of fundraising activities undertaken in the previous 2 years.*
2. *Number and type of fundraising activities planned for the current year.*
3. *Membership numbers and membership fees charged.*
4. *Number of matches of each type that are to be played in SX this season:*
  - 4.1 *45/45*
  - 4.2 *20/20*
5. *Non-match activities planned to occur at the Rec Centre during this season (eg. presentation nights, social & fundraising events).*

*Can you please respond to this request for information ASAP as Councils next meeting is on Thursday of next week, otherwise I will provide the agenda item for Councils October meeting.*

The information requested above was received from the YCA but not in time to present their request to Council in September.

### Comment

On the face of it, the request from the YCA for a lower annual facility usage fee due to their level of usage would not stand scrutiny. The Southern Cross Football Club can be seen to have a very similar level of usage, both sports have ~6-7 home games (not including finals), both utilise the main oval as their playing surface, both utilise the changeroom facilities and both have usage of the kitchen/canteen facilities.

However, if you look at the method of usage, i.e. intensity of game play and wear & tear on the oval surface; cricket is a more position-based game play with players relatively static during most of the match while football is a significantly more fluid game play with players quite literally “running all over the field”. Additionally, football is played in the wet while cricket is not. Playing on a wet oval does cause an increased potential for surface damage and a corresponding increase in remediation costs.

The major cost associated with the Southern Cross recreation facilities is maintenance of the oval which, in the 2023/24 financial year totalled \$105,683. The operational (which includes maintenance) costs of the complex facilities was \$77,937.

A valid point was also raised in the correspondence from the YCA, that being that they are a new club trying to get established with limited players/members. They did indicate that they have had limited opportunities to independently fundraise but that they will make a greater effort going forward.

It will be recommended that Council approves an amendment to its fees and charged to acknowledge the level of use of the oval, the proposed fee will be on the same level as the bowls/tennis clubs for their Shire provided facilities, this being \$1,550.

It will also be proposed that a 50% discount be applied to the amended fees for the current financial year and that for future years a request (including financial reasonings) must be made prior to the setting of that years fees and charges.

### Statutory Environment

#### Local Government Act 1995

#### **6.12. Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may —
  - (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or

- (c) write off any amount of money,  
which is owed to the local government.

*\* Absolute majority required.*

#### **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.

*\* Absolute majority required.*

#### **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**

#### **Social Objective:-**

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

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

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

### Policy Implications

There are no policy implications as a result of this report.

### Financial Implications

If the recommendation below is endorsed, income will be reduced by \$2,568 ex GST.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Loss of budgeted income	Moderate (5)	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Failure to adequately support community groups	Moderate (9)	Listen to Community needs and identify where support can be provided
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

**129/2024**

**Moved Cr Rose/Seconded Cr Close**

**That Council:**

- 1. Approves the amended annual facility fee for the Yilgarn Cricket Association of \$1,550 inc GST;**
- 2. Grant a waiver of 50% of the above fee for the 2024/2025 financial year; and**
- 3. Advertise the amended fee with an effective from date of the 17<sup>th</sup> October 2024.**

**CARRIED (5/1)**

**Cr's For:** Della Bosca, Close, Guerini, Newbury, Rose

**Cr's Against:** Bradford

unconfirmed

### 9.3 Reporting Officer – Executive Manager Infrastructure

#### 9.3.1 Purchase of two Caravan Park Cabins

##### File Reference

Disclosure of Interest

Nil

Voting Requirements

Absolute Majority

Author

Kim Chrisp – Asset & Project Manager

Attachments

Southern Cross Caravan Park Business Case

##### Purpose of Report

Council to consider tenders received to supply two (2) 2 - bedroom self-contained cabins for the Southern Cross Caravan Park.

##### Background

Caravan parks play a critical role in delivering accommodation options for travellers. The Southern Cross caravan park has been in operation for many years. Facilities and infrastructure in the park, requires refurbishment to meet current caravan park standards. We know there's a growing interest in recreation and outdoor adventure experiences, and Southern Cross is well situated to explore the region. The current budget provides the funds to install two (2) self-contained 2, bedroom cabins in the park at Southern Cross.

Over several years the shire has invested in the refurbishing of some rooms in the Sandalwood Lodge. Two more rooms have been identified to be refurbished this financial year. On last inspection the Kurrajong units have deteriorated significantly and need to be replaced. The Southern Cross Caravan Park does not currently provide any self-contained accommodation.

##### Comment

The Shire of Yilgarn constructed the Southern Cross Caravan Park in 1971. Over this period the Caravan Park has been leased out to private entities with minimal maintenance and renewal work. Since the Shire resumed responsibility of the park in the 2013/2014 financial year, bookings have continually increased from 4,506 per year to 9,584 in the 2023/2024 financial year.

Staff have utilized the Preferred Supplier Service offered by the Western Australian Local Government Association (WALGA). Eight suppliers were asked to tender

1. Evoked Living Homes
2. FLEETWOOD WA & SA PTY LTD
3. Mi Global Construction Pty Ltd
4. Modular WA
5. Pique Mod Pty Ltd
6. Quality Builders Unit Trust
7. Summit Modular Homes
8. TR Homes

Three tenders were received to supply two (2) self-contained, two-bedroom cabins from,

MI Global Construction  
Evoke Living  
Modular WA

Tenderer	Size	Basic Price	Full Price with inclusions ex gst	Flooring	Veranda	A C 's	Build Time
MI Global	57.7m <sup>2</sup>		\$418,517.00	✓	✓	✓	8 months
Evoke	50.4m <sup>2</sup>	\$355,449.94	\$411,331.54	✓	✓	✓	6 months
Modular	54m <sup>2</sup>	\$261,886.00	\$321,358.18	✓	✓	✓	6-12 months

All prices above are for the supply, delivery and placement of cabins. This does not include site works, connections or other establishment costs. Council has sufficient funds for the supply and delivery of the units within this budget. Cabins have a long lead time and they are not expected to be delivered before the end of the 2024/2025 budget. Any shortfall in the overall establishment costs can be considered in the 2025/2026 budget.

Example of the Cabin from Modular WA







### Statutory Environment

Local Government Act 1995 3.57 – tenders for providing goods or services and the Local Government (functions & general) Regulations, section 11A

### Strategic Implications

Strategic Community Plan

Outcome 2.3 Quality and affordable housing is available:

2.3.1 Continue to invest in housing to attract professionals to the region to attract and retain professionals and young people to the Shire.

Outcome 2.4 Tourism opportunities are maximised

2.4.1 Continue to manage and promote the Southern Cross Caravan Park

Strategic issues facing the community

Maintaining and renewing our community assets within our own financial resources

### Policy Implications

Finance Policy 3.5 Purchasing and Tendering

Local Government (Functions and General) Regulations 1996



## Financial Implications

The 2024/2025 budget makes provision of \$350,000.00 to construct and deliver two park cabins. The Modular WA quotation is within the budget allocation for supply, delivery and placement. Extra funding may be required in the 2025/2026 budget to fully establish the cabins.

## Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
<b>Health/People</b>			
<b>Financial Impact</b>	Supply and delivery may not take place in the 2024/25 budget	2	Funds may need to be carried over to the 2025/2026 budget.
<b>Service Interruption</b>	Some interruption to total bays available during the establishment of the cabins	1	The minor reduction to the bays shouldn't impact on travellers.
<b>Compliance</b>	Nil		Nil
<b>Reputational</b>	Nil		Nil
<b>Property</b>	Nil		Nil
<b>Environment</b>	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

**130/2024**

***Moved Cr Rose/Seconded Cr Newbury***

***That, by Absolute Majority in accordance Local Government Act 1995 Local Government (Functions and General) Regulations 1996 that council accepts the quote for a total price of \$321,358.18 from Modular WA to construct and deliver two (2), self-contained, two-bedroom cabins for the Southern Cross Caravan Park***

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

unconfirmed

### 9.3 Reporting Officer – Executive Manager Infrastructure

#### 9.3.2 Plant Replacement 2016 John Deere

##### File Reference

Disclosure of Interest

Nil

Voting Requirements

Absolute Majority

Author

Glen Brigg – Executive Manager Infrastructure

Attachments

Nil

#### Purpose of Report

For Council to analyse tenders received through WALGA Preferred Suppliers Panel for the purchase of one new grader and assess the outright sale prices and trade price to dispose of the 2016 John Deere grader.

#### Background

Council's staff have utilised the Preferred Supplier Panel service offered by the Western Australian Local Government Association (WALGA). Three preferred suppliers were asked for quotations which included Westrac (Caterpillar), AFGRI John Deere and Komatsu.

The disposal of the John Deere was advertised using the Asset Disposal service offered by WALGA

The 2024/2025 plant replacement program includes replacing the 2016 John Deere Grader with a fit for purpose machine that will improve utilisation and increase productivity across all areas of the operations.

#### Comment

The asset lifecycle encompasses the entire journey of an asset, from the moment you identify a need for it, all the way through its acquisition, use, maintenance, and eventual disposal. It's a framework that helps shires manage their assets strategically, aiming to maximise their value and return on investment. By understanding and effectively managing each stage of the asset lifecycle, Shires can:

- **Optimize their operations:** By ensuring assets are acquired, used, and maintained efficiently, shires can streamline their processes and improve overall productivity.
- **Reduce costs:** Effective asset lifecycle management can help identify and eliminate unnecessary spending on asset acquisition, maintenance, and disposal.

- **Make informed decisions:** Understanding the lifecycle stages of assets allows for better decision-making regarding acquisition, upgrades, replacements, and disposal, ensuring resources are allocated effectively.
- **Minimize risk:** Proactive management throughout the asset lifecycle helps mitigate risks associated with asset failure, downtime, and safety hazards.

In essence, the asset lifecycle is a crucial concept for organizations of all sizes, helping them get the most out of their assets to achieve their goals.

Prices received from reputable manufacturers for the supply and trade of a grader are as follows:

Tenderer	Machine	Price (ex GST)	Optional Warranty	2016 John Deere Grader trade (Ex GST)	Changeover (Ex GST)
WESTRAC	Caterpillar 140-14A 2D	\$463,150.00	6,000 hrs 60 months	\$125,500	\$337,650
AFGRI	John Deere 670G	\$511,700.00	6,000 hrs 60 months	\$130,000	\$381,700
KOMATSU	Komatsu GD655-7	\$430,021.60	6,000 hrs 60 months	No trade offered	\$430,021.60

- Westrac offered autolube as optional for \$15,251.16
- Komatsu didn't offer autolube
- AFGRI didn't offer autolube

Only one outright sale price was received:

Company	2016 John Deere Grader (ex GST)
Smith Broughton	\$127,272.73

All brands of machines offered are fit for purpose and used within local governments settings.

Services that Westrac provide,

- **Asset tracking:** Remotely monitored equipment location across multiple sites and pinpoint opportunities to improve scheduling, identify under-utilization and plan maintenance when it's convenient.
- **Fleet Management:** Monthly summary of asset fault codes, run time, fuel burn and idle time. Compare your averages to similar assets in the region to spot operational issues and fix them.

- Equipment inspections: Maximize uptime by having Westrac conduct regular assessments of key components and systems. Expert recommendations to increase availability and reduce costs.
- S•O•SSM fluid analyst: Know what's happening inside any machine in your fleet so you can take proactive steps to prevent failures, reduce downtime and maintain production.
- Condition monitoring: Bring asset data together, fluid analysis, inspection results and more for a full picture of fleet health. Get proactive alerts and expert recommendations when an asset needs attention.
- Maintenance and repair execution: Get all planned maintenance services and planned component repairs at a fixed cost for the life of your covered equipment, so council can better manage budgets and schedules.

### Statutory Environment

Local Government Act 1995 3.57 – tenders for providing goods or services  
Local Government (Functions & General) Regulations 1996, section 11

### Strategic Implications

Asset Management Practices  
Strategic Community Plan  
2.5 Safety and quality of transport networks are maintained and improved  
2.5.1 Continue to maintain and upgrade our road network

### Policy Implications

Finance Policy 3.5 Purchasing and Tendering  
Local Government (Functions and General) Regulations 1996

### Financial Implications

The 2024/2025 budget makes provision of \$450,000 to purchase one new grader and allows \$80,000 trade of the 2016 John Deere Grader for a total changeover of \$370,000

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People			
Financial Impact	Major components are end of production life. Unbudgeted major component rebuilds	2	Replacing the 2016 John Deere grader will reduce the risk of rebuilding major components. New

	could impact the budget.		grader has 6,000 hours or 60 months warranty.
<b>Service Interruption</b>	Major components are end of production life. Extended downtime if any major component failures	2	Replacing the 2016 John Deere grader will reduce the risk of extended downtime from major component failure.
<b>Compliance</b>	Nil		Nil
<b>Reputational</b>	Nil		Nil
<b>Property</b>	Nil		Nil
<b>Environment</b>	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

131/2024

*Moved Cr Guerini/Seconded Cr Close*

*That, by Absolute Majority in accordance Local Government Act 1995 and Local Government (Functions and General) Regulations 1996, Council:*

- (1) Accepts the tender price from Westrac of \$463,150 for the purchase of one new Caterpillar 140-14A 2D grader (excluding GST); and*
- (2) Accepts the trade price from Westrac for \$125,500 (excluding GST); and*
- (3) Endorses the purchase of the optional autolube system for \$15,251.16; and*
- (4) Note the total changeover price of \$352,901.16*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

## 9.3 Reporting Officer – Executive Manager Infrastructure

### 9.3.3 Plant Replacement Unbudgeted Expenditure Side Tippers

#### File Reference

**Disclosure of Interest**

Nil

**Voting Requirements**

Absolute Majority

**Author**

Glen Brigg – Executive Manager Infrastructure

**Attachments**

Nil

#### Purpose of Report

Council to consider \$250,000 of unbudgeted expenditure using Plant Reserve funds to purchase used side tippers.

#### Background

In the past Council has operated with one prime mover and two tandem axle trailers. These units are primarily used in road train configuration. Normal practice has been to engage gravel hauling contractors as needed. Over the last few years contractors have been difficult to hire due to increased mining activities. During harvest periods local contractors are not available for the Shire. In the past, staff have completed projects with one road train (our own). Staff tendered for a panel of contractors to attract a pool of haulage contractors. The tender failed to attract any gravel hauling trucks.

There is a 20% reduction in road works during the harvest season as local contractors are unavailable. Council agreed to convert the 8x4 Macks (2) into side tippers to match the quad axle trailers already within the fleet. This helps reduce any lost productivity during harvest. These changes will increase the Shire's gravel hauling capabilities, from 32m<sup>3</sup> per hour to 56m<sup>3</sup> per hour (average). These changes will help reduce the downtime to construction crews during the harvest period. Even though this is a significant increase to productivity, there is still a shortfall in the gravel needed for proactive asset management.

#### Comment

Staff reviewed a number of options to meet the challenges. A new prime mover and quad axle dog will cost in excess of \$600,000. A new prime mover with two triaxle trailers will cost over \$800,000.

Staff searched the internet for second hand truck and trailer combinations. There are a number of used trucks and side tippers available. While considering the options of buying second hand combination, staff reconsidered the disposal of Freightliner because of the low trade and outright sale offers of \$52,000.

The Freightliner prime mover has travelled 340,000km. The workshop received quotes to repair a major engine oil leak and other problems to bring the truck back to good operating condition. The repair estimates are \$30,000 and staff will continue to seek cheaper quotes. Good quality used trucks are being advertised from \$200,000 to \$250,000, with half a million kms already travelled.



Considering all options, staff are recommending a low cost solution to meet the Shire's asset renewal needs. Council can retain the Freightliner, complete the necessary repairs to bring the truck back to good working condition.

Purchase a used trailer combination staying within the 65 tonnes rating of the Freightliner. There are a number of separate trailer options for sale across Australia (A Trailers and B Trailers). There are very few matching B Double combinations, currently for sale.

The extra truck and trailer combination within the fleet will provide the continuous productivity needed to exceed the gravel haulage requirements each year. Council can utilise the Plant Reserve to purchase used tipping trailers.

**Plant Reserve (Description):** to be used for the purchase of major plant.

- Current Balance 30<sup>th</sup> September 2024: \$1,080,654.56

**Heavy Vehicle Road Improvement Contribution Reserve (Description):** to provide adequate disclosure of funds received under the HVRIC and the relevant road funds are expended on:

- Current Balance 30<sup>th</sup> September 2024: \$1,777,995.59

**Example of side tipping combinations available**



📷 35

⊕ Compare

♡ Save

**2018 MICK MURRAY B-  
double Sidetipper**

**\$220,000\***  
Excl. Govt. Charges



## Statutory Environment

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

Local Government Act 1995 3.57 – tenders for providing goods or services and the Local Government (functions & general) Regulations, section 11A

## Strategic Implications

Asset Management Practices

Strategic Community Plan

2.5 Safety and quality of transport networks are maintained and improved

2.5.1 Continue to maintain and upgrade our road network

## Policy Implications

Finance Policy 3.5 Purchasing and Tendering

Local Government (Functions and General) Regulations 1996

## Financial Implications

The 2024/2025 plant repair budget doesn't make provisions for major repairs to heavy plant. Any shortfall in the plant repair budget will be identified during the budget review process.

The purchase of used side tipping trailers for the Freightliner is not included in the 2024/2025 budget. The unbudgeted expenditure is not expected to impact the overall 2024/2025 budget, utilising funds from the Plant Reserve.

Any new plant purchases will be taken up in the Asset Management Plan and will be added to the plant replacement program.

## Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	The purchase of used side tipping trailers is not included in the 2024/2025 budget. Major repairs to the Freightliner may have a significant	Low (2)	Utilising the plant reserve to purchase used side tipping trailers will not impact on the 2024/2025 budget. Any shortfall to the plant repair budget will be

	impact on the plant repair budget.		identified during the budget review.
<b>Service Interruption</b>	Lack of trucking ability impacts overall road construction	Low (2)	Increased ability to haul gravel all year will help complete road construction programs without relying on contractors.
<b>Compliance</b>	Nil	Nil	Nil
<b>Reputational</b>	Nil	Nil	Nil
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	Nil	Nil	Nil

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

### Officer Recommendation

132/2024

*Moved Cr Close/Seconded Cr Guerini*

*That by Absolute Majority in accordance Local Government Act 1995 - 6.8. Expenditure from municipal fund not included in annual budget, Council authorises the following budget amendments:*

- *\$250,000 transferred from the Plant Reserve account, for the purpose of purchasing used side tipping trailers, suited for the Freightliner Prime Mover.*

**CARRIED (6/0)**

*Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose*

*Cr's Against: Nil*

### 9.3 Reporting Officer – Executive Manager Infrastructure

#### 9.3.4 Unbudgeted Expenditure to Purchase One New Light Tip Truck

##### File Reference

**Disclosure of Interest**

Nil

**Voting Requirements**

Absolute Majority

**Author**

Glen Brigg – Executive Manager Infrastructure

**Attachments**

Nil

##### Purpose of Report

Council to consider unbudgeted expenditure to purchase a light tip truck for Parks and Gardens.

##### Background

Works staff have set an ambitious construction and maintenance program for buildings within the 2024/2025 financial year. Traditionally, contractors are difficult to engaged due to our location and the high demand for all types of tradesmen across the state. When contractors are engaged, they usually come at a high cost to council.

In September 2024 senior staff advertised for a qualified builder to join the works team. Employing a full-time builder reduces the reliance on contractors from outside the region. The Shire received one application from a local builder who has since been employed by the Shire of Yilgarn. The light vehicle fleet made provisions to cover all areas of works prior to employing the extra full-time builder.

##### Comment

Parks and gardens team have identified challenges working with standard tray back utilities within their operation. Manual handling incidents have increased across the Parks and Gardens team, these injuries have developed into medium term rehabilitation.

The Parks and Gardens team have identified, through Workplace Health and Safety toolbox meetings and assessments to reduce the risk of manual handling injuries, a small tipping truck be added to the light fleet to help with their day to day activities. This will reduce the manual unloading tasks currently undertaken. The purchase of a light tipper can resolve two issues with one vehicle. The introduction of a light tipper would free up a standard 4x2 utility currently used in Parks and Gardens. This vehicle can then be assigned to the building team to be utilised by the new builder.

The cost of running an extra vehicle within the light fleet will not impact to the overall operation. Operating expenses of the new vehicle, will be offset by a reduction in contractor charges. Having the second vehicle within building maintenance will improve productivity as minor building maintenance can be split between builders with their own transport.

The purchase of the new light tip truck is expected to cost \$65,000. This can be funded from savings to the current 2024/2025 plant replacement program.

The current surplus to the 2024/2025 Plant replacement.

<b>Plant Replacement</b>	<b>Budget Allocation</b>	<b>Budget Trade</b>	<b>Actual Purchase</b>	<b>Actual Trade</b>	<b>Surplus</b>
John Deere Grader	\$450,000	\$80,000	\$478,401.16 (Includes auto grease)	\$125,500	\$17,098.84
Freightliner Prime Mover	\$415,000	\$65,000	\$449,200	Nil	-\$34,200
Side tipping body for Mack Truck	\$100,000	Nil	Body, included in price of the new Mack	Nil	\$100,000
Toyota Landcruiser	\$90,000	\$70,000	\$71,376.17	\$63,636.40	\$12,260.23
Parks and Gardens (medium tip truck)	\$210,000	\$40,000	\$102,455.09	\$45,454.54	\$102,999.45
Van (Caravan Park)	\$65,000	26,000	\$46,260	\$15,454.55	\$8,194.55
Sale surplus multi tyre roller	Unbudgeted	Nil	Nil	\$24,545.45	\$24,545.45
<b>Total Surplus</b>					<b>\$230,898.52</b>

### Statutory Environment

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

Local Government Act 1995 3.57 – tenders for providing goods or services and the Local Government (functions & general) Regulations, section 11A

## Strategic Implications

### Shire of Yilgarn Strategic Community Plan.

#### Shire's Role:

Local governments operate under Statute but also with some discretion.

Delivery of facilities and services.

This role includes services like parks and gardens, roads, footpaths, drainage, recreation and cultural facilities, and events. Most services are based on infrastructure like parks and playgrounds, roads and buildings. Maintenance and renewal of these infrastructure assets is a vital part of Council's service delivery role.

## Policy Implications

Finance Policy 3.5 Purchasing and Tendering  
Local Government (Functions and General) Regulations 1996

## Financial Implications

The purchase of a light tipping truck is not included in the 2024/2025 budget. The unbudgeted expenditure is not expected to impact the overall 2024/2025 budget, when using the savings from within the current plant replacement program.

The new light tipper will be included in the 2024/2025 budget review.

A new vehicle will be taken up in the Asset Management Plan and will be added to the plant replacement program.

## Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Unbudgeted purchase of plant could impact on the overall plant replacement budget.	Low (2)	Purchasing a new light tipper will have no impact to the overall 2024/2025 plant replacement budget using the surpluses from savings from other plant purchases
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil

<b>Reputational</b>	Nil	Nil	Nil
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	Nil	Nil	Nil

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

#### Officer Recommendation

**133/2024**

**Moved Cr Guerini/Seconded Cr Close**

**That, by Absolute Majority in accordance Local Government Act 1995 - 6.8. Expenditure from municipal fund not included in annual budget, Council authorises \$65,000 of expenditure to purchase a new light tip truck for Parks and Gardens, using surplus funds from the current 2024/2025 plant replacement program.**

**CARRIED (6/0)**

**Cr's For:** Della Bosca, Close, Bradford, Guerini, Newbury, Rose

**Cr's Against:** Nil

**10 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Nil

**10 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

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

Nil

**14 CLOSURE**

As there was no further business to discuss, the Shire President declared the meeting closed at 6:31 pm

I, Wayne Della Bosca, confirm the above Minutes of the Meeting held on Thursday, 17 October 2024, are confirmed on Thursday, 21 November 2024 as a true and correct record of the October 2024 Ordinary Meeting of Council.

Cr Wayne Della Bosca  
SHIRE PRESIDENT

**YILGARN HISTORY MUSEUM  
ADVISORY COMMITTEE MEETING MINUTES  
6<sup>th</sup> November, 2024**

**Meeting opened at 3.29pm**

**ATTENDANCE:**

Curator Monica Fairless,  
Jodie Karra &  
Leonie Gethin

**APOLOGIES:**

Nic Warren CEO, Kaye Crafter & Cr Lisa Granich

**MINUTES:**

Minutes from the meeting, 11<sup>th</sup> September, 2024 were handed out and read.

Moved by Monica Fairless and seconded by Leonie Gethin.

Carried

**BUSINESS ARISING:**

- We are still waiting for the bags. Jodie has spoken to Buddy and he is happy to sew once bags have been received.
- The clock was discussed and a decision was made that we would no longer look into having it fixed due to its fragile state. It is to be left in its current condition.

**FINANCIAL REPORT:**

As per tabled item:

Balance for the Council Support Account remaining is: \$6345.73

Museum Income Account Balance is: \$806.68

Museum Reserve Account Balance is: \$33,309.86

Presented by Monica Fairless, moved by Jodie Karra and seconded by Leonie Gethin.

Carried



## **CORRESPONDENCE:**

- 9<sup>th</sup> September 2024– Email forwarded by CEO regarding crosses at Lake Koorkoordine from Professor Glen RE Phillips who contributed to the writing of “Yilgarn, Good Country for Hardy People” book along with the author Lyall Hunt. He was wanting to know if anyone knew who the crosses were for. Email forwarded to Lance who replied with information regarding Charles Hunts Wells as well as Shea & Beadles but no definitive proof of who they are for, only speculation.
- 20<sup>th</sup> September 2024 - Email from Lynette Lockyer requesting information on the grave site of Olive McInnes. Replied with the information found.
- 2<sup>nd</sup> October 2024 – Email from Derek Carew-Hopkins requesting an electronic copy of “Ghost Towns and Hamlets” to forward to ex residents of Bullfinch. Replied that as it is the intellectual property of Lance Stevens this would not be possible.
- 9<sup>th</sup> October 2024 – Email from Tim Law regarding information on a newly erected grave marker for Jack Skinner erected by Office of Australian War Graves. Tim is a descendant of Jack who resided in Bullfinch and he sent a history on Jack for our information.
- 20<sup>th</sup> September and 21<sup>st</sup> October 2024 – Email from Rohan Lamb, an engineer in Melbourne, seeking information about the 5 head stamp in the shed. He was wanting to find out if the battery was manufactured by Thompsons in Castlemaine. A reply was sent with the history we had on it as well as photos and asking if there was a way we could identify that it was. His reply was that there probably were not any easily identifiable markings to confirm.
- 24<sup>th</sup> October 2024 – Email from Lawrie Poole who passed through a few weeks prior and asked if we were interested in some photos he has of his father who played football for Southern Cross when he worked in Mt Palmer in the mid 1930’s. He sent 2 photos to both the Museum and the Southern Cross Football Club and requested any information confirming that uniform the team is wearing is in fact Southern Cross.

- A parcel was received from Dennis Lingane who had previously contacted the museum for information on his wife's family, the Styles family. He has completed his book and sent a copy to the museum to thank us for our help with his research.
- Monthly emails from:  
RWAHS  
Outback Family History  
AMaGA  
Eastern Goldfields Historical Society

### **CURATORS REPORT:**

Presented by Monica Fairless, see attachment.

### **GENERAL BUSINESS:**

- The 2024 Christmas function was discussed. Monica will contact Liz from the Palace Hotel to see what date is available and organise a menu. Invitations will be sent once this have been confirmed.
- Leonie and Jodie bought up the fact that the Blythe Pavilion needs a clean-up. New dusters will be purchased for this purpose.
- Leonie mentioned that there appeared to be water damage to the wall behind the military display. This probably occurred back in June when the veranda leaked during a storm. Monica, Jodie and Leonie all went and had a look and Monica will follow up with Kim to see if the builders can repair it.
- Leonie suggested that while we are getting John Ciabarri to do up the sign for the well, we should also get him to do two more for the shed that houses the tractor donated by Rollie Blair. One stating who donated the tractor and one that states that Cyril and Win Newbury donated the money for the building of the shed. Monica will follow that up with John.
- Leonie bought up the life membership for Lance and Robin Stevens that had been discussed at a previous meeting as she was visiting them shortly and could take it with her. Monica will

do up a certificate and buy a frame to put it in. A write up with photos taken when they receive it will be placed in the following Crosswords to acknowledge publicly how grateful the Museum and everyone that works here are for all their hard work.

The meeting closed at: 4.32pm

Next meeting will be held on the Wednesday 5<sup>th</sup> February 2025 at 3.30pm.

# YILGARN HISTORY MUSEUM FINANCIAL REPORT

For the Period 1st July 2024 to 31st October 2024

## *Museum Council Support Account:*

Opening Balance	7,500.00
LESS: Outstanding Purchase Orders Carried Forward	
Nil	
	<u>7,500.00</u>

Expenditure as at 31st October 2024:

1. Software Upgrades	0.00
2. Subscriptions & Memberships	86.36
3. Furniture & Equipment	792.45
4. Functions & Events	0.00
5. Communications	68.19
6. General	46.27
	<u>993.27</u>

## *Museum Special Projects:*

Nil	0.00
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## *Current Year Purchase Orders Outstanding:*

11275 Aust Museums & Galleries Assoc - Jan-Dec 25 Membership	161.00
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***Balance of Council Support Remaining - Inc Committed PO's*** 6,345.73

## *Museum Income Account:*

Museum General Income	806.68
Donations	0.00
	<u>806.68</u>

## *Museum Reserve Account as at 31st October 2024:*

Opening Balance	32,876.17
Interest Earnt	433.69
Transfer of Income Received to Reserve	0.00
Transfer from Reserve - Committee Approved	0.00
Closing Balance at Report Date	<u><u>33,309.86</u></u>

## Curator's report – 6<sup>th</sup> November 2024

Weeds have been sprayed and whipper-snipped by Tim.

Our new digital camera was ordered and has since arrived – JB Hifi had a sale, so we got our Kodak Pixpro FZ55 for \$226.00 including shipping and handling. As per the majority of feedback, the more expensive model was chosen due to better/more reviews compared to the cheaper model.

Kaye has suggested getting our bottles evaluated to see if we have any rare bottles that may require a more secure display cabinet. Each year there are bottle collectors that come to Southern Cross, we will see if anyone from the group has the ability to value our collection.

I've spoken with Sandy regarding the signs, and once John and Sandy return in early November from Perth, he will come and look at all the signs and provide us with quotes. I have taken photos of the bad sun-damaged signs, so we can work off photos for wording if there is further degradation.

Museums1 have listed our Museum for free in their database of Museums, and will automatically update hours and notices from Facebook. We have claimed it using our [museum@yilgarn.wa.gov.au](mailto:museum@yilgarn.wa.gov.au) email address if we need to make any further changes.

As it's getting closer to Christmas, Kaye and I will need to start organising the Christmas lunch for all Museum volunteers/helpers. The past few years we've gone to the Palace Hotel.

- Did we want to stay with the Palace (if they have availability), or choose somewhere else for 2024?
- Does anyone have any particular weekend that they can suggest (obviously dependent on availability).
- Are we wanting table nibbles, lunch and dessert (or any other ideas for meal options)?

Kaye and I can then organise a meeting with the venue to work out catering options.



# WEROC Inc. CEO Committee Meeting

Monday 21 October 2024

Merredin Shire Council Chambers

## MINUTES

**WEROC | Wheatbelt East Regional Organisation of Councils**

Incorporating the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia, Tammin and Yilgarn

**A** PO Box 5, MECKERING WA 6405

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# WEROC Inc.

## Wheatbelt East Regional Organisation of Councils Inc.

Shires of Bruce Rock, Kellerberrin, Merredin, Tammin, Westonia, Yilgarn

Minutes of the WEROC Inc. CEO Committee Meeting held in Merredin on Monday 21 October 2024.

# MINUTES

## 1. OPENING AND ANNOUNCEMENTS

Mr. Craig Watts as Chair of the WEROC Inc. CEO Committee welcomed members and opened the meeting at 1.05pm.

## 2. RECORD OF ATTENDANCE AND APOLOGIES

### 2.1 Attendance

Mr Mark Furr, CEO Shire of Bruce Rock

Mr Raymond Griffiths, CEO Shire of Kellerberrin

Mr Nic Warren, CEO Shire of Yilgarn

Mr Craig Watts, CEO Shire of Merredin

Ms Rebekah Burges, Executive Officer WEROC Inc.

### 2.2 Apologies

Mr Darren Mollenoyux, Acting CEO Shire of Tammin

Mr Bill Price, CEO Shire of Westonia

### 2.3 Guests

Ms. Caroline Robinson, Director, 150Square (joined the meeting at 1.10pm and left the meeting at 1.40pm)

Mr. Stuart Hobley, CEO Shire of Cunderdin

## 3. DECLARATIONS OF INTEREST

Nil

## 4. PRESENTATIONS

### 4.1 Caroline Robinson, Director, 150Square, 1.00pm

*Attachment 1: Drought Vulnerability Framework*

*Attachment 2: Drought Vulnerability Map*

*Attachment 3: Wheatbelt RDRP Consultation Info*

150Square has been engaged by the Wheatbelt Development Commission to undertake consultation for the development of a Regional Drought Resilience Plan for the Wheatbelt as part of the Regional Drought Resilience Planning (RDRP) program, funded through the Federal Governments Future Drought Fund (FDF).

The drought resilience plan will be regionally led and owned and focus on innovative ways to build regional drought resilience across the region through the agricultural sector and supporting industries (regional economies), communities, landscape and water.



Ms. Caroline Robinson will facilitate a discussion aimed at getting input from WEROC Shires on what the priorities are to ensure our region can effectively prepare for and manage potential future drought.

To help prepare for this discussion, Ms. Robinson has provided some questions that she would like you to consider in advance of the meeting:

- 1) What does an adaptable / resilient region look like?
- 2) What is your Local Government (or the region) doing well in drought resilience, that we should continue to build on in the future?
- 3) What are the gaps that we haven't been able to address to date?
- 4) Have any projects or actions already been identified that need to be funded? Or are there other opportunities?

## **5. MINUTES OF MEETINGS**

**Attachment 4.** *WEROC Inc. CEO Committee Meeting Minutes 11062024*

The Minutes of the previous WEROC Inc. CEO Committee Meeting held in Merredin on Tuesday 11 June 2024, have previously been circulated and are provided again as attachment 4.

**RESOLUTION:**

**Moved:** Mr. Raymond Griffiths

**Seconded:** Mr. Nic Warren

That the Minutes of the WEROC Inc. CEO Committee Meeting held in Merredin on Tuesday 11 June 2024 be confirmed as a true and correct record.

**CARRIED**

## **6. MATTERS FOR DISCUSSION**

### **6.1 Community Benefit Sharing Framework**

**Attachment 5.** *Shire of Bruce Rock Draft Local Planning Policy – Windfarms*

**Attachment 6.** *Shire of Yilgarn Draft Mining, Renewable Energy, Tree and Carbon Farming Social Impact and Wellbeing Policy*

**Attachment 7.** *State Community Benefit Sharing Arrangements*

At the WEROC Inc. Board Meeting held on 11 September 2024, information pertaining to regional community benefit sharing frameworks and funds, was presented and discussed. Key points of the discussion at this meeting are summarised below:

- Tier 4 Local Governments met with the Minister for Local Government and raised this as an issue that should be escalated to the Minister for Energy.
- The Shire of Bruce Rock have developed a local planning policy for wind farms and the Shire of Yilgarn have developed a social impact and wellbeing policy for extractable and renewable energy projects.
- Local Governments are finding it difficult to negotiate with developers because State Government overrule any local policies. These policies are still worth having because they provide a foundation for discussion.
- A planning policy or framework needs to address three key things – community consultation, setbacks (i.e. in terms of proximity to residential properties) and remediation at end of life.
- WAGLA have adopted three advocacy positions on the energy transition, one of which relates specifically to community benefit and local engagement for energy transition projects.

It was resolved that the Executive Officer would speak with WALGA about their work in this space, obtain the policies developed by the Shires of Bruce Rock and Yilgarn and consolidate this information to assist in further discussion.

The Executive Officer met (via videoconference) with Ms. Lisa Harwood, Principal Policy Advisor, Economic Development at WALGA on 3 October 2024. Ms. Harwood advised that WALGA will be hosting a meeting during the WALGA Convention taking place in Perth from 8 to 10 October, to enable Local Governments to share their experiences in dealing with renewable energy project proponents. An overview of the output from their recent Energy Transition Sentiment Survey, will also be presented at this meeting. It is intended that the discussion facilitated through this meeting will help inform WALGA’s ongoing advocacy efforts. Ms. Harwood also advised that WALGA intend to hold a round table with Local Governments, before the end of the year and provided a high level summary of what other community benefit arrangements look like (see attachment 7).

The draft local planning policies prepared by the Shire of Bruce Rock and Yilgarn are provided as an attachment. A summary of the two policies is provided below:

	Bruce Rock	Yilgarn
<b>Purpose</b>	A guide for relevant planning considerations against which a wind farm development application will be assessed.	Require or encourage, as is appropriate, an assessment of the social impacts from mining, renewable energy, tree and carbon farming proposals within the Shire of Yilgarn, and to require a meaningful contribution to the local community commensurate with scale and impact of operations.
<b>Scope</b>	Wind farms	Renewable Energy Facility, Tree Farm or mining project
<b>Specifications</b>	<ul style="list-style-type: none"> <li>● <b>Consultation</b> – proponents are expected to actively engage with the community prior to lodgement of a DA to identify and address public concerns. It is also expected that other relevant stakeholders (e.g. the Shire) be consulted.</li> <li>● <b>Environmental impact</b> – applications should be accompanied by an Environmental Impact Survey of the proposed site inclusive of a decommissioning plan for the wind farm at the end of life.</li> <li>● <b>Visual and Landscape Impact</b> – A visual and landscape impact assessment must be supplied, and windfarms must be designed, sited and operated in a manner that minimised the impacts. This item includes specifications for setbacks.</li> <li>● <b>Noise Impact</b> – a noise impact assessment must be completed and include a noise impact mitigation plan.</li> <li>● <b>Other potential impacts</b> – the impact on nearby property owners, road users</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Social Impact</b> – Development applications for a renewable energy facility or tree farm must be accompanied by a social impact assessment that gives consideration to impacts on way of life, culture, population, environment, health and well-being, personal and property rights, profit benefits, and fears and aspirations of the community.</li> <li>● <b>Management Strategies</b> - The proponent in consultation with community and other stakeholders must develop and document social impact mitigation and benefit enhancement measures. These measures may include contributions to community infrastructure, housing, health care facilities, and cultural projects.</li> <li>● <b>Community Wellbeing</b> – proponents are expected to contribute to the community in a manner that is commensurate with the scale of their activities in the area.</li> </ul>

and use of adjacent land should be addressed in the design.

- **Traffic Management, roads and public infrastructure** – Proponents should prepare a pre-development report on the condition of all local roads and infrastructure which may be affected by the construction and operation of the wind farm.
  - **Decommissioning program** – Proponents should prepare a decommissioning plan for the removal of wind turbines and rehabilitation of the land.
- 

With the above information considered the CEO's may like to discuss what, if any, action needs to be taken at this point in time.

**Comments from the meeting:**

- Mr. Raymond Griffiths provided an overview of the discussion facilitated by WALGA during the Local Government convention and noted some case studies that were presented as examples of where Councils had negotiated community benefit schemes both successfully and unsuccessfully.
- Mr. Nic Warren noted that if developments occur on land where, under local planning schemes, the activity is a permitted use there is very little that Local Governments can do.
- The Executive Officer advised that Ms. Lisa Harwood from WALGA has indicated that WALGA are intending to hold a Local Government forum in November to discuss community benefit frameworks in more detail. WALGA are also exploring what a framework could look like if they were to get someone in to assist in preparing it.
- It was suggested that Ms. Harwood be asked to clarify what timeframe WALGA are working toward to complete their investigations.
- The Executive Officer will email WEROC CEOs with a request to provide detail of any existing provisions within local planning schemes that relate to renewables.
- WEROC will request that the Great Eastern Country Zone provide an update on their work in this space to the larger group of Councils.

## **6.2 HR/IR Project**

HR Cornerstone have consulted with all Shire's and are in the process of developing a suite of policy documents that will be consistent but account for specific requirements for each Shire. They are also in the process of preparing a suite of contract templates.

This is included for noting but also open to discussion if there are any matters in relation to this project that need to be raised.

**Comments from the meeting:**

- Mr. Raymond Griffiths noted that the Shire of Cunderdin have been approached about becoming a member of WEROC and questioned if they were to become a member, could they be added to this project.
- If the Shire of Cunderdin do decide to submit an application for membership to WEROC, HR Cornerstone will be contacted to ask for a price to add the Shire of Cunderdin to the project.

### 6.3 Housing

#### **Attachment 8. Quote - WEROC Housing Project Business Case**

As discussed at the last WEROC Board meeting, the State Government announced in early September that the eligibility for the \$50 million in grants available under a Call for Submissions process for registered community housing providers to help increase the supply and diversity of new and refurbished social housing projects in regional WA, has been expanded to include local governments.

It was decided that a quote would be sourced from Whitney Consulting to update the business case for a joint housing project, that was previously prepared for a growing regions application and to get their assistance in preparing a submission. The intent expressed at the last Board meeting was for the three WEROC Shires not included in the original business case to take the quote to their October Ordinary Council Meetings for a decision on whether they want to buy-in to the process. A quote from Whitney Consulting was forwarded to WEROC CEOs on 25 September and is attached again for your reference.

In addition to the work to update the business case, an indicative cost for preparing the submission has also been provided and it will be approximately \$7,000 ex. GST.

It was also decided at the last Board meeting that the three NEWROC Shires that were included in the original business case and the Shire of Cunderdin, would be given the option of joining the submission. The Shires have been contacted and all have indicated an interest in being included but require further information to take to their Councils. For example, it has been asked what percent of the capital cost the Shire's would be expected to contribute and the proposed timeline for delivery of the housing projects.

Mr. Alex Mackenzie from the Wheatbelt Development Commission has, or will be meeting, with all WEROC Shires to discuss their proposed approach to a workforce housing investigation. Mr. Mackenzie is aware of WEROC's discussions around a submission to the Department of Communities housing funding and has expressed an opinion that in addition to updating the business case, the Shires need to complete feasibility testing and development capacity assessment work in order to present competitively for this funding.

Discussion is required to determine if a submission to the Department of Communities should be progressed and what shape this will take.

#### **Comments from the meeting:**

- Mr. Alex Mackenzie from the Wheatbelt Development Commission has met with most WEROC Shires and has reiterated that the additional feasibility testing, and development capacity assessment work is required because this is the detail that is missing from the existing business case. The cost of this work will be approximately \$10,000 per Shire.
- It was determined that the WEROC CEO Committee would make a recommendation to the WEROC board that the proposal from the Wheatbelt Development Commission be approved and that WEROC cover half the costs and individual Councils will cover the remainder.

### 6.4 ERP Solution

Detailed software demonstrations will have been delivered by both Datacom and Ready Tech to most Shires, by the time of this meeting. The Consolidated Services Project meeting has also taken place so it may be an opportune time to discuss next steps.

#### **Comments from the meeting:**

- Mr. Raymond Griffiths provided an overview of the Consolidated Services Project meeting that took place during the Local Government Convention. Essentially the model being proposed involves sourcing the best module for each function rather than committing to a single ERP provider.
- Concerns were raised over the integration of modules if they are being sourced from different providers.

- Based on the demonstrations that have been delivered to date, there is no clear preferred product. Shires would really like a test environment provided so that they can experience the systems firsthand. The Executive Officer will write to Datacom and Ready Tech and request that they provide access to a test environment and make a note that other options are still being explored.

## **7. OTHER MATTERS FOR NOTING**

### **7.1 McCusker Centre Interns**

As per discussion at the last WEROC Board meeting, a scope of works for a tourism project and continuation of the public health planning project commenced by the previous interns, was submitted for consideration for the McCusker Centre summer internship round.

Students have now been matched to both projects. It is anticipated that the placement will commence on 11 November and the first week will be completed remotely from Perth. The students will then travel out to Merredin and spend two weeks in the region from 18 to 29 November. The next WEROC Board meeting is on 28 November, and it is expected that the students will present their project findings at this meeting.

It would be preferable for these students to get out and about a bit more than the previous interns. Suggestions for activities, meetings or events that the interns can participate in during their time in the region would be appreciated.

#### **Comments from the meeting:**

- The Shire of Yilgarn have a Council meeting on 21 November that the interns are welcome to attend.
- CEOs to advise of any other activities or events that the students might be able to participate in during their time in the region.

### **7.2 Wheatbelt Medical Student Immersion Program 2025**

Planning for the Wheatbelt Medical Student Immersion Program for 2025 has commenced. I have been asked to confirm that WEROC Shires are happy to provide in-kind support for 2025. The Rural Clinical School is no longer able to provide financial support to the program so the in-kind contributions from the WEROC Shires will be particularly important going forward. The dates for next year's program will be Tuesday 11 March to Friday 14 March. It is expected that there will be 105 – 110 students participating.

As there are a couple of new CEOs in the group, it might be worthwhile those who are familiar with the program providing an overview of what is involved from a Shire perspective.

#### **Comments from the meeting:**

- All Shires are happy to support the program again in 2025.

## **8. FUTURE MEETINGS**

The final WEROC Inc. Board meeting for 2024 will take place in Tammin on Thursday 28 November 2024. There are no further scheduled meetings of the WEROC Inc. CEO Committee at this time.

## **9. CLOSURE**

There being no further business the Chair closed the meeting at 3.19pm.



## **Minutes of the CEACA Executive Committee Meeting held via MS Teams on Monday, 14th October 2024 at 10.00am at Garden Office Park**

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### **ATTENDEES**

Terry Waldron - CEACA Chairperson, Richard Marshall - CEACA Executive Officer (EO), Raymond Griffiths - Shire of Kellerberrin, Holly Cusack – Shire of Narembeen, Mischa Stratford – Shire of Wyalkatchem and Nic Warren – Shire of Yilgarn. Minute Taker: Jo Trachy - CEACA Operations Manager (OM).

### **1.1 APOLOGIES**

Gary Shadbolt – Shire of Mukinbudin.

### **1.2 WELCOME**

The Chairperson opened the meeting at 10.00am, welcomed attendees.

### **1.3 PREVIOUS MINUTES**

The Minutes of the CEACA Executive Committee meeting held on 8<sup>th</sup> April 2024 were approved.

## **2.0 MATTERS FOR DISCUSSION**

### **2.1 Planning Model – Management of Shire Owned Units (Attachment 2)**

EO commented as follows:

1. The report indicates responsibilities for both the Managing Agent (Elders) who manage compliance and the CEACA Operations Manager who manages the day-to-day operations.
2. The model assumes that the assets would be owned by the shire, not CEACA.
3. The difference is that at present, CEACA collects rent and they manage their own revenue and expenses, but under this model, the revenue and expenses would remain with the shire.
4. CEACA would have to conduct due diligence on the existing shire properties prior to entering into an agreement and this would incur a one-off fee. This work would include items such as a review of maintenance, condition of properties, property plans. We would also conduct a mechanical inspection of all equipment (eg. ovens, air-conditioners). In addition to this one-off fee, a monthly fee would be charged for ongoing management.
5. The Managing Agent (Elders) would have to conduct initial Property Condition Reports, review leases, enter property and tenant details on to their online system. An initial fee would be charged for this service as well as an ongoing monthly fee for managing the properties to ensure compliance with the RTA.

General discussion ensued.

It was noted that different ownership structures exist in different Shires. CEACA would need to be aware of the various ownership structures, to develop an appropriate model. It was agreed that Management would ascertain the various ownership structures from those Shires which have an interest in their accommodation being managed by CEACA.

### **2.2 Community Housing Provider Draft Response to Draft Determination Report (Attachment 3)**

The Chairperson advised he had spoken to Claire Comrie, Chief of Staff from the Minister's office regarding the delays with the registration process and Claire had subsequently contacted the Department of Communities.

A draft Determination Report was received from the Department of Communities on October 1. CEACA responded with a draft response on October 7 and advised that the final response would be submitted after the Executive Committee meeting on 14 October. The Department advised on October 8 that CEACA's application had been successful, and the Certificate of Registration was issued on October 11. It is understood that the Department wanted to resolve the issue promptly as the Registrar was going on extended leave on 15 October.

The Chairperson had advised Claire that CEACA had concerns with regards to some stipulations of social housing and Claire responded that there may be flexibility. The Chairperson advised that CEACA would need to be sure of what is expected prior to entering into a funding agreement.

The EO advised that registration gives CEACA a higher status than previous. Some recommendations that the Department have provided as part of the registration include updates to some policies. The suggested changes will be discussed at the Management Committee meeting to be held in February 2025.

The only contentious item to note relates to rent setting, as social housing uses a different mechanism for calculating rents. In terms of CEACA's 71 existing units, our rent setting model will remain the same unless the Management Committee wishes to change it, but social housing must be set as per the Department's policy, which is 25% of household income + Commonwealth Rent Assistance (CRA). That number may be higher than what CEACA currently charges. The new rent setting policy would be divided into 'existing' and 'future' housing. With funding submissions, CEACA will apply for funding to run them on the existing model, as it is successful, fair and reasonable. If the Department rejects this request, CEACA may only be successful with obtaining funding for social housing (Band A), at which time the Management Committee would need to decide whether to proceed with the project.

Raymond Griffiths thanked the EO and OM for their work on this project. The Chairperson acknowledged that a significant amount of work had been conducted to get CEACA to this position and the result was a great one, particularly in relation to improving governance for CEACA.

### **3. GENERAL BUSINESS**

The Chairperson, on behalf of a CEACA Member not present, asked the Executive Committee to give some thought to the potential future sale of units in non-Member shires, Koorda and Nungarin. To be discussed at a future meeting of the Management Committee.

### **4. NEXT MEETING**

A date for the next Executive Committee meeting will be set in due course.

### **5. MEETING CLOSURE**

There being no further business, the meeting was closed at 10.42am.

#### **DECLARATION**

The Central East Accommodation & Care Alliance Inc Chairperson confirmed these Minutes at the meeting held on

\_\_\_\_\_.

Signed \_\_\_\_\_.



**CEACA**

Supporting Wheatbelt Communities

**MINUTES OF CENTRAL EAST ACCOMMODATION & CARE ALLIANCE INC. ANNUAL GENERAL MEETING HELD ON MONDAY, 4 NOVEMBER 2024 AT THE KELLERBERRIN RECREATION & LEISURE CENTRE, LOT 260 CONNELLY STREET, KELLERBERRIN**

**1. Opening, Attendance and Apologies**

The Chairperson opened the meeting at 11.30am and welcomed all in attendance.

**Attendees**

Terry Waldron - Chairperson, Richard Marshall - Executive Officer (EO), Jo Trachy - Operations Manager (OM), Stephen Strange & Mark Furr - Shire of Bruce Rock, Manisha Barthakur & Robert Trepp – Shire of Dowerin, Monica Gardiner - Shire of Kellerberrin, Tony Sachse - Shire of Mt Marshall, Craig Watts & Bradley Anderson - Shire of Merredin, Gary Shadbolt & Tanika McLennan - Shire of Mukinbudin, Holly Cusack & Rebecca McCall - Shire of Narembeen, Bill Price - Shire of Westonia, Mischa Stratford - Shire of Wyalkatchem, Nic Warren & Wayne Della Bosca - Shire of Yilgarn.

**Apologies**

Natalie Ness – Shire of Quairading, Sabine Taylor – Shire of Wyalkatchem, Raymond Griffiths – Shire of Kellerberrin, Ben McKay – Shire of Mt Marshall, Ross Della-Bosca – Shire of Westonia.

**2. Declaration of Quorum**

It was agreed that there was a quorum at the meeting.

**3. Confirmation of the Minutes from CEACA 2023 AGM**

The Minutes from the Annual General Meeting of CEACA Inc held on Monday, 6 November 2023 were circulated prior to the meeting.

**RESOLUTION**

It was agreed by all Members that the Minutes from the CEACA Annual General Meeting held on Monday, 6 November 2023 be confirmed as a true and accurate record of the proceedings.

**4. Confirmation of the Minutes from CEACA Special General Meeting 19 February 2024**

The Minutes from the Special General Meeting held on 19 February 2024 were circulated prior to the meeting.

**RESOLUTION**

It was agreed by all Members that the Minutes from the CEACA Special General Meeting held on 19 February 2024 be confirmed as a true and accurate record of the proceedings.

**5. Confirmation of the CEACA Members Meeting 30 September 2024**

The Minutes from the CEACA Members Meeting held on 30 September 2024 were circulated prior to the meeting.

**RESOLUTION**

It was agreed by all Members that the Minutes from the CEACA Members Meeting held on 30 September 2024 be confirmed as a true and accurate record of the proceedings.



## 6. Presentation of Financial Statements to 30 June 2024

**Reporting Officer:** Richard Marshall, CEACA Executive Officer

The CEACA Financial Statements for the year ended 30 June 2024 were distributed to all attendees prior to the meeting. The EO summarised the Financial Statements. There were no queries relating to the Financial Statements.

## 7. Presentation of Auditor's Report

**Reporting Officer:** Richard Marshall, CEACA Executive Officer

CEACA Members noted the unqualified audit report from the Auditor, which had been circulated to all members prior to the meeting. There were no queries relating to the audit report.

## 8. Chairperson's Report

The Chairperson presented his report.

### Chairpersons Report

It has been a strong last twelve months for CEACA, which sees our organisation in a sound financial position, with major defects completed on our properties, near one hundred percent occupancy rates and our residents being generally very happy in their homes.

The recent gaining of our registered Community Housing Provider status is a really important step for us, as it now puts us in a much stronger position to gain State and Federal funding, both now and on future occasions. It has also greatly improved our governance structures, which is very important as we move forward and grow.

Our Executive Officer, Richard Marshall and I recently met with the State Government to update them on CEACA's operations and to formally seek funding for a further 54 units. We also discussed the importance of our Allocations Matrix for selecting our residents and we are confident that they will allow flexibility, should we receive our funding. They are also assisting us as we seek Federal Government funding via the next round of the Federal Housing Fund (HAFF) due for release soon.

We would hope to know the outcome of our State funding by April 2025. We also recently visited Modular Homes WA to look at their products and discussed in some detail with them our requirements. They were quite impressive and have supplied homes across WA, including to quite a few local Governments. Of course, we have also been working with Evoke Living in Northam, who likewise are impressive and of course based in our region.

We are also currently having initial discussions with the Shire of Merredin regarding the possibility of the future management of their Merrittville housing.

We have recently overseen the sale of our two units in Kununoppin to a private purchaser, which is a good result for CEACA.

The issue of the future of our units in Koorda and Nungarin has been raised and this is an issue the Management Committee should explore and discuss in 2025.

If we are successful with our funding applications and proceed to construct another 54 units across our region, there will be, as we grow, a need to look at our staffing structure to ensure we continue to steer and expand CEACA on a professional and successful course into the future.

It has been terrific to welcome aboard new Shires – Narembeen as a full member and Dowerin and Quairading as Associate Members. Their addition, involvement and input to CEACA only strengthens our organisation.

I wish to pay special recognition to Richard and Jo for their great work and persistence in gaining our Community Housing Provider registration. This was a long and arduous process and really did involve them both in long hours and a lot of work. I also thank them both for their ongoing great work for CEACA and the professional and friendly way they both go about it.

I also sincerely thank my Deputy Chair, Gary Shadbolt, for his great support, input and his knowledge of the early years is really important to us.

To you all on the Management Committee and Executive Committee, a really big thank you from myself, Richard and Jo. We really do appreciate your time, commitment and your vital local knowledge and input which has guided CEACA over the years and is the very reason it has been successful.

I wish to thank Elders who have been and continue to be great partners for us and likewise our Auditors, AMD.

I would also like to thank Minister John Carey and his office staff in particular Claire Comrie, his Chief of Staff, for their meetings with us and their overall support of CEACA and their guidance, along with the people we have worked with at the department.

It has been a strong twelve months, and I look forward with excitement and optimism as we head into 2025.

## **9. Treasurer's Report**

The EO referred to the earlier reports on the Financial Statements and the auditor's report.

## **10. Appointment of Officers**

Clause 10.2 of the Central East Accommodation & Care Alliance Inc (CEACA) Constitution provides that the Office Bearers of CEACA are the Chairperson, Deputy Chairperson, Secretary and Treasurer.

Nominations were invited via email on 7<sup>th</sup> October 2024 for the election of the following:

- **Deputy Chairperson**
- **Secretary**
- **Treasurer**
- **One Ordinary Member**

Nominations closed at 5.00pm WST on 28th October 2024. At the close of nominations, the following nominations had been received:

### **DEPUTY CHAIRPERSON**

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One nomination received - Gary Shadbolt (Shire of Mukinbudin).

### **RESOLUTION**

---

It was resolved by the Committee that Gary Shadbolt be appointed as the Central East Accommodation & Care Alliance Inc Deputy Chairperson for until the 2025 Annual General Meeting.

### **SECRETARY**

---

One nomination received - Mischa Stratford (Shire of Wyalkatchem).

### **RESOLUTION**

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It was resolved by the Committee that Mischa Stratford be appointed as the Central East Accommodation & Care Alliance Secretary until the 2025 Annual General Meeting.

It was acknowledged that the duties of the Secretary may be delegated to CEACA Management team whenever required.

### **TREASURER**

---

One nomination received – Holly Cusack (Shire of Narembeen).

### **RESOLUTION**

---

It was resolved by the Committee that Holy Cusack be appointed as the Central East Accommodation & Care Alliance Inc Treasurer for until the 2025 Annual General Meeting.

It was acknowledged that the duties of the Treasurer may be delegated to CEACA management team whenever required.

**CEACA MEMBER REPRESENTATIVES**

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In accordance with Item 6.3 of the CEACA Inc Constitution, it was agreed that the persons listed below have been elected by the Members to be their representatives until the next AGM:

- Stephen Strange - Shire of Bruce Rock
- Monica Gardiner - Shire of Kellerberrin
- Tony Sachse - Shire of Mt Marshall
- Bradley Anderson - Shire of Merredin
- Gary Shadbolt - Shire of Mukinbudin
- Holly Cusack – Shire of Narembeen
- Ross Della-Bosca - Shire of Westonia
- Mischa Stratford - Shire of Wyalkatchem
- Wayne Della Bosca - Shire of Yilgarn.

**11. General Business**

There was no general business to discuss.

**12. Meeting Closure**

There being no further business, the meeting was declared closed at 11.41am.

**DECLARATION**

These minutes were confirmed by the Central East Accommodation & Care Alliance Inc at the Annual General Meeting held on \_\_\_\_\_ 202\_.

Signed \_\_\_\_\_

Person presiding at the meeting at which these minutes were confirmed.

**MINUTES OF CENTRAL EAST ACCOMMODATION & CARE ALLIANCE INC MANAGEMENT COMMITTEE MEETING HELD AT 10.00AM ON MONDAY, 4 NOVEMBER 2024 AT THE KELLERBERRIN & DISTRICTS CLUB, LOT 260 CONNELLY STREET, KELLERBERRIN**

**1. MEETING OPENING**

The Chairperson opened the meeting at 10.07am and welcomed Manisha Barthakur (CEO, Shire of Dowerin), Mark Furr (CEO, Shire of Bruce Rock) and Robert Trepp (President, Shire of Dowerin) who are attending for the first time.

**2. MEETING MATTERS**

**2.1 Record of Attendance and Apologies**

**Attendance**

Terry Waldron - Chairperson, Richard Marshall - CEACA Executive Officer, Jo Trachy - CEACA Operations Manager, Mark Furr & Stephen Strange - Shire of Bruce Rock, Manisha Barthakur & Robert Trepp – Shire of Dowerin, Raymond Griffiths & Monica Gardener - Shire of Kellerberrin, Tony Sachse - Shire of Mt Marshall, Craig Watts & Bradley Anderson – Shire of Merredin, Gary Shadbolt & Tanika McLennan - Shire of Mukinbudin, Rebecca McCall & Holly Cusack - Shire of Narembeen, Bill Price - Shire of Westonia, Mischa Stratford - Shire of Wyalkatchem, Nic Warren & Wayne Della-Bosca - Shire of Yilgarn.

**Apologies**

Natalie Ness – Shire of Quairading, Sabine Taylor – Shire of Wyalkatchem, Ben McKay – Shire of Mt Marshall, Ross Della Bosca – Shire of Westonia

**2.2 Declaration of Quorum**

The Chairperson advised that the quorum for the meeting was met.

**2.3 Conflicts of Interest**

There were no declarations of conflicts of interest.

**2.4 Minutes of the Management Committee Meeting – 26 August 2024**

**RESOLUTION**

It was resolved that the Minutes of the Management Committee meeting held on the 26 August 2024 be accepted as a true and accurate record of proceedings.

**2.5 Minutes of the Management Committee Meeting – 30 September 2024 (via TEAMS)**

**RESOLUTION**

It was resolved that the Minutes of the Management Committee meeting held on the 30 September 2024 be accepted as a true and accurate record of proceedings.

**2.6 Minutes of the Executive Committee Meeting – 14 October 2024 (via TEAMS)**

**RESOLUTION**

The Minutes of the Executive Committee meeting held on 14<sup>th</sup> October 2024 were noted.

**2.7 Matters Arising / Action Items**

The EO referred to Rent Reviews and advised that although CEACA instructed Elders to increase all rents from 1/7/2024, it has not been possible to do that as the *Residential Tenancies Act* states that rents can only be increased once every 12 months. As such, individual rents are increased upon the 12-month anniversary of their last increase.

### **3. MATTERS FOR DECISION**

#### **3.1 Appointment of CEACA Chairperson**

Terry Waldron recused himself from the meeting.

The Deputy Chairperson asked for nominations for Chairperson until the 2025 Annual General Meeting. Stephen Strange (Shire of Bruce Rock) nominated Terry Waldron and this was seconded by Wayne Della Bosca (Shire of Yilgarn).

#### **RESOLUTION**

It was agreed by the Management Committee to elect Terry Waldron as the CEACA Independent Chairperson until the 2025 Annual General Meeting.

#### **3.2 Executive Committee Members Appointment (Deferred to after AGM)**

This item was deferred until after the AGM. Refer to the end of these minutes.

#### **3.3 Additional Units – Proposed Submission for State Government Funding**

The EO advised that CEACA are applying for 54 independent living units (ILU) and the breakdown of this number by shire can be found in the meeting papers. Since last meeting, two ILU's have been added to Quairading and two deducted from Mukinbudin. CEACA had submitted their funding application 12 months ago and were advised that to apply to be registered as a Community Housing Provider (CHP). CEACA commenced the CHP application process in February and were granted registration in October. CEACA EO and OM are working on a new funding submission which will be submitted upon receipt of updated pricing from Modular Homes and Evoke Living. Both builders have been asked to provide a quote for turnkey solution ie. ready for tenants to move in.

The Chairperson and EO had met with State Government and discussed whether funding could be provided based on the existing CEACA model and were advised this may be possible. The Chairperson advised that the State Government is happy to support CEACA's Federal funding application.

#### **3.4 Additional Units – Proposed Submission for Federal Government Funding**

The EO advised that Housing Australia is keen to offer funding for additional housing for the regional areas. Their first round is complete, and they do not have a date for the next round. They are very positive that CEACA is in a good position, especially given that it is in the regional area of WA and it is a proven model. The Federal Government are keen to improve supply of housing in the regional areas but have been struggling to allocate funding due to the lack of registered CHP's. They are happy that CEACA is now registered. The EO advised that land details have been received from all shires except for Wyalkatchem. Shires need to manage the land transfer process and fund any costs of transfer to CEACA. General discussion ensued.

### **4. MATTERS FOR DISCUSSION**

#### **4.1 Executive Officer Report (Attachment 7)**

The EO summarised the financials to 30 September 2024 and advised that the settlement date for the Kununoppin land is to be determined. Removal of the Memorial has been approved by the Executive Director of Department of Lands. When settlement has occurred, the funds will be placed in a capital reserve fund for future expansion projects.

#### **4.2 Operations Manager Report (Attachment 8)**

The OM added the following comments to their report:

- No applications received for the Bencubbin unit to date. The Shires to advise OM of any potential applicants.
- Although the CHP application process was lengthy, it has resulted in improvements to policies and procedures.
- The OM thanked all Shires for their ongoing support during the year.

#### **4.3 Potential Sale of Land in Nungarin & Koorda**

The Chairperson advised that there is potential for CEACA to sell the land in Nungarin and Koorda, both of whom are no longer members of CEACA and asked the Committee for their feedback. The Committee discussed the importance of funding for future Units and that the sale of six Units could provide vital capital for growth of CEACA. There was support for the sale of land at Nungarin and Koorda.

#### **RESOLUTION**

It was resolved that the EO would speak to DPIRD to discuss its attitude towards the sale of six Units and to Elders for advice on sale of the land in Nungarin and Koorda, and report back to the Management Committee.

#### **4.4 Shire Owned Accommodation (Attachment 9)**

The EO advised that a framework had been developed for management of shire owned accommodation based on our existing model (CEACA/Elders). The framework was discussed at the Executive Committee meeting held on 14 October. The Committee had identified that the framework may need to be different for Units not fully owned by a Shire and the framework may be too costly, particularly if volunteers have managed them. The preferred plan would be to manage accommodation at one shire on a trial basis and review after 12 months. Information is being gathered from shires on whether the accommodation is fully owned or partially owned with joint venture partners.

CEACA are due to meet with the Shire of Merredin to discuss the possible management of their Merrittville units. CEACA will consider all options to be put forward to the Management Committee, including an option for CEACA to manage the properties and sub-contract to Elders for individual items eg. inspections. CEACA also need to carefully consider the impact of management of shire owned units on other CEACA business operations. General discussion ensued.

#### **4.5 Community Housing Provider Draft Determination report, Announcement & Registration Certificate (Attachment 10)**

The EO advised that the Department of Communities sent through a Draft Determination Report in October with a list of recommendations for CEACA to address. These are recommendations only and the Department would not be reviewing them until CEACA's first compliance assessment in 2026.

One of the recommendations relates to a revised Rent Setting policy. The rule for social housing is 25% of the household income plus Commonwealth Rent Assistance (CRA), compare it with 75% of market rent and take the lowest amount. If CEACA applied that formula to existing tenants, some rents may be higher. The Department's recommendation is for CEACA to adopt this rent setting rule if it intends to provide Band A social housing in future.

#### **ACTION ITEM**

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EO to draft a Rent Setting Policy and table at the February 2025 CEACA Management Committee meeting for approval.

#### **4.6 Economic Analysis – Grant from WDC (Attachment 11)**

The draft report has been received. The Consultants did not receive any information from Pingelly or Wickopin and therefore based their report solely on CEACA. The report includes very positive comments relating to CEACA and its operations in the region. This cost benefit analysis will be used in the funding applications.

#### **GENERAL BUSINESS**

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##### **Wage Increase – CEACA Executive Officer**

The EO excused himself from the meeting.

The Chairperson advised the Committee that the EO had not been granted a pay rise for the past 2 years, he had been consistently working more hours than contracted and as such, proposed that a 5% wage increase be offered in accordance with the outcome of his recent performance review.

#### **RESOLUTION**

---

It was resolved to approve a 5% wage increase for the Executive Officer arising from his recent performance review.

##### **ABC Radio**

The Chairperson was approached by ABC radio to speak about the recent CHP registration which the station had seen posted on the CEACA Facebook page.

##### **Presentation – WALGA**

The Member for Mukinbudin advised that they had had a discussion with Stephen Beaumont from the Great Eastern Country Zone, and he had suggested that CEACA present at their Wheatbelt Conference 2025. The Chairperson advised that CEACA would be interested in participating.

#### **5. MEETING CLOSURE**

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There being no further business, the Management Committee meeting adjourned at 11.30am.

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## **The Management Committee meeting was re-opened at 11.42am after the Annual General Meeting.**

### **Attendance**

Terry Waldron - Chairperson, Richard Marshall - CEACA EO, Jo Trachy - CEACA OM, Mark Furr & Stephen Strange - Shire of Bruce Rock, Manisha Barthakur & Robert Trepp – Shire of Dowerin, Monica Gardener - Shire of Kellerberrin, Tony Sachse - Shire of Mt Marshall, Craig Watts & Bradley Anderson – Shire of Merredin, Gary Shadbolt & Tanika McLennan - Shire of Mukinbudin, Rebecca McCall & Holly Cusack - Shire of Narembeen, Bill Price - Shire of Westonia, Mischa Stratford - Shire of Wyalkatchem, Nic Warren & Wayne Della-Bosca - Shire of Yilgarn.

### **Apologies**

Natalie Ness – Shire of Quairading, Sabine Taylor – Shire of Wyalkatchem, Ben McKay – Shire of Mt Marshall, Ross Della Bosca – Shire of Westonia, Raymond Griffiths – Shire of Kellerberrin.

### **NOMINATION OF EXECUTIVE COMMITTEE MEMBERS**

Nominations for the Executive Committee Members until the 2025 Annual General Meeting were as follows:

Terry Waldron – Chairperson, Gary Shadbolt – Shire of Mukinbudin, Raymond Griffiths – Shire of Kellerberrin, Holly Cusack – Shire of Narembeen, Mischa Stratford – Shire of Wyalkatchem and Nic Warren – Shire of Yilgarn.

### **RESOLUTION**

It was resolved by the Management Committee that the that the members of the CEACA Executive Committee until the 2025 Annual General Meeting will be Terry Waldron – Chairperson, Gary Shadbolt - Shire of Mukinbudin, Raymond Griffiths - Shire of Kellerberrin, Holly Cusack - Shire of Narembeen, Mischa Stratford - Shire of Wyalkatchem and Nic Warren – Shire of Yilgarn.

### **GENERAL BUSINESS**

On behalf of the Committee the Deputy Chairperson, Gary Shadbolt, thanked the Chairperson for his leadership over the last 12 months and thanked the EO and OM for their ongoing work, professional leadership and for their work on the new project, which is appreciated by the Committee Members.

The Chairperson thanked the Deputy Chairperson and advised that if successful with the funding for additional ILU, CEACA will need to review its current management structure. The Chairperson, EO and OM will review options that will cover CEACA in the future and this may include a full-time CEO in the region and an addition to operations staff. The Chairperson is happy to continue with CEACA for another 12 months but will consider whether to continue after that.

### **NEXT MEETING**

The next meeting will be held at 10.00am on 24 February 2025 at the Merredin Regional Community & Leisure Centre.

### **MEETING CLOSURE**

There being no further business, the meeting closed at 11.50am. .

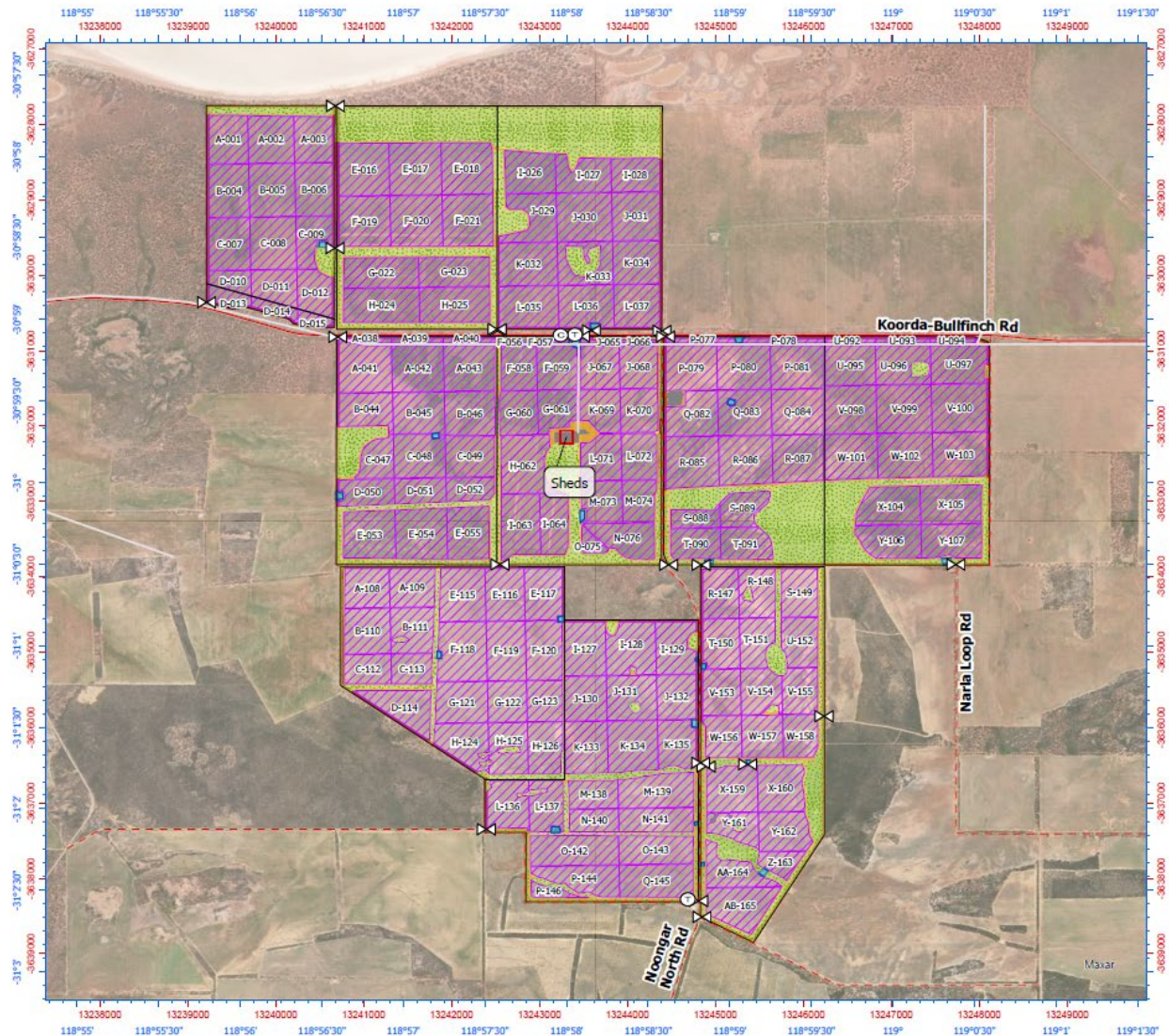
### **DECLARATION**

These Minutes were confirmed by the Central East Accommodation & Care Alliance Inc at the Management Committee Meeting held on \_\_\_\_\_.

Signed \_\_\_\_\_ (Person presiding at the meeting at which these minutes were confirmed).

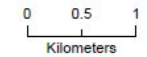


# Plantation Design (Draft) - Marafioti

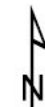


- Proposed plantation compartment
- Trafficable fire break
- External boundary firebreak
- Proposed cannister location
- Proposed fire tank location
- Emergency access
- Land title lot boundaries
- Remnant vegetation
- Dam
- Other exclusions
- Two or more lanes sealed road
- Unsealed road
- Distribution overhead powerlines

30ha (or less) compartments will be established in the proposed planting areas. Planting areas will have twin rows of native hardwood species with a wide inter-row (~20m). Approximately N/S direction. Other firebreak installation: 20m boundary, 10m compartment and 30m powerline. A Hazard Separation Zone (HSZ) for habitable buildings min. 100m and 50m for non-habitable structures.



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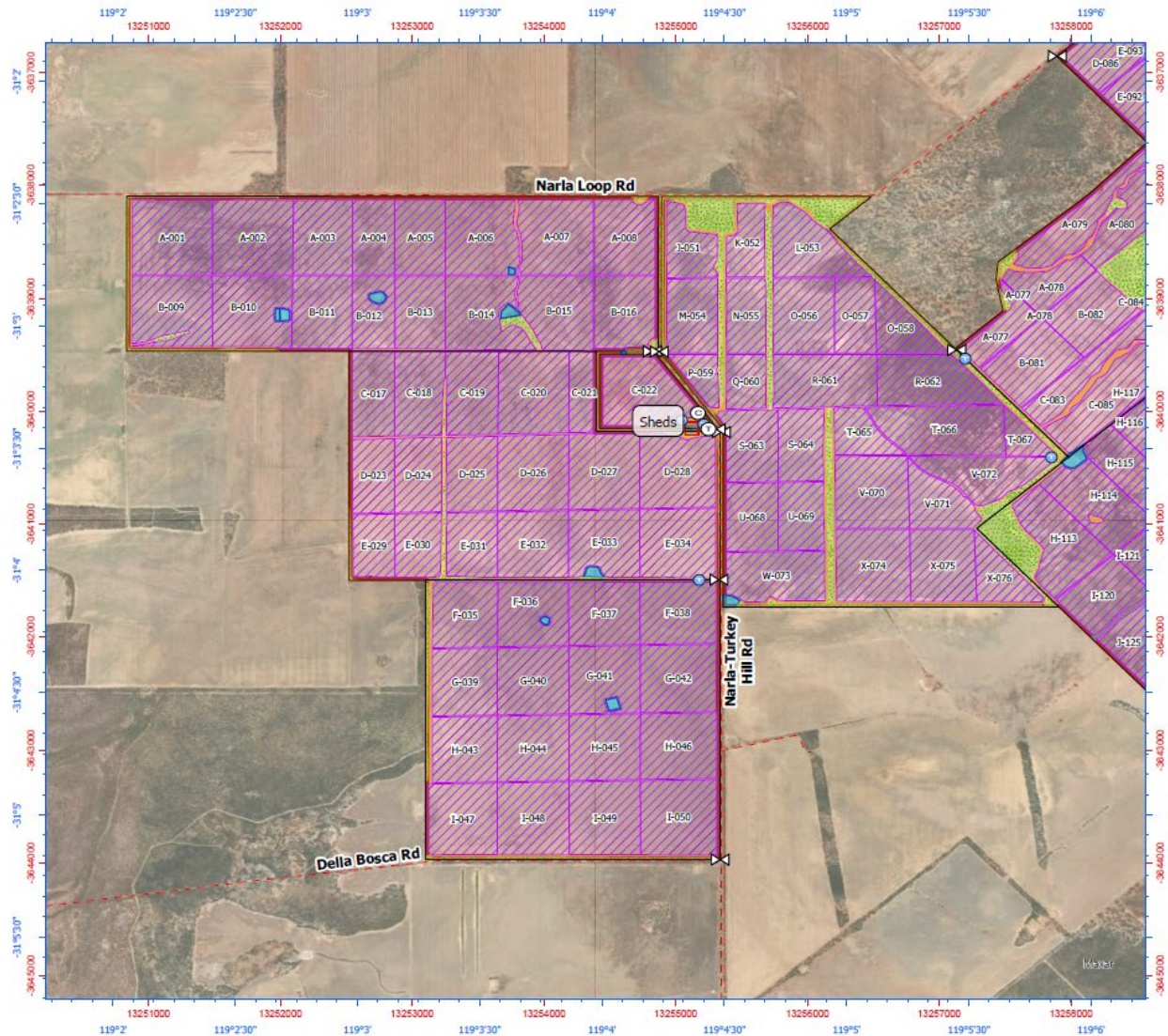
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## Plantation Design (Draft) - Cairns Road



- Proposed plantation compartment
- Trafficable fire break
- External boundary firebreak
- Proposed cannister location
- Proposed fire tank location
- Emergency access
- Stock tank
- Land title lot boundaries
- Remnant vegetation
- Dam
- Other exclusions
- Unsealed road

30ha (or less) compartments will be established in the proposed planting areas. Planting areas will have twin rows of native hardwood species with a wide inter-row (~20m). Approximately N/S direction. Other firebreak installation: 20m boundary, 10m compartment and 30m powerline. A Hazard Separation Zone (HSZ) for habitable buildings min. 100m and 50m for non-habitable structures.

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Map Units: Degree  
Datum: GDA2020



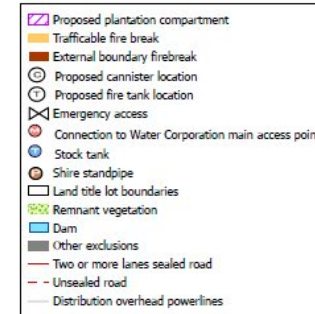
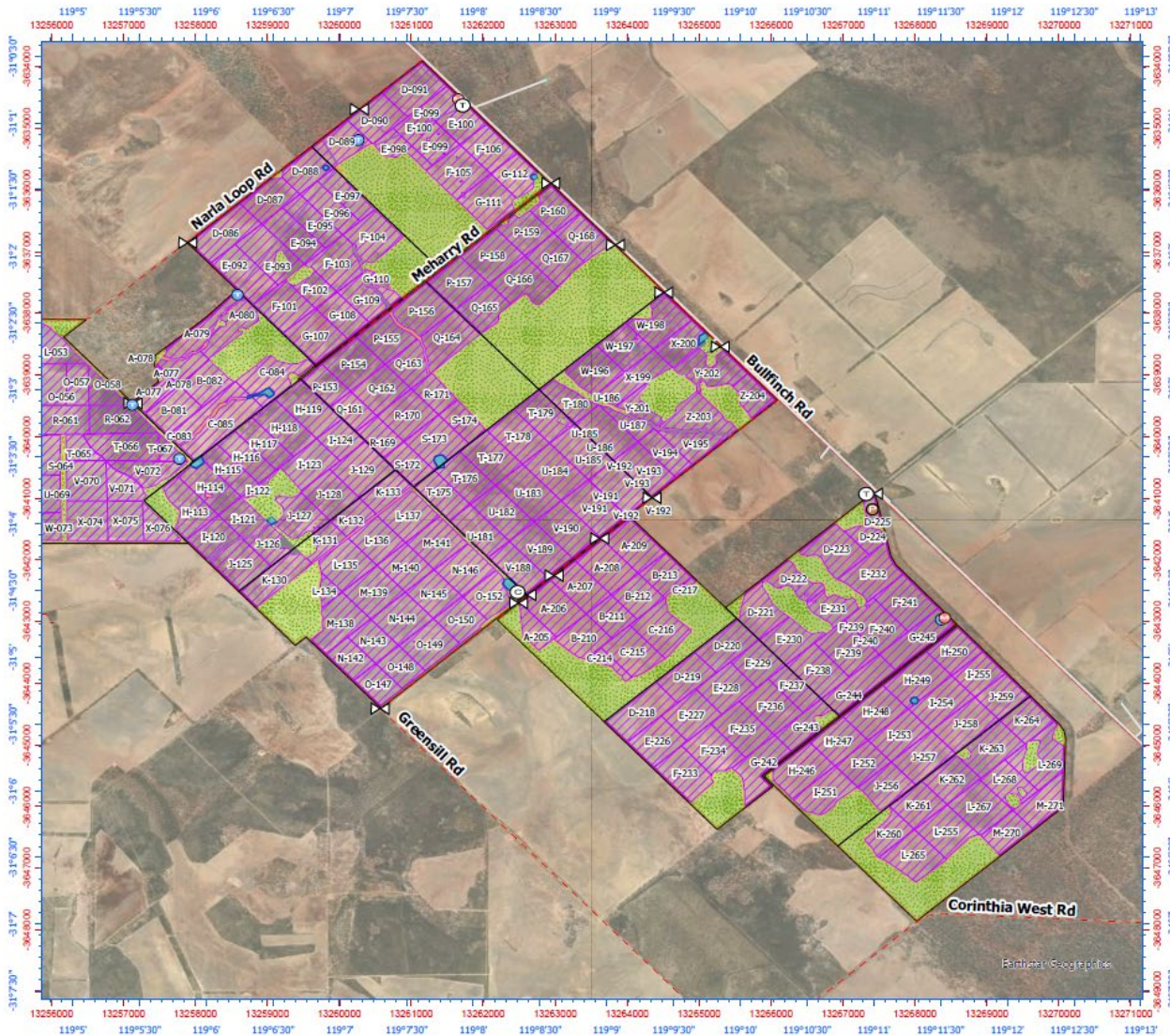
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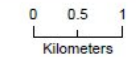
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# Plantation Design (Draft) - Perilya



30ha (or less) compartments will be established in the proposed planting areas. Planting areas will have twin rows of native hardwood species with a wide inter-row (~20m). Approximately N/S direction. Other firebreak installation: 20m boundary, 10m compartment and 30m powerline. A Hazard Separation Zone (HSZ) for habitable buildings min. 100m and 50m for non-habitable structures.



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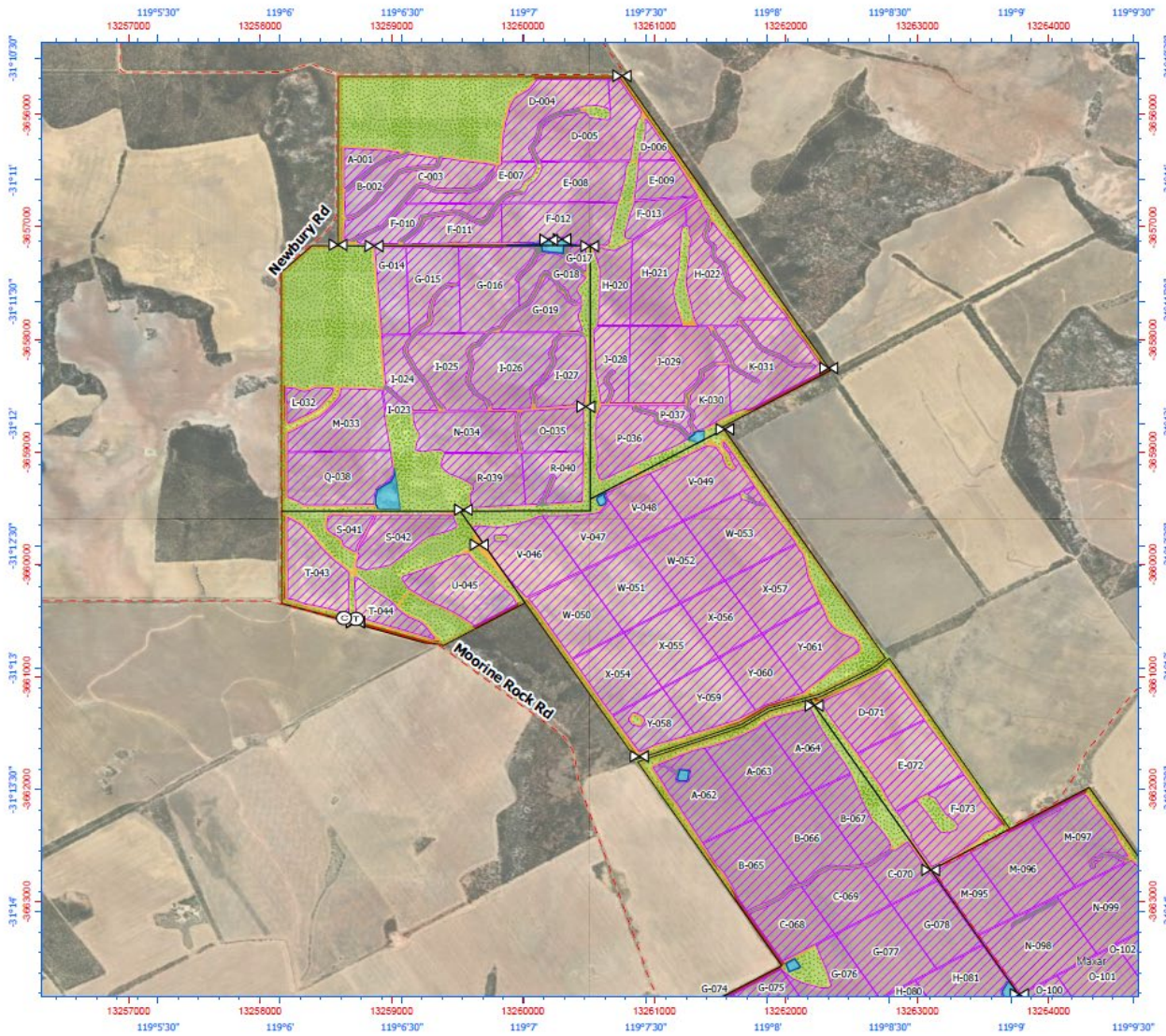
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## Plantation Design (Draft) - Avalon North



- Proposed plantation compartment
- Trafficable fire break
- External boundary firebreak
- Proposed cannister location
- Proposed fire tank location
- Emergency access
- Land title lot boundaries
- Remnant vegetation
- Dam
- Other exclusions
- Unsealed road

30ha (or less) compartments will be established in the proposed planting areas. Planting areas will have twin rows of native hardwood species with a wide inter-row (~20m). Approximately N/S direction. Other firebreak installation: 20m boundary, 10m compartment and 30m powerline. A Hazard Separation Zone (HSZ) for habitable buildings min. 100m and 50m for non-habitable structures.

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Spatial Reference  
Map Units: Degree  
Datum: GDA2020



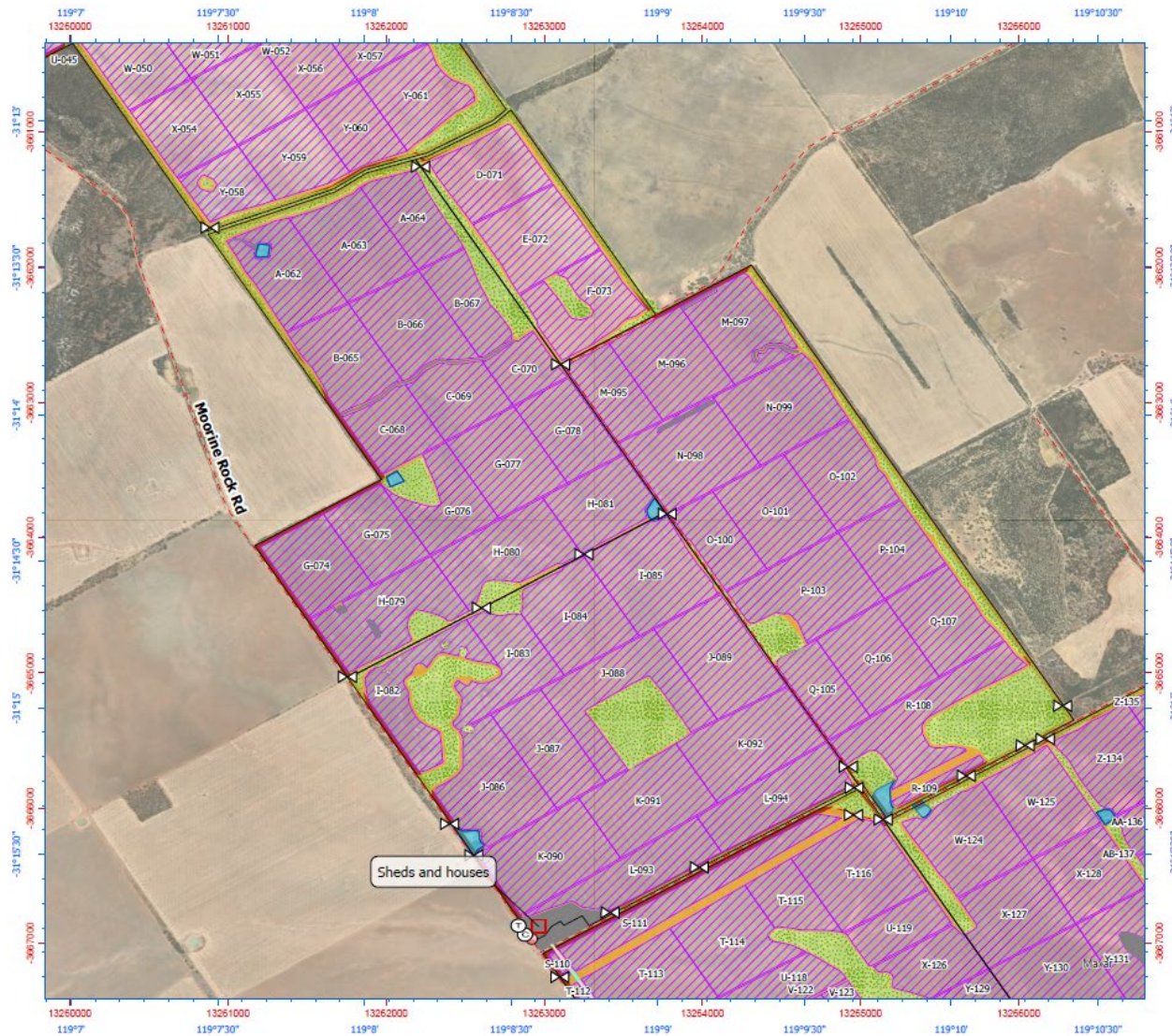
Grid shown at 1,000m interval  
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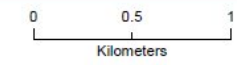


# Plantation Design (Draft) - Newbury



- Proposed plantation compartment
- Trafficable fire break
- External boundary firebreak
- Proposed cannister location
- Proposed fire tank location
- Emergency access
- Connection to Water Corporation main access point
- Land title lot boundaries
- Remnant vegetation
- Dam
- Other exclusions
- Unsealed road
- Distribution overhead powerlines
- Distribution underground cables
- Other overhead lines

30ha (or less) compartments will be established in the proposed planting areas. Planting areas will have twin rows of native hardwood species with a wide inter-row (~20m). Approximately N/S direction. Other firebreak installation: 20m boundary, 10m compartment and 30m powerline. A Hazard Separation Zone (HSZ) for habitable buildings min. 100m and 50m for non-habitable structures.



Scale: 1:25,000  
 Spatial Reference  
 Map Units: Degree  
 Datum: GDA2020



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 Graticule shown at 30" interval

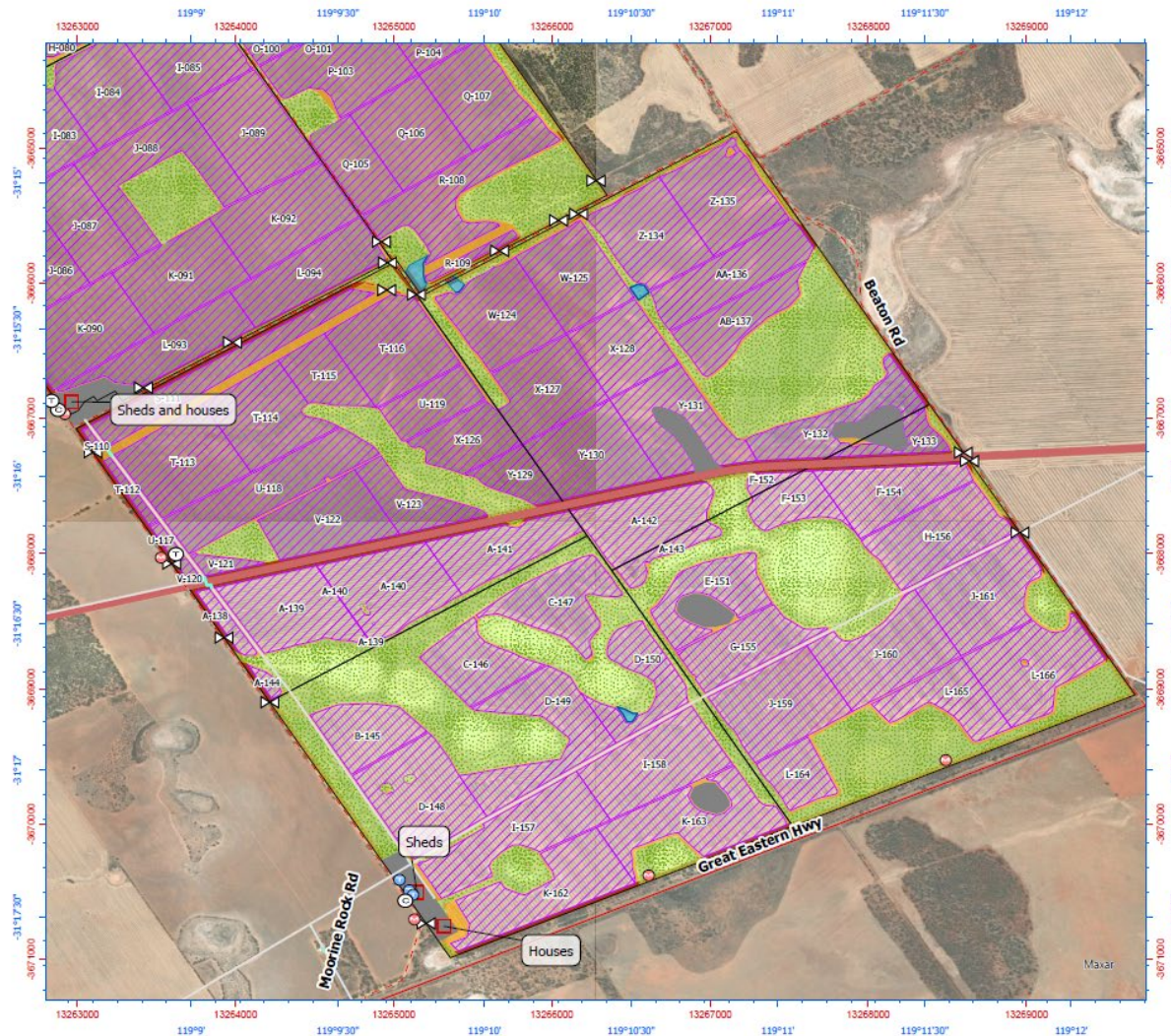
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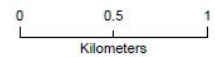


## Plantation Design (Draft) - Avalon South



- Proposed plantation compartment
- Trafficable fire break
- External boundary firebreak
- Proposed cannister location
- Proposed fire tank location
- Emergency access
- Connection to Water Corporation main access point
- Stock tank
- Land title lot boundaries
- Remnant vegetation
- Dam
- Other exclusions
- Two or more lanes sealed road
- Unsealed road
- Distribution overhead powerlines
- Distribution underground cables
- Other overhead lines
- Other underground cables
- Rail corridor

30ha (or less) compartments will be established in the proposed planting areas. Planting areas will have twin rows of native hardwood species with a wide inter-row (~20m). Approximately N/S direction. Other firebreak installation: 20m boundary, 10m compartment and 30m powerline. A Hazard Separation Zone (HSZ) for habitable buildings min. 100m and 50m for non-habitable structures.



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 Map Units: Degree  
 Datum: GDA2020



Grid shown at 1,000m interval  
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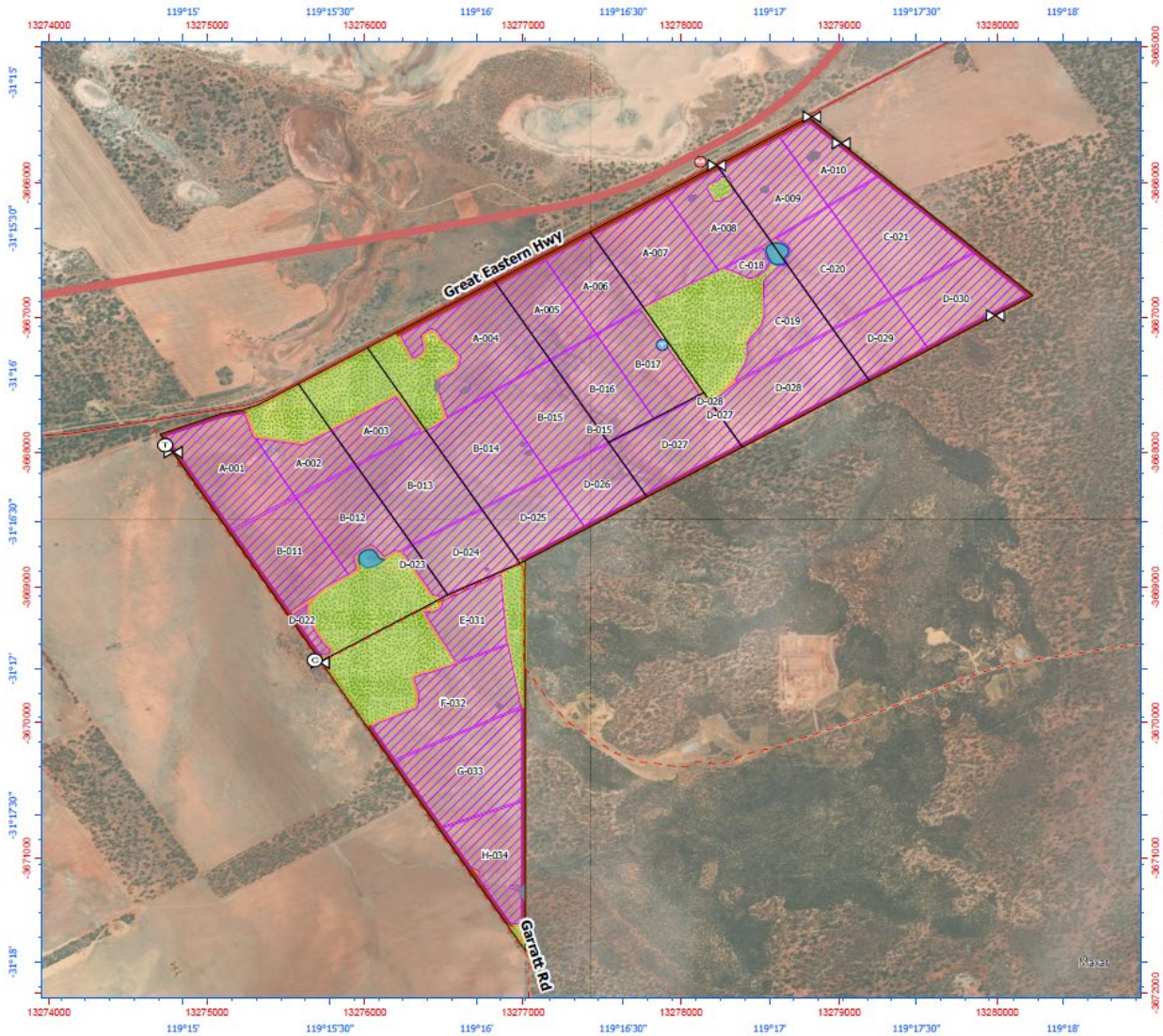
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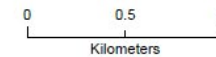


## Plantation Design (Draft) - Garrat



- Proposed plantation compartment
- Trafficable fire break
- External boundary firebreak
- Proposed cannister location
- Proposed fire tank location
- Emergency access
- Connection to Water Corporation main access point
- Stock tank
- Land title lot boundaries
- Remnant vegetation
- Dam
- Other exclusions
- Two or more lanes sealed road
- Unsealed road
- Rail corridor

30ha (or less) compartments will be established in the proposed planting areas. Planting areas will have twin rows of native hardwood species with a wide inter-row (~20m). Approximately N/S direction. Other firebreak installation: 20m boundary, 10m compartment and 30m powerline. A Hazard Separation Zone (HSZ) for habitable buildings min. 100m and 50m for non-habitable structures.

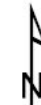


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Spatial Reference

Map Units: Degree

Datum: GDA2020



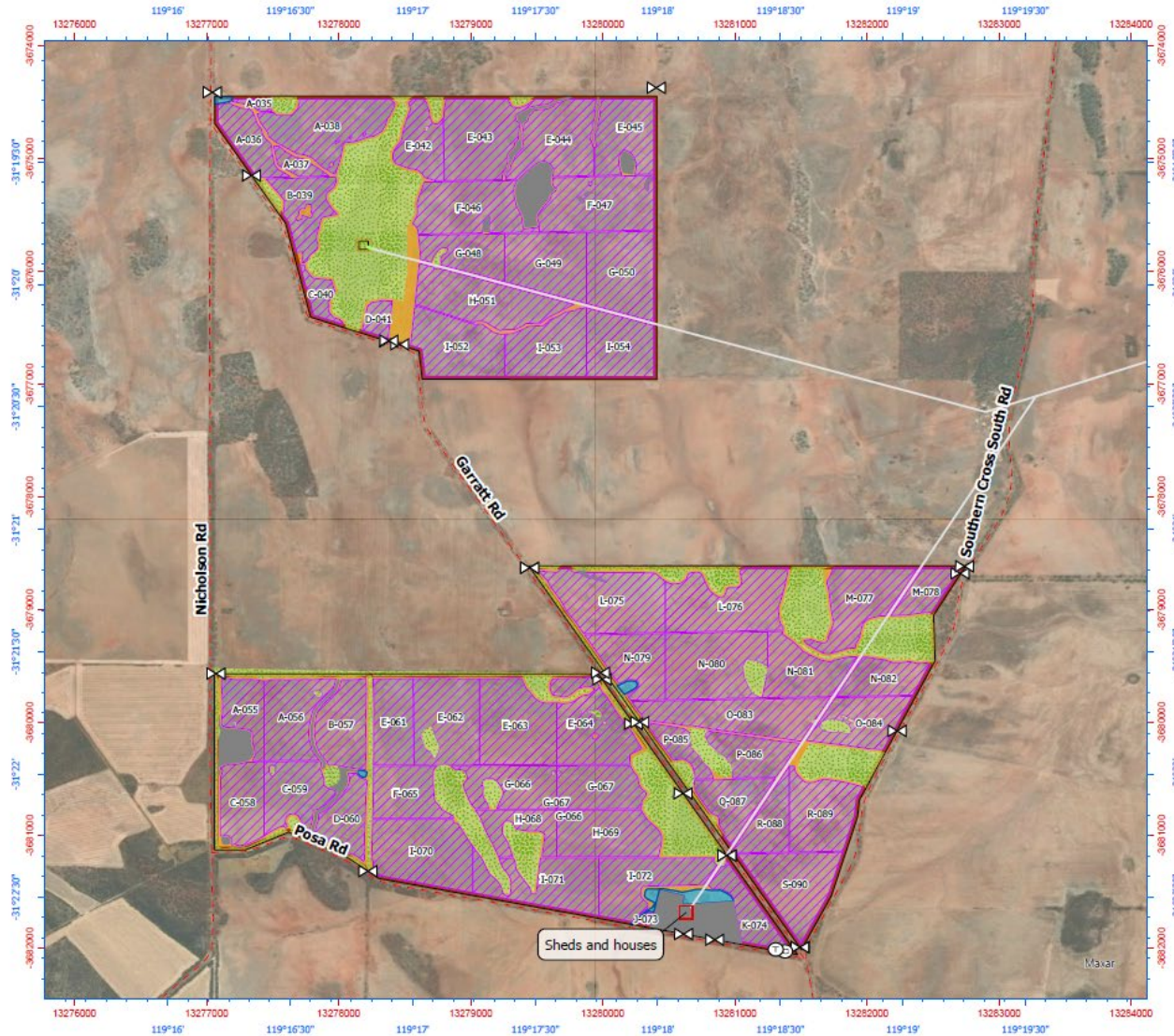
Grid shown at 1,000m interval  
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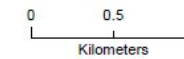


## Plantation Design (Draft) - Garrat South

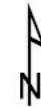


- Proposed plantation compartment
- Trafficable fire break
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- Proposed cannister location
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This fact sheet clarifies the planning arrangements for tree farms, as set out in *State Planning Policy 2.5 - Rural Planning (SPP 2.5)* and the *Rural Planning Guidelines*. It provides information about the planning issues relevant to tree farming, for application by local governments and other decision-makers.

## What is a tree farm?

The Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) defines tree farms as *“land used for commercial tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the Carbon Rights Act 2003, section 5”*.

This definition is applied in local planning schemes as they are reviewed and updated. Schemes that have not been updated may still include historic definitions such as ‘plantation’ or ‘agroforestry’. However, the intent is for a single land use definition, that caters for tree farms for harvesting for timber products and/or in sequestration of carbon, as the land use planning considerations are similar.

## Planning context

### Where are the current tree farms?

In September 2021 the State Government announced a \$350 million investment over 10 years to bolster the State’s softwood plantation estate. This was estimated to require an additional 33,000 ha of land for pine trees to support the forestry industry, and provide timber products to the construction industry, while also contributing to carbon capture and storage.

In WA, existing pine tree farms are mostly in the Donnybrook, Bridgetown, Nannup and Margaret River areas. They currently represent approximately 30% of harvestable tree farming, with blue gums comprising 70%. Blue gum plantations make up approximately 160,000 ha with two thirds of plantations planted in the Plantagenet and Albany areas.

## Where are the most suitable locations for pine tree farms?

The most suitable location for new pine tree farms is on land with rainfall generally exceeding 600mm and within an approximate 150km radius to the timber processing hub in the Shire of Dardanup.

## What are the land use planning considerations with tree farms?

Growing of trees for timber is similar to other crops, however there are some planning issues associated with tree farming that may require further assessment and management, if relevant. As set out in SPP 2.5, these include:

- **Bushfire risk** - tree farms may establish a bushfire risk where not occurring before. The Department of Fire and Emergency Services has published guidelines to assist in the management of bushfire risk for tree farms. Any development conditions to manage bushfire risk should accord with these guidelines.
- **Environmental and economic issues, including planting thresholds** - the location of tree farms relative to environmental and/or biodiversity assets, and management of potential impacts (eg wildling spread). So too, ensuring there is a balanced supply of rural land for other economic activity can be addressed in local planning strategies.
- **Water availability and recharge** - potential impacts on groundwater and surface water systems may need to be considered.
- **Visual landscape impacts** - local governments may identify rural prominent landscapes to exclude tree farms for visual reasons. While the converse



# TREE FARMS

may occur, these areas can be identified in keeping with the Western Australian Planning Commission's (WAPC) Visual Landscape [planning manual](#).

- **Transport impacts** - where tree farming involves harvesting, local governments may need to make arrangements with developers for road and/or intersection upgrades to manage potential haulage impacts.
- **Separation from sensitive land uses** - local governments may establish buffers to exclude tree farming around these land uses eg. electrical substations or transmission lines.

## Interpretation of SPP 2.5 Policy measures

SPP 2.5 sets out seven key policy positions to facilitate a co-ordinated approach to tree farms in WA. For the purpose of clarifying the WAPC's position, the intent of each policy statement is explained below:

1. *tree farming is supported and encouraged on rural land as a means of diversifying rural economies and providing economic and environmental benefit* - this means the WAPC supports tree farms in rural areas and will implement this approach in assessment of local planning strategies and schemes;
2. *tree farming should generally not occur on priority agricultural land* - generally, land that is identified for horticultural or food production purposes;
3. *tree farming should generally be a permitted use on rural land, except where development of a tree farm would create an extreme or unacceptable bushfire risk or when responding to specific*

*local circumstances as identified in a strategy or scheme* - this means that tree farms should be a 'P', 'D' or 'A' (permitted or discretionary) uses in local planning schemes, with the local planning strategies and schemes providing additional guidance (as required) to address local planning issues listed below in this fact sheet;

4. *local governments should manage the location, extent and application requirements for tree farming in their communities through local planning strategies, schemes and/or local planning policies* - this means that local governments should use their local planning frameworks to regulate tree farming in their municipality, in keeping with the intent of SPP 2.5, which is to support and encourage tree farms;
5. *in planning for tree farming, local government considerations should include but are not limited to, potential bushfire risk, environmental and economic factors, water availability and recharge, visual landscape impacts, transport impacts of tree farming (where harvesting is proposed), planting thresholds, appropriate buffers, and location relative to conservation estates and sensitive land uses* - this means that local governments should consider tree farms in the context of other existing and proposed land uses in their municipality, and set planning controls as required, based on demonstrated evidence that the control is needed;
6. *where tree farm proposals are integrated with farm management for the purpose of natural resource management and occupy no more than 10 per cent of the farm, the proposal should not require local government development approval* - this means that local governments may consider

exemptions for integrated tree farms, related to natural resource management, due to their minimal impact and environmental benefit; and

7. *the establishment of tree farms does not warrant the creation of new or smaller rural lots* - this means that future subdivision of rural land is not warranted based on a tree farm proposal or development.

While the above policy measures relate to all tree farm species and types in Western Australia, **Map 1** shows the main focus area of tree farming in the State.

## Do tree farms have an impact on agricultural communities?

The Australian economy has been forced to adjust structurally over time, which has seen ongoing change in the agricultural sector. Research by Rural Industries Research and Development Corporation (RIRDC) in 2001 and 2007 highlights the impacts of globalised economic rationalism on family farms and subsequent issues of their declining viability, leading to farm amalgamation, reduced labour hire and the contraction of local economies.

Tree farms are part of the ever changing agricultural sector. But they are not the underlying cause of the population or economic changes.

For local governments where pine tree farms are likely to be developed, population change data from the Australian Bureau of Statistics (Census 2001 to 2021), indicates that the general trend is for increasing or stable population figures, and the 'family' makeup of households has remained steady at around 70%. Family composition or population has not significantly declined in the last 20 years.

# TREE FARMS

## Can a local government seek to prohibit or mandate what percentage of a lot can be used for tree farming?

WAPC policy is that tree farms should be supported and encouraged on rural land. Therefore, any local planning strategies or schemes seeking to prohibit or severely restrict tree farming would not be in keeping with State policy.

Some local governments have local planning policies expressing a preference for tree farms to occupy a percentage of the overall land area eg. 10% or 30% of a lot or property. However, if a land use is capable of being approved in a local planning scheme, and a development application has addressed relevant scheme requirements, it may not be open to a local government to prevent a landowner from using the landholding for an approvable land use. Any local planning policy seeking to prohibit or restrict the extent of tree farms would need to have a planning reason for taking such an approach.

In the absence of this, limiting the ability of a landowner to use their land as zoned, may be unreasonable. Local planning policies that refer to a percentage a tree farm cover may also conflict with a local planning scheme, which would render the local planning policy as having no effect. Should a local government refuse a development application for a tree farm, this decision can be reviewed by the State Administrative Tribunal. Such a review provides an independent test of the effectiveness of the WAPC's policy, and its application at a local level.

## Local planning approaches

Examples of local planning approaches are included in this section.

### Local planning strategy and tree farms:

Local governments may include information about tree farms in their local planning strategies. This could consider:

- the location and extent of existing tree farms;
- analysis of available rural land to support tree farms relative to other rural land uses;
- areas where tree farms may provide environmental benefits such as use of less productive farm land and addressing land degradation such as soil erosion or salinity; and
- areas where tree farms might be unsuitable eg. priority agriculture land, bushfire buffers to sensitive land uses or visual landscape protection.

### Local planning scheme and tree farms:

The Planning and Development (Local Planning Schemes) Regulations 2015 requires local planning schemes to use the model definition for tree farm.

In keeping with SPP 2.5, the permissibility of tree farms use in schemes would need to be a 'P' (permitted), 'D' (discretionary) or 'A' (discretionary subject to advertising). For small scale plantings, related to natural resource management, it may be appropriate to exempt tree farms from requiring development approval, as is recommended in SPP 2.5.

The various local planning framework mechanisms to control tree farms can include:

- permissibility in the zoning table, including for rural and priority agricultural land;
- use of Special Control Areas to identify suitable areas, or exclusion areas in and around townsites or areas where viewsheds may be protected;
- exemptions from seeking development approval; or
- local planning policy guidance on discretion, where tree farms are a 'D' or 'A' use, regarding management of bushfire risk, visual landscape amenity or road haulage impacts.

## Additional resources

### Plantation Management and Industry overview:

- *Code of Practice for Timber Plantations in Western Australia*, Forest Industries Federation of WA (FIFWA). (2014). [Code of practice for timber plantations in Western Australia \(www.wa.gov.au\)](http://www.wa.gov.au)
- *Guidelines for Plantation Fire Protection*, DFES 2022. (in preparation).
- *Guidelines for Plantation Fire Protection*, DFES 2011. (current at time of publication). [Guidelines Plantation Fire Prctn 2011 P.indd \(website-files.com\)](http://www.wa.gov.au)
- *Plantation fire management and protection*. Plantation information series. Forest Products Commission - Western Australia (2020). [Plantation-fire-management-and-protection.pdf \(www.wa.gov.au\)](http://www.wa.gov.au)

# TREE FARMS

- *Western Australia Plantations: the Missing Piece of the Puzzle*, Forest Industries Federation of WA (FIFWA), (2016).  
<https://www.forestindustries.com.au/uploads/1/2/3/2/123273289/fifwa-wa-plantations-missing-piece-of-the-puzzle-2016-min.pdf>

## Structural change and socio-economic impact:

- *Drivers of Structural Change in Australian Agriculture*, Australian Bureau of Agricultural and Resource Economics, Commonwealth of Australia. Rural Industries Research and Development Corporation (2007).  
[07-057.pdf \(agrifutures.com.au\)](#)
- *Rural restructuring, policy change and uneven development in the Central Wheatbelt of Western Australia*, School of Social Sciences and Asian Languages, Curtin University of Technology. Tonts, M.A. (1998).  
[Rural restructuring, policy change and uneven development in the central wheatbelt of Western Australia \(curtin.edu.au\)](#)
- *Socio-Economic Impacts of Farm Forestry*, Rural Industries Research and Development Corporation. Tonts, M. A., Campbell, C. and Black, A. (2001).  
[01-045.pdf \(agrifutures.com.au\)](#)
- *Socio-Economic Impacts of Plantation Forestry in the Great Southern Region (WA)*, Forest and Wood Products Research and Development Corporation, Australian Government, (2005).  
[Pn04.4007 great southern region \(WA\).pdf \(fwpa.com.au\)](#)

## Local Government example local planning policies:

- Shire of Donnybrook-Balingup: road haulage impacts, bushfire protection, water quality impact of works and visual landscape amenity (exclude term 'agroforestry')  
[LPP 9 3 Private Tree Plantations Agroforestry.pdf \(donnybrook-balingup.wa.gov.au\)](#)
- Shire of Plantagenet: special control areas surrounding townsites for full or partial exclusion; bushfire, amenity and environmental impacts.  
[Microsoft Word - Policy 15 - Commercial Plantations.doc \(plantagenet.wa.gov.au\)](#)
- Shire Bridgetown-Greenbushes: plantation management plan, minimum application content, example conditions and approval renewal guidance.  
[Microsoft Word - 08 - Policy Manual - Town Planning \(bridgetown.wa.gov.au\)](#)





AREAS	
GROUND FLOOR	48.96m <sup>2</sup>
PERIMETER	35.60m



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GNANGARA  
WESTERN AUSTRALIA  
6077

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e: info@foxmodular.com.au

**PROJECT DETAILS**

JOB NO:	FT897
BUILDING:	14.4m x 3.4m 4P SPQ
CLIENT:	FOX MODULAR - STOCK
ADDRESS:	TBA

**DRAWING DETAILS**

PAGE:	1 OF 6
DRAWING:	FLOOR PLAN & ELEVATIONS
SCALE:	1:100
DRAWN:	FW
CHECKED:	NP
DATE:	01/05/23

**REVISIONS**

NO.	DATE	DESCRIPTION

A 01/05/23 ISSUED FOR CONSTRUCTION

**NOTES**

**WRITTEN DIMENSIONS TAKE PREFERENCE OVER SCALE.** THESE PLANS ARE TO BE READ IN CONJUNCTION WITH THE PROJECT SPECIFICATIONS, ENGINEERS DESIGNS, COMPUTATIONS, AND GEOTECHNICAL REPORTS. WRITTEN SPECIFICATIONS TAKE PRECEDENCE OVER THESE DRAWINGS UNLESS NOMINATED IN THE CONTRACT OR SPECIFICATION.

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**FURTHER NOTES (IF REQUIRED)**

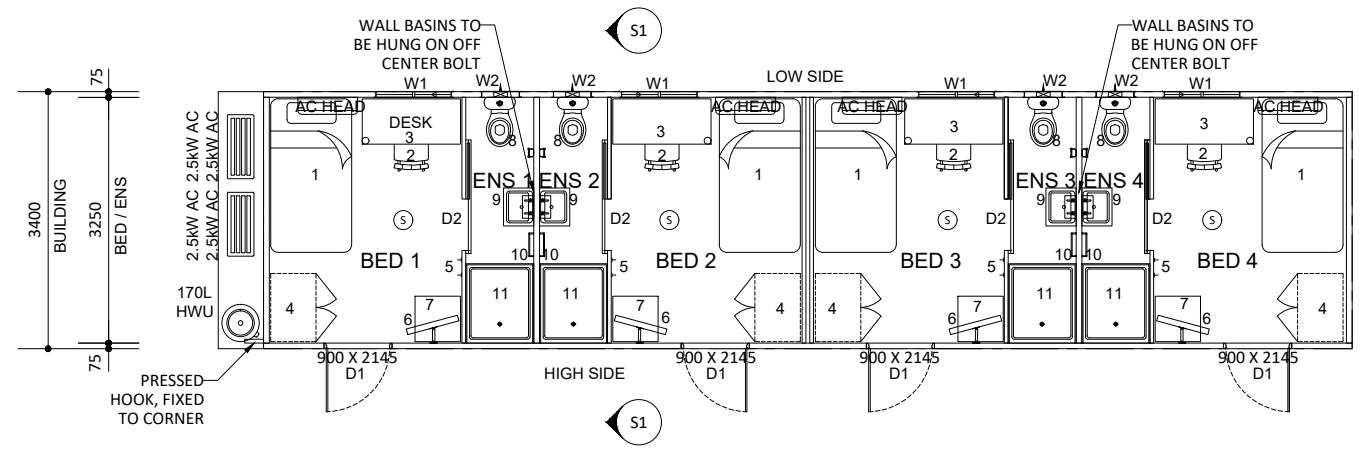
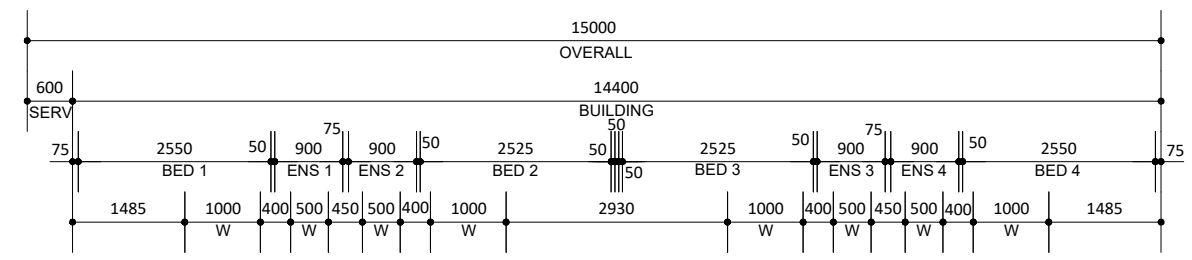
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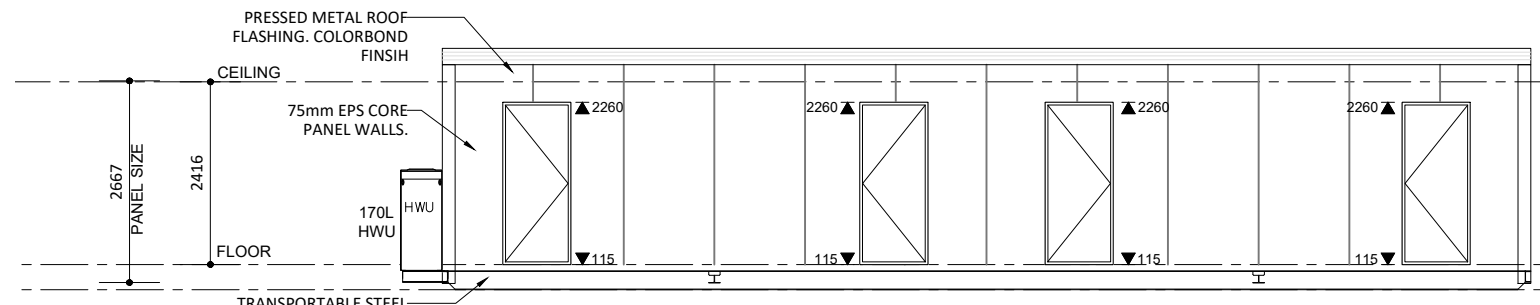
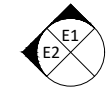
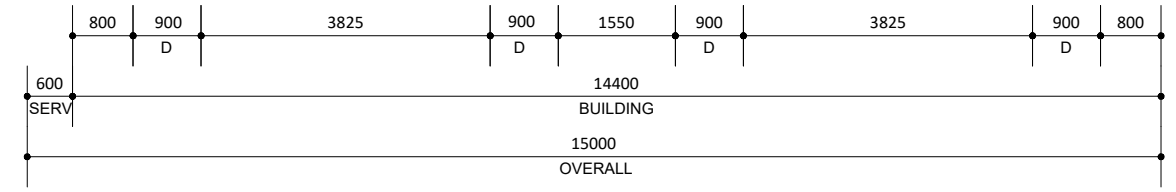
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DATE: \_\_\_\_\_

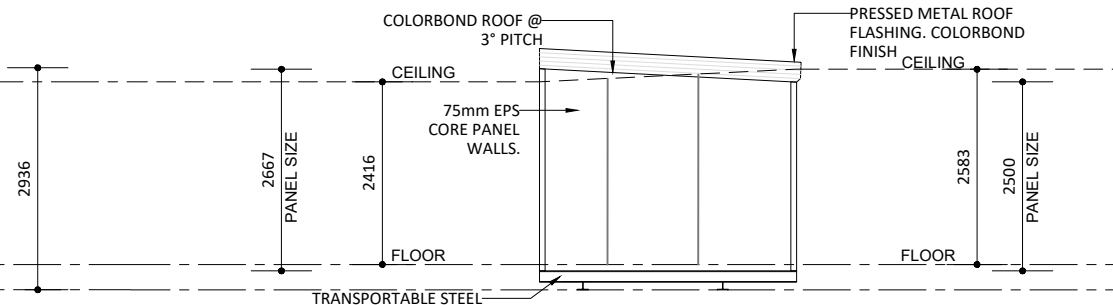
**FINAL DRAWINGS**



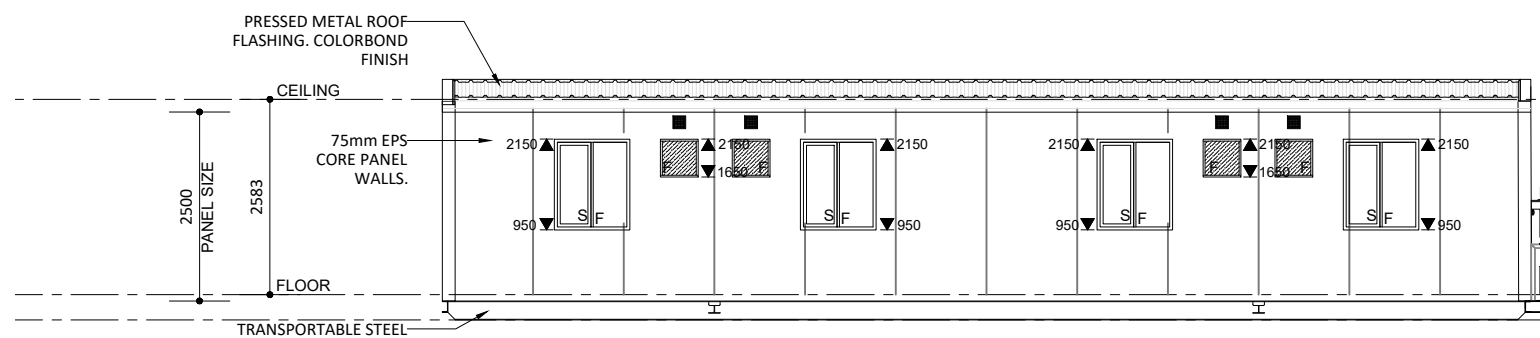
**FLOOR PLAN**  
SCALE 1:100



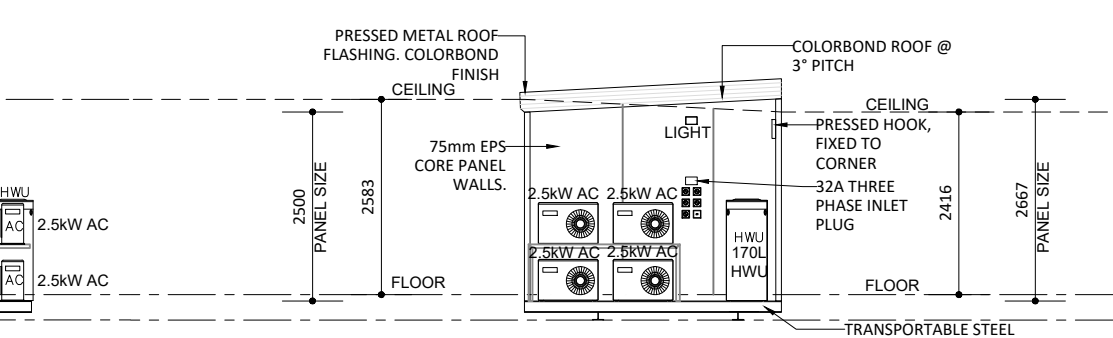
**ELEVATION 1**  
SCALE 1:100



**ELEVATION 2**  
SCALE 1:100



**ELEVATION 3**  
SCALE 1:100



**ELEVATION 4**  
SCALE 1:100





# *Strategic Community Plan*

## *2024-2034*

# MESSAGE FROM THE SHIRE PRESIDENT

Welcome to the Shire of Yilgarn Strategic Community Plan 2024 – 2034, the guiding document for the Shire of Yilgarn over the next 10 years.

It is the responsibility of all Local Governments in Western Australia to demonstrate through their strategic plan, on-going planning for the social, environmental and economic future for the whole of the Shire.

This Plan is our road map to a secure future and will provide guidance to our Council as we make important decisions on behalf of the community over the next 10 years. It incorporates our vision and our aspirations for the future and will allow the Council to prioritise service delivery and projects that have been identified as important to community members.

This Plan outlines the long-term vision and values of the community of the Shire of Yilgarn whilst also acknowledging the requirements and resourcing capabilities of the Shire. It is part of our fulfilment of the Integrated Planning and Reporting (IPR) Framework. Whilst the Strategic Community Plan is a ten- year plan, it is not fixed for ten years as it would be long out of date by then. Rather, it is a “rolling” plan which is reviewed every two years. The two- yearly reviews alternate between a minor review (updating as needed) and a major review (going through all the community consultation steps again).

The Plan could not have been produced without the involvement of the local Yilgarn community and I am very grateful to those members of the community who became involved and took the time to provide input for the plan. Your responses gave Council valuable insight towards the priorities and visions for the future of the Shire of Yilgarn.

Our Council is committed to delivering the vision outlined in this Plan and we look forward to working with the community to bring it to fruition.

The Strategic Community Plan was adopted by Council on 21 November 2024.

**Cr Wayne Della Bosca**

**Shire President**



# INTRODUCTION

## What is the Strategic Community Plan

The Strategy Community Plan is the highest level planning document in the Integrated Planning and reporting process. This Plan is designed to be a “living” document that guides the development of the Shire of Yilgarn community for the next ten (10) years.

One of the key features of the Strategic Community Planning process is community engagement and the part it plays in influencing the Shire’s strategic direction as it seeks to achieve the community’s long term vision and aspirations.

Strategic planning is a recurring process, requiring constant refinement and review. Every second year a desktop review of this Plan is scheduled to occur which will alternate with a comprehensive review every four (4) years to ensure the Plan remains in line with the community’s vision, aspirations and objectives.

## Structure of the Plan

Based on community engagement, the Plan sets out the vision for the Shire’s future and captures the community’s aspirations and values. A strategic objective has been developed for each of the four key themes of community interest, being:

- *Social: An inclusive, secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term;*
- *Environment: Protecting, utilising and enhancing our natural environment;*
- *Economic: A prosperous future for our community; and*
- *Civic Leadership: Accountable and strong leadership guiding our community into the future.*

Desired outcomes for each objective have been determined and strategies to meet the objectives established. In undertaking the review, the Shire had regard for the community’s feedback, current and future resources, strategic performance indicators and demographic trends.

## How the Plan will be used

The Plan outlines how the Shire, will over the long term, work towards a brighter future for the Shire of Yilgarn community as it seeks to achieve its vision inspired by the community’s aspirations for the future.

Looking to the future, the Strategic Community Plan will influence how the Shire uses its resources to deliver services to the community. The Plan forms the primary driver for all other planning undertaken by the Shire.



## Integrated Planning and Reporting Framework

The Integrated Planning and Reporting Framework is shown in the diagram below. The idea behind the framework is to ensure that the Council’s decisions take the community’s aspirations into account and deliver the best results possible with the available resources.

The Strategic Community Plan sets the scene for the whole framework – it expresses the community’s vision and priorities for the future and shows how the Council and community intend to make progress over a ten-year period.

Detailed implementation for the next four years is covered in the Corporate Business Plan. The “Informing Strategies” – particularly the Long Term Financial Plan, Asset Management Plans and Workforce Plan – show how the Plan will be managed and resourced.



## SHIRE PROFILE

The Shire of Yilgarn is located in Western Australia’s Eastern Wheatbelt and covers a vast area of 30,720 square kilometres. Southern Cross, the main administrative centre of the Shire is located on the Great Eastern Highway, 370 kms east from the Perth metropolitan area.

The Shire has a population of approximately 1,173 (2021 ABS data) people, however it serves well over that figure due to the resources industry in the Shire and the fly in fly out / drive in drive out nature of work. The Shire is well known as the Gateway between the Wheatbelt and the Goldfields.

The name ‘Yilgarn’ is aboriginal for ‘white stone’ or ‘quartz’.

The town of Southern Cross is the main business centre, and houses the administration of the Shire, however, there are numerous other smaller townsites throughout the Shire, including, Bodallin, Bullfinch, Ghooli, Koolyanobbing, Marvel Loch, Moorine Rock, Mt Hampton and Yellowdine.

In 1891, the Yilgarn Road Board was gazetted, and in 1918, it merged with the Municipality of Southern Cross. In 1961 it became the Shire of Yilgarn following the introduction of the Local Government Act 1960.

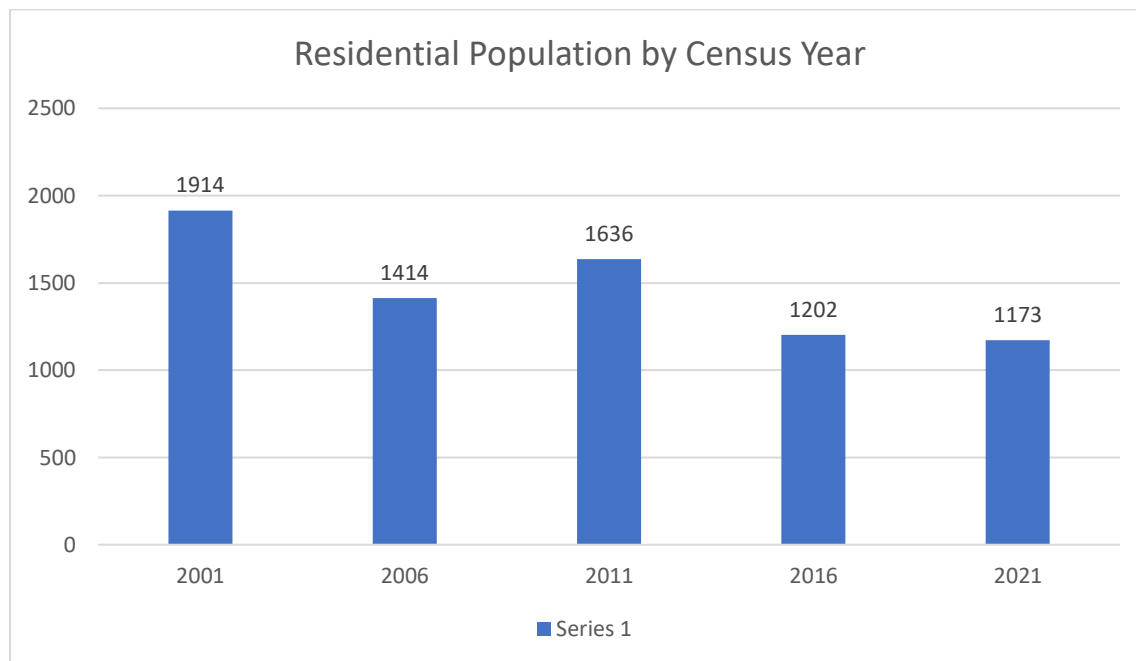
The Shire provides roads, recreational facilities, funding for medical services, parks and gardens, street lighting, and waste collection amongst other community services and infrastructure. Our elected members advocate for the interests of the community and make decisions about where and how development can occur.

Agricultural production and mining activities (gold, iron ore, lithium, and salt) are the main industries in the Shire of Yilgarn

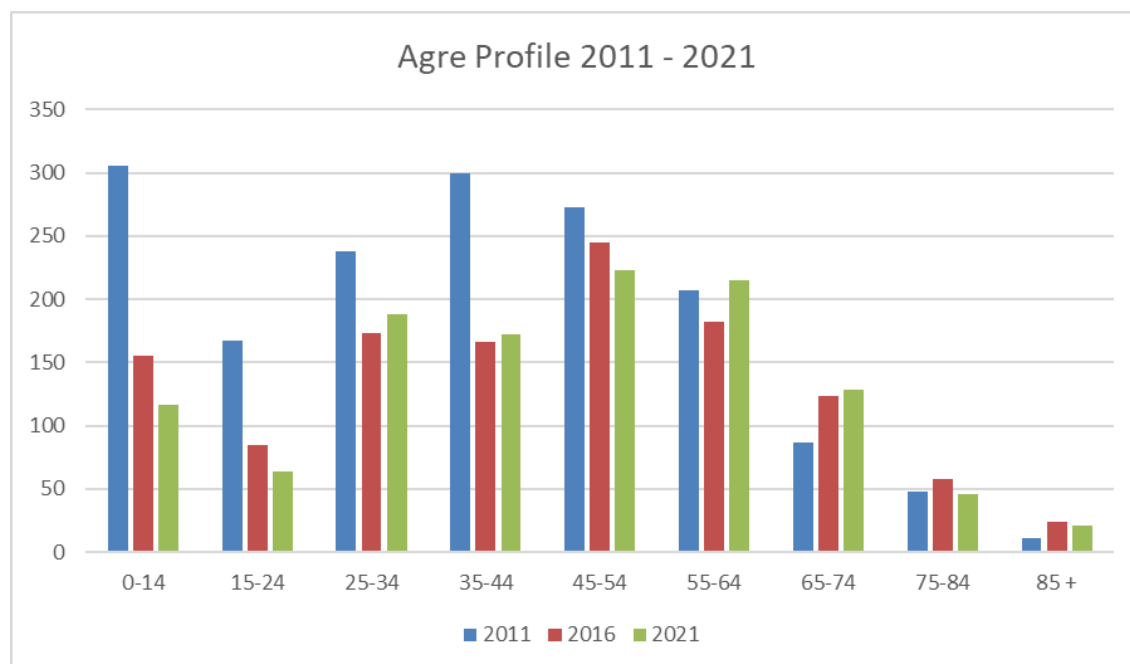
<b>President</b>	<b>Shire Snapshot 23/24</b>	
Cr Wayne Della Bosca	Total Area	<b>30,720km<sup>2</sup></b>
<b>Deputy President</b>	Sealed Roads	<b>338km</b>
Cr Bryan Close	Unsealed Roads	<b>2445km</b>
<b>Councillors</b>	Number of Employees	<b>53</b>
Cr Gary Guerini	Number of Electors	<b>679</b>
Cr Lisa Granich	Rates	<b>\$4.38m</b>
Cr Linda Rose	Financial Assistance Grants	
Cr Bianca Bradford	General	<b>\$2.71m</b>
Cr Donna Newbury	Roads	<b>\$1.90m</b>
	Other Grants	<b>\$1.35m</b>
	Capital Expenditure	<b>\$9.02m</b>
	Operating Expenditure	<b>\$13.35m</b>
	Excluding Depreciation	<b>\$8.37m</b>
	Depreciation	<b>\$4.98m</b>
	Value of Assets	<b>\$492m</b>

## COMMUNITY PROFILE

The Yilgarn community has experienced a decline in resident population over the past several years, however has experienced growth in the transient workforce. Currently, the population is at 1,173 with around 62% male and 38% female.



The age profile of the Shire of Yilgarn from 2001-2021 is as follows:



The median age of the Shire of Yilgarn population in 2021 was 47.

The Shire of Yilgarn population has an unemployment rate of 6.6% compared to the Australian unemployment rate of 6.9% (2016 ABS data). The primary employment sectors in the Yilgarn are mining, agriculture and construction.

## OTHER AGENCIES PLANS AND STRATEGIES

The Shire of Yilgarn does not exist in isolation and is part of the Wheatbelt region and the broader State of Western Australia. This section provides an overview of some of the key strategies and plans that influence the Shire's operating environment.

### **Wheatbelt Development Commission – Wheatbelt Blueprint**

The Wheatbelt Blueprint was developed by the Wheatbelt Development Commission, and reviewed in 2024, as a road map to guide and assist the region to deliver its potential. The Blueprint is based on a strong analysis of existing infrastructure and services across the region.

The vision for the region outlined in the Blueprint is: "The Wheatbelt is a key contributor to Western Australia's prosperity. The region's prime location, diverse economy, clever people, vibrant communities and unique natural environment offer a high quality of life and will attract global innovators and investors."

The Blueprint is structured around the four pillars of diverse economy, clever people, vibrant communities and unique natural environment. Each pillar has a suite of aspirations and targets, outcomes, focus areas and priority actions.

### **Central East Sub-Regional Economic Strategy**

The Central East Sub Regional Economic Strategy was commissioned by the Wheatbelt Development Commission and establishes a framework for the promotion and facilitation of economic and population growth across all towns in the sub-region.

The Strategy identifies economic opportunities for the Shire of Yilgarn in the areas of:

- *Broadacre Agriculture*
- *Mining and Support Services*
- *Population Services*

It also identifies a number of actions that the Shire of Yilgarn should undertake to effectively leverage these economic opportunities.

## Regional Development Australia - Wheatbelt Youth Strategy

The Wheatbelt Youth Strategy was developed by Regional Development Australia, Wheatbelt. The framework aims to ensure that key youth stakeholders in the region have a common focus for implementing initiatives that will contribute to improving opportunities and the wellbeing of youth.

The vision guiding the framework is: “All Wheatbelt young people matter – to themselves, to the community – now and into future”. The framework is structured around four priority areas with objectives, strategies, actions and stakeholders being detailed for each of these areas:

- *responsible behaviour*
- *education, training and employment*
- *community, parenting and families*
- *health and wellbeing*

## Regional Development Australia - Wheatbelt – Other relevant Strategies / Plans

- The Need for Reform – Aged Care in the Wheatbelt Region
- Entrepreneurial Innovation in the Wheatbelt
- Wheatbelt Regional Children’s Services Plan
- Youth Connections Program Legacy Document
- Y20 Wheatbelt Summit Report

# THE ROLE OF THE SHIRE

Local governments operate under Statute but also with some discretion. The four primary roles the Council has are:

## Delivery of Facilities and Services

This role includes services like parks, gardens, roads, drainage, footpaths, recreation and cultural facilities, and events. Most services are based on infrastructure like parks and playgrounds, roads and buildings. Maintenance and renewal of these infrastructure assets is a vital part of Council's service delivery role.

Some services are non-asset based, such as events and community information.

## Regulation

Local governments have specific regulatory responsibilities that are vital for community wellbeing. For example, they have a regulatory and enforcement role in public health (e.g. licensing and monitoring food premises), the appropriateness and safety of new buildings, and the use of land. These areas are subject to regulation because they have the potential to impose costs or adverse effects on others (e.g. food poisoning, injuries or hazardous activities too close to population).

In many cases the rights of those wishing to operate and the rights of those who may be affected or consider themselves to be affected is a delicate balancing act.

## Civic Leadership

Council has a role as civic leader in the community. With strong leadership and community support, the Council can achieve much more than just through its own direct service delivery.

## Influence

Influencing the decisions of others who do or can contribute to positive community outcomes in the Shire of Yilgarn is an important role. Advocacy to State government for recognition, funding, favourable policies or other forms of support is a good example of this role.

# ACHIEVEMENTS SINCE LAST STRATEGIC PLAN REVIEW

Our Shire has achieved the following since our last review of Strategic Community Plan:

<p><b>Pillar: Social</b></p>	<ul style="list-style-type: none"> <li>✓ New Aquatic Centre</li> <li>✓ Upgrades to Constellation Park, BBQ area and skatepark</li> <li>✓ New playgrounds installed at each satellite town</li> <li>✓ Provision of subsidised annual facilities fee for sporting clubs</li> <li>✓ Supported REED daycare through provision of building and maintenance</li> <li>✓ Supported youth through CRC initiatives</li> <li>✓ Continued to support provision of key health services by maintaining Medical Centre and provision of GP housing</li> <li>✓ Continued to support locally based and visiting auxiliary health services</li> <li>✓ Provision of space for visiting veterinarian services</li> <li>✓ Retained CEACA membership, attended meetings, provision of 2 ILU's in Southern Cross</li> <li>✓ Continued to provide and maintain 4 Aged ILU's, installed solar panels</li> <li>✓ Continued to manage and maintain Council's 12 Homes for Aged, including subsidised rent</li> <li>✓ Provision and maintenance of CCTV at Council facilities and in the community</li> <li>✓ Support Bush Fire Brigades, St John's and other emergency service volunteers</li> <li>✓ Major review of Local Emergency Management Arrangements</li> </ul>
<p><b>Pillar: Economy</b></p>	<ul style="list-style-type: none"> <li>✓ Made submissions to State and Federal Communications Inquiry</li> <li>✓ Provision of free Wi-Fi in main street for visitors</li> <li>✓ Sold 4 lots of vacant land to GROH for future housing</li> <li>✓ New tourism website created</li> <li>✓ Taken on the museum curator role through the CRC</li> <li>✓ Shire staff assisting covering opening hours at museum</li> <li>✓ The Yilgarn Tourism Committee is meeting re-established</li> <li>✓ Townsite walk trail with QR Codes</li> <li>✓ Full asset review of road network to identify what we have and what we need</li> </ul>

**Pillar:  
Environment**

- ✓ WEROC Regional Waste Strategy developed
- ✓ Maintained Southern Cross waste site
- ✓ Continued to support initiatives such as DrumMuster and recycling
- ✓ Provision of site for Containers for Change
- ✓ Undertaken initiatives such as Saltbush planting program and the National Tree Day plantings in conjunction with School
- ✓ Continuing recycled water usage and upgrade chlorine system
- ✓ Solar panels placed on aged housing and 4 residences
- ✓ Worked with private business to install EV charging stations in town

**Pillar:  
Civic  
Leadership**

- ✓ Implementation of changes to legislation and ensuring awareness to staff
- ✓ Training made available and budgeted for Councillors
- ✓ Staff undertaken training requirements and professional development
- ✓ Limited complaints made, indicating community satisfaction
- ✓ President, Delegate and CEO attended and actively participated in regional collaboration.
- ✓ CEO and other Senior staff attend LG Professionals Wheatbelt Branch Meetings and Annual Conference. With the CEO now the President of the Branch.



# HOW WE DEVELOPED OUR STRATEGIC PLAN

## Community Engagement

The process to undertake a major review commenced in August 2024 and focused on obtaining feedback from the community via a community workshop (17), sporting and community groups workshop (14), resident and ratepayer online and hard copy surveys. There was a total of 63 engagements.

The consultation campaign was run through Council’s website, social media, local notices on buildings, the Community Resource Centre and via local newspaper.

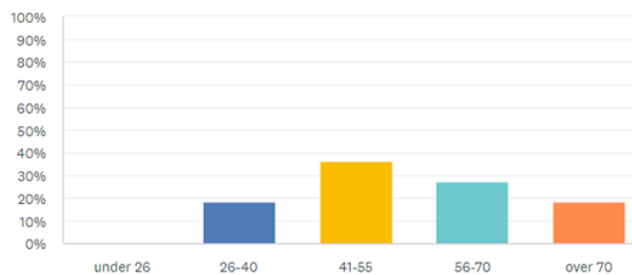
## Survey Response

The online survey, via SurveyMonkey received 19 responses and there were 4 hard copies received. In addition, we received 9 hard copy surveys from Sporting and Community Groups.

The age of those completing the community survey were;

### Age Group

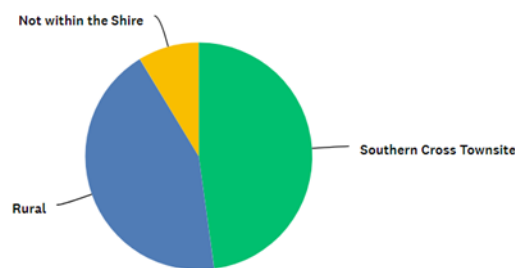
Answered: 22 Skipped: 1



The make of location of survey responses was;

### Where do you reside?

Answered: 23 Skipped: 0



## Workshops

A community workshop open to all residents and ratepayers was held on the 12<sup>th</sup> August 2024 with 17 participants. The Sporting and Community Groups Workshop was held on the same day with 14 participants.

# STRATEGIC DIRECTION

## Our Vision

We are a proud agricultural and mining based economy, providing opportunities for our residents that will build an inclusive and prosperous community in the future.

## Our Mission

The Shire of Yilgarn will deliver quality services, facilities and representation in order to achieve our vision.

## Our Values

We will promote and enhance the following values in all our relationships with our community;

**Honesty** in our dealings

**Integrity** in our actions

**Consistency** in decision making

**Teamwork** in our operations

**Respect** to others and their decisions

**Caring** for people in our community

**Commitment** to decisions and roles

**Responsive** to the needs of others

**Effective Communication** with all

## Key Points of the Plan

The Council have engaged the community in setting a vision for the coming decade. This plan sees existing services and facilities continue highlighting the priorities that Council will focus on over the coming ten years to achieve the vision:

- Embracing technology
- Supporting tourism
- Supporting local businesses
- Community engagement
- Advocacy for essential services
- Maintaining a safe and reliable road network

The detailed implementation of this plan for the next four years is presented in the 4 year Corporate Business Plan.

## Strategic Issues facing the community

The following issues were identified as particularly significant challenges for the community in the coming years. The participants in the community engagement process highlighted these issues and they have been taken into account in preparing this Plan:

- Management and implementation of renewable energy
- Continuous introduction of new red tape and governance and compliance requirements
- Availability of skilled staff
- Potential downturn in local industries, including mining
- Environmental and seasonal risks
- Lack of volunteers for first responder agencies
- Loss of families in the community
- Socio-economic pressures and hosting appropriate services and support in place

## Pillar 1 - Community

**Statement of Strategic Outcome:** An inclusive, secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term.

### GOAL 1. Enhance resident participation in recreation, cultural, and leisure activities

STRATEGIES	OUR ROLE
1.1 Improve utilisation of Council assets through the development of an asset management plan	Deliver
1.2 Investigate opportunities for alternative youth activities outside of traditional sports with the CRC	Facilitate and Deliver
1.3 Complete the upgrade of the recreation centre	Deliver
1.4 Continue to engage with and support local sporting clubs, community groups and volunteers to deliver their activities, competitions and services	Partner and Deliver

### GOAL 2. Retention and upgrade of current health and education services and infrastructure

STRATEGIES	OUR ROLE
2.1 Support the CRC and community groups to offer early years activities in the community	Partner
2.2 Advocate for and work with schools in our Shire	Advocate
2.3 Invite Wheatbelt Beyond Youth Mentoring to work in our community	Facilitate
2.4 Facilitate and advocate to retain and improve local health services, including investigating opportunities for additional ancillary visiting services	Advocate
2.5 Inform the community on progress or changes to the delivery of health services in the community	Deliver

### GOAL 3. Provide and support high quality and well-maintained aged care facilities

STRATEGIES	OUR ROLE
3.1 Continue to manage and maintain the Homes for the Aged	Deliver
3.2 Actively engage in the Central East Aged Care Alliance (CEACA) and expand accommodation options in the Shire	Partner
3.3 Develop and implement actions from the Aged Friendly Community Plan	Deliver

### GOAL 4. Deliver and support community activities that enhances the quality of life for all residents

STRATEGIES	OUR ROLE
4.1 Support the CRC in developing and delivering an annual events program with a focus on families, young people and social inclusion	Support and Deliver
4.2 Continue to provide subsidised use of facilities to our community	Deliver
4.3 Ensure we protect our history and heritage by continuing maintain the Yilgarn Museum and support the Committee	Deliver and Partner

### GOAL 5. We have a safe and secure community

STRATEGIES	OUR ROLE
5.1 Advocate and support emergency services and facilities in the district	Advocate and Support
5.2 Expand the CCTV Network to roads and facilities beyond the Southern Cross townsite	Deliver
5.3 Improve street lighting in the Southern Cross townsite	Advocate
5.4 Undertake fire mitigation and reduction initiatives in conjunction with Bush Fire Brigades	Deliver and Partner

## Pillar 2 - Economy

*Statement of Strategic Outcome: A prosperous future for our community*

### GOAL 6. A safe and efficient transport networks

STRATEGIES	OUR ROLE
6.1 Develop, deliver and monitor a long term road management plan (minimum 10 years).	Deliver
6.2 Monitor traffic movement on the local road network to respond to significant changes to mining and industry movements	Deliver
6.3 Develop, deliver and monitor a 10 year footpath program, that implements a suitable shared path network including ramp access for all abilities	Deliver
6.4 Maintain and enhance the Southern Cross airstrip, with consideration to upgrade to a sealed runway	Deliver

### GOAL 7. Essential services and infrastructure enable local economic growth

STRATEGIES	OUR ROLE
7.1 Continue to advocate for improved telecommunications infrastructure to eliminate blackspots in the Shire, including digital access	Advocate
7.2 Develop a 10-year Council housing strategy to ensure stock is maintained, improved and expanded.	Deliver
7.3 Attract external investment in housing to attract and retain professionals, workers and young people in the Shire	Partner & Deliver
7.4 Facilitate growth through residential land development	Partner & Deliver
7.5 Identify the need for light industrial land development and opportunities this can attract	Partner & Deliver

### GOAL 8. Growth and diversity of the local economy

STRATEGIES	OUR ROLE
8.1 Develop a local Economic Development Strategy	Deliver
8.2 Position Yilgarn as a great place to live, work and raise a family	Deliver
8.3 Improve mechanisms to facilitate regular connection and communication with industry	Facilitate

8.4	Enhance the main street (business district) by developing a plan to include projects and upgrades in a coordinated approach	Deliver & Partner
8.5	Support existing and encourage new mining and processing industries	Advocate
8.6	Monitor and review extractive industry rating systems	Deliver

## GOAL 9. Develop the visitor experience within the Shire

STRATEGIES	OUR ROLE	
9.1	Complete upgrades to the Southern Cross Caravan Park	Deliver
9.2	In partnership with WEROC, promote and enhance the facilities of the self-drive trail	Partner
9.3	Enhance local visitor information and signage	Deliver
9.4	Continue to support the Southern Cross Museum experience	Deliver
9.4	Continue to promote tourism attractions and amenities	Deliver

## Pillar 3 - Environment

*Statement of Strategic Outcome: Protecting, utilising and enhancing our natural environment*

### GOAL 10. Improve waste management services and facilities

STRATEGIES	OUR ROLE
10.1 Develop and implement a plan for the management of waste at satellite towns and transfer stations	Deliver
10.2 Improve public education of waste management and recycling	Deliver
10.3 Develop an effective and efficient strategy to maintain and upgrade sewerage systems in Southern Cross and Marvel Loch	Deliver

### GOAL 11. Protect our natural environment

STRATEGIES	OUR ROLE
11.1 Advocate for continued investment in land care management and conservation	Advocate
11.2 Where appropriate, support local conservation and pest management initiatives	Deliver

### GOAL 12. Prepare for renewable energy development in our Shire

STRATEGIES	OUR ROLE
12.1 Continue with the installation of solar panels on Council facilities (Aquatic Centre, Recreation Centre and Shire depot)	Deliver
12.2 Plan to address increased tree / carbon farming across our Shire	Advocate and Facilitate
12.3 Plan for renewable energy projects in our Shire and ensure they deliver value to the community	Deliver and Advocate

## Pillar 4 – Civic Leadership

**Statement of Strategic Outcome:** *Accountable and strong leadership guiding our community into the future.*

### GOAL 13. Regularly engage with our community and strategic partners

STRATEGIES	OUR ROLE
13.1 Develop and implement a Community Engagement Framework	Deliver
13.2 Develop and adopt a Communications Policy	Deliver
13.3 Maintain and nurture strategic partnerships with regional organisations, State and Federal governments	Partner

### GOAL 14. Strong leadership and a high standard of governance

STRATEGIES	OUR ROLE
14.1 Elected members and staff complete regular training and development opportunities	Deliver
14.2 Investigate financial management systems for effective governance and administration of Council	Partner & Deliver
14.3 Investigate the provision of a new or upgraded Council Administration Office incorporating co-location opportunities	Deliver
14.4 Continue to plan Council's long term financial position inclusive of adequate reserves for future initiatives and services	Deliver



## MONITORING AND REPORTING

The Shire of Yilgarn will conduct a review every two years alternating between minor and major reviews

Services and facilities provided by the Shire have been linked to the relevant strategies in the Strategic Community Plan in the following table. The table provides a connection between the services and facilities and the desired outcomes and community vision for the Shire of Yilgarn.

Social	Economic	Environment	Civic Leadership
Medical Services (Doctor)	Museum	Animal Control	Emergency Management
Community Resource Centre	Tourism & Visitor Services	Fire Prevention & Control	Public Health
Daycare & Playgroup	Area Promotion	Pest Control (mosquitos)	Police Licencing
Senior Citizens Centre	Caravan Park and Motel	Refuse Collection & Sites	Governance
Aged Housing	Road maintenance & construction	Sewerage	Local Laws
Community Bus	Standpipes	Town Planning	
Swimming Pool;		Cemetery	
Sport and Recreation		Public Toilets	
Library		Street lighting	
Community Development		Footpaths & verges	
FM Radio Re- Broadcasting		Townscapes	
		Building control	
		Biosecurity	

Adopted:	JUNE 2020
Last Review: (Major)	November 2024
Date for next Review: (Minor)	JUNE 2026



**PUBLIC PLACES, LOCAL GOVERNMENT PROPERTY AND  
TRADING LOCAL LAW 2025**

*Local Government Act 1995*

WESTERN AUSTRALIA

**PUBLIC PLACES, LOCAL GOVERNMENT PROPERTY AND TRADING  
LOCAL LAW 2025**

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## PART 1 - PRELIMINARY

### 1.1 Title

This is the *Shire of Yilgarn Public Places, Local Government Property and Trading Local Law 2025*.

### 1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

### 1.3 Terms used in this local law

In this local law, unless the contrary intention appears –

“**Act**” means the *Local Government Act 1995*;

“**animal**” means any living thing that is not a human being or plant, but excludes a cat;

“**applicant**” means a person who applies for a permit;

“**application**” means an application for a permit;

“**application fee**” means the fee payable upon lodgement of an application for a permit and which relates to the lodgement, assessment and determination of the application but does not include the permit fee;

“**authorised person**” means a person authorised by the local government under section 9.10 of the Act;

“**boat**” means any ship, vessel or structure capable of being used in navigation by water, however propelled or moved, and includes a jet ski;

“**building**” means any building which is local government property and includes  
a –

- (a) hall or room;
- (b) corridor, stairway or annexe of any hall or room; and
- (c) jetty;

“**built-up area**” has the meaning given to it in the *Road Traffic Code 2000*;

“**bulk rubbish container**” means a bin or container designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance, but does not include a bin or container used in connection with the local government’s regular domestic rubbish collection service;

“**carriageway**” has the meaning given to it in the *Road Traffic Code 2000*;

“**CEO**” means the chief executive officer of the local government;

“**charitable organisation**” means an institution, association, club, society or body whether incorporated or not, the objects of which are of a charitable, benevolent,

religious, cultural, educational, recreational, sporting or other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium;

**“commencement day”** means the day on which this local law comes into operation;

**“Council”** means the council of the local government;

**"crossing"** means a crossing giving access from a public thoroughfare to -

- (a) private land; or
- (b) a private thoroughfare serving private land;

**“determination”** means a determination made under clause 2.1;

**“district”** means the district of the local government and includes any area placed under the jurisdiction of the local government pursuant to section 22 of the Health Act;

**“eating house”** means premises which are registered as an eating house under the Health Act or which are the subject of a hotel licence, a special facility licence or a restaurant licence under the Liquor Act;

**“entertain”** means conduct any form of theatrical, artistic, musical, audio or visual performance and includes busk;

**“food”** has the meaning given by clause 1.5;

**"footpath"** has the meaning given to it in the *Road Traffic Code 2000*;

**“function”** means an event or activity characterised by all or any of the following –

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club;
- (d) payment of a fee to attend it; and
- (e) systematic recurrence in relation to the day, time and place;

**“garden”** means any part of a thoroughfare planted, developed or treated, otherwise than as a lawn, with one or more plants;

**“Health Act”** means the *Health (Miscellaneous Provisions) Act 1911*;

**“hire”** includes offer to hire and expose for hire;

**“intersection”** has the meaning give to it in the *Road Traffic Code 2000*;

**“kerb”** includes the edge of a carriageway;

**“lawn”** means any part of a thoroughfare which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government;

**“liquor”** has the same meaning as is given to it in section 3 of the Liquor Licensing Act 1988;

**“Liquor Act”** means the *Liquor Control Act 1988* and includes any regulations made under that Act;

**“local government”** means Shire of Yilgarn;

**“local government property”** means anything except a street –

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the Land Administration Act 1997; or
- (c) which is an “otherwise unvested facility” within section 3.53 of the Act;

**“lot”** has the meaning given to it in the *Planning and Development Act 2005*;

**“Manager”** means the person for the time being employed by the local government to control and manage a facility which is local government property and includes the person’s assistant or deputy;

**“nuisance”** means -

- (a) any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which is injurious or dangerous to the health of another person of normal susceptibility, or which has a disturbing effect on the state of reasonable physical, mental or social well being of another person;
- (b) any thing a person does or permits or causes to be done which interferes with or is likely to interfere with the enjoyment or safe use by another persons or any public place; or
- (c) any thing a person does in or on a public place which unreasonably detracts from or interferes with the enjoyment or value of nearby land owned by another person, provided that any thing done in accordance with the law or a legal right or which is consistent with the standard of behaviour in the relevant locality shall not be unreasonable for the purpose

**“owner or occupier”** in relation to land does not include the local government;

**“permissible verge treatment”** means any one of the 4 treatments described in clause 6.5 (2), and includes any reticulation pipes and sprinklers;

**“permit”** means a permit under this local law;

**“permit fee”** means the fee payable upon the issue of a permit;

**“permit document”** means a permit document issued under this local law;

**“permit holder”** means a person who holds a permit;

**“person”** does not include the local government;

**“place”** means anywhere at all, and includes anywhere in or on something that is moving or can move;

**"premises"** means a building or similar structure, but does not include a carpark or a similar place;

**“private property”** means any real property, parcel of land or lot that has a separate certificate of title, which is in private ownership or subject of a lease or agreement with a company or person enabling its use for private purposes and includes any building or structure thereon;

**“proprietor”** –

- (a) includes the owner, the occupier and any person having the management or control of any eating house; or
- (b) the holder of a licence granted under the Liquor Act where the premises in question is the subject of a hotel licence, a limited hotel licence, special facility licence or a restaurant licence granted under that Act;

**“public place”** has the meaning given by clause 1.4;

**“repealed local law”** means the local law repealed under clause 15.1;

**"retailer"** means a proprietor of a shop in respect of which shopping trolleys are provided for the use of customers of the shop; and

**“sell”** includes –

- (a) offer or attempt to sell;
- (b) display for sale;
- (c) send, forward or deliver for sale or on sale;
- (d) barter or exchange;
- (e) dispose, by lot or chance or by auction;
- (f) supply, or offer, agree or attempt to supply –
  - (i) in circumstances which the supplier derives or would be likely to derive a direct or indirect pecuniary benefit; or
  - (ii) gratuitously, but with a view to gaining or maintaining custom or other commercial advantage; or

(g) authorise, direct, cause or permit to be done any act referred to in this definition;

**"shopping trolley"** means a wheeled container or receptacle supplied by a retailer to enable a person to transport goods.

**"sign"** includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;

**"stall"** means a movable or temporarily fixed structure, stand or table in, on or from which goods, wares, merchandise, produce or services are sold and includes a vehicle;

**"street"** means any highway, thoroughfare or land used for vehicular or pedestrian traffic, and includes all the land lying between property lines, including the verge and footpath;

**"street tree"** any tree planted or self sown in the street, of an appropriate species and in an appropriate location, for the purposes of contributing to the streetscape;

**"thoroughfare"** has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government;

**"town planning scheme"** means a town planning scheme of the local government made under the *Planning and Development Act 2005*;

**"trading"** means selling or hiring goods, wares, merchandise or services and includes the setting up of a stall and conducting business at a stall;

**"vehicle"** includes –

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven,

but excludes –

- (c) a wheel-chair or any device designed for use, by a physically impaired person on a footpath;

**"verge"** means that part of a street between the carriageway and the land which abuts the street, but does not include any footpath.

#### **1.4 Meaning of "public place"**

For the purpose of this local law a public place is –

- (a) any street;
- (b) any local government property; or
- (c) any place to which the public have access.

## 1.5 Meaning of “food”

- (1) In this local law, “**food**” includes –
- (a) any substance or thing of kind used, or represented as being used, for human consumption (whether it is live, raw, prepared or partly prepared);
  - (b) any substance or thing of a kind used, or represented as being for use, as an ingredient or additive in a substance or thing referred to in paragraph (a);
  - (c) any substance used in preparing a substance or thing referred to in paragraph (a) (other than a substance used in preparing a living thing) if it comes into direct contact with the substance or thing referred to in that paragraph, such as processing aid;
  - (d) chewing gum or an ingredient or additive in chewing gum, or any substance used in preparing chewing gum; and
  - (e) any substance or thing declared to be a food under a declaration in force under the Commonwealth *Food Standards Australia New Zealand Act 1991* section 3B,

whether or not the substance, thing or chewing gum is in a condition fit for human consumption.

- (2) To avoid doubt, “**food**” may include live plants and animals.



## **PART 2 - DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY**

### **2.1 Determinations as to use of local government property**

- (1) The local government may make a determination in accordance with clause 2.2 –
  - (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
  - (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
  - (c) as to the matters in clauses 2.7(2) and 2.8(2); and
  - (d) as to any matter ancillary or necessary to give effect to a determination.

### **2.2 Procedure for making a determination**

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
  - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
  - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
  - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
  - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
  - (b) amend the proposed determination, in which case subclause (5) is to apply; or
  - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c) the Council is to
  - (a) consider those submissions; and
  - (b) decide –

- (i) whether or not to amend the proposed determination; or;
  - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
  - (a) of the effect of the amendments; and
  - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

### **2.3 Discretion to erect sign**

The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

### **2.4 Determination to be complied with**

A person shall comply with a determination.

### **2.5 Register of determinations**

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act are to apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

### **2.6 Amendment or revocation of a determination**

- (1) The Council may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination it is to give local public notice of the revocation and the determination is to cease to have effect on the date of publication.

## 2.7 Activities which may be pursued on specified local government property

- (1) A determination may provide that specified local government property is set aside as an area on which a person may –
  - (a) bring, ride or drive an animal;
  - (b) take, ride or drive a vehicle, or a particular class of vehicle;
  - (c) fly or use a motorised model aeroplane;
  - (d) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;
  - (e) launch, beach or leave a boat;
  - (f) take or use a boat, or a particular class of boat;
  - (g) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
  - (h) play or practice –
    - (i) golf or archery;
    - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or
    - (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
  - (i) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device; and
  - (j) wear no clothing.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –
  - (a) the days and times during which the activity may be pursued;
  - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
  - (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
  - (d) may limit the activity to a class of vehicles, equipment or things, or may extend it to all vehicles, equipment or things;

- (e) may specify that the activity can be pursued by a class of persons or all persons; and
- (f) may distinguish between different classes of the activity.

## **2.8 Activities which may be prohibited on specified local government property**

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property –
  - (a) smoking on premises;
  - (b) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
  - (c) taking, riding or driving a vehicle on the property or a particular class of vehicle;
  - (d) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
  - (e) taking or using a boat ,or a particular class of boat ;
  - (f) the playing or practice of –
    - (i) golf, archery, pistol shooting or rifle shooting; or
    - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
  - (g) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and
  - (h) the traversing of land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
  - (a) the days and times during which the activity is prohibited;
  - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
  - (c) that an activity is prohibited in respect of a class of vehicles, equipment or things, or all vehicles, equipment or things;
  - (d) that an activity is prohibited in respect of a class of persons or all persons; and

- (e) may distinguish between different classes of the activity.
- (3) In this clause –

**"premises"** means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.

## **2.9 Sign under repealed local law taken to be determination**

- (1) Where a sign erected on local government property has been erected under a repealed local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

## **PART 3 – ACTIVITIES ON LOCAL GOVERNMENT PROPERTY REQUIRING A PERMIT**

### **3.1 Activities requiring a permit**

- (1) A person must not without a permit –
  - (a) subject to subclause (3) hire local government property;
  - (b) advertise anything by any means on local government property;
  - (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, on local government property;
  - (d) teach, coach or train, for profit, any person in any facility which is local government property;
  - (e) plant any plant or sow any seeds on local government property;
  - (f) carry on any trading on local government property unless the trading is conducted –
    - (i) with a permit obtained under Part 8 of this Local Law; or
    - (ii) by a person who has a licence or permit to carry on trading on local government property under any written law;
  - (g) unless an employee of the local government in the course of her or his duties or on an area set aside for that purpose –
    - (i) drive or ride or take any vehicle on to local government property; or
    - (ii) park or stop any vehicle on local government property;

- (h) conduct a function on local government property ;
  - (i) charge any person for entry to local government property, unless the charge is for entry to land or a building hired by a voluntary non-profit organisation;
  - (j) light a fire on local government property except in a facility provided for that purpose;
  - (k) parachute, hang glide, abseil or base jump from or on to local government property;
  - (l) erect a building or a refuelling site on local government property;
  - (m) make any excavation on or erect or remove any fence on local government property;
  - (n) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
  - (o) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property; or
  - (p) conduct or take part in any gambling game or contest or bet, or offer to bet, publicly.
- (2) The CEO may exempt a person from compliance with subclause (1) on the application of that person.
  - (3) The CEO may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

### **3.2 Permit required to camp outside a facility**

- (1) In this clause –
  - "facility"** has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.
- (2) This clause does not apply to a facility operated by the local government.
- (3) A person must not without a permit –
  - (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property; or
  - (b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day.



- (4) The maximum period for which the CEO may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

### **3.3 Permit required for possession and consumption of liquor**

- (1) A person, on local government property, must not consume any liquor or have in her or his possession or under her or his control any liquor, unless –
- (a) that is permitted under the *Liquor Control Act 1988*; and
  - (b) a permit has been obtained for that purpose.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

## **PART 4 - BEHAVIOUR ON ALL LOCAL GOVERNMENT PROPERTY**

### **4.1 Behaviour which interferes with others**

A person must not in or on any local government property behave in a manner which –

- (a) is likely to interfere with the enjoyment of a person who might use the property; or
- (b) interferes with the enjoyment of a person using the property.

### **4.2 Behaviour detrimental to property**

- (1) A person must not behave in or on local government property in a way which is or might be detrimental to the property.
- (2) In subclause (1) –

**“detrimental to the property”** includes –

- (a) removing any thing from the local government property including a rock, a plant or a seat provided for the use of any person; and
- (b) destroying, defacing or damaging any thing on the local government property, including a plant, a seat provided for the use of any person or a building.

#### **4.3 Taking or injuring any fauna**

(1) A person must not, take, injure or kill or attempt to take, injure or kill any fauna which is on or above any local government property, unless that person is authorized under a written law to do so.

(2) In this clause –

**"fauna"** means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –

(a) any class of animal or individual member;

(b) the eggs or larvae; or

(c) the carcass, skin, plumage or fur.

#### **4.4 Intoxicated persons not to enter local government property**

A person must not enter or remain on local government property while under the influence of liquor or a prohibited drug.

#### **4.5 No prohibited drugs**

A person must not take a prohibited drug on to, or consume or use a prohibited drug on, local government property.

#### **4.6 Signs**

(1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.

(2) A person must comply with a sign erected under subclause (1).

(3) A condition of use specified on a sign erected under subclause (1) is –

(a) not to be inconsistent with any provision of this local law or any determination; and

(b) to be for the purpose of giving notice of the effect of a provision of this local law.

#### **4.7 Authorised person to be obeyed**

A person on local government property must obey any lawful direction of an authorized person and must not in any way obstruct or hinder an authorized person in the execution of her or his duties.

#### **4.8 Persons may be directed to leave local government property**

An authorized person may direct a person to leave local government property where she or he reasonably suspects that the person has contravened a provision of any written law.

#### **4.9 Disposal of lost property**

An article left on any local government property, and not claimed within a period of 3 months, may be disposed of by the local government in any manner it thinks fit.

#### **4.10 Liability for damage to local government property**

- (1) Where a person unlawfully damages local government property, the local government may by notice in writing to that person require that person within the time required in the notice to, at the option of the local government, pay the costs of –
  - (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
  - (b) replacing that property.
- (2) Unless there is proof to the contrary, a person is to be taken to have damaged local government property within subclause (1) where –
  - (a) a vehicle or a boat caused the damage, the person was the person responsible, at the time the damage occurred, for the control of the vehicle or a boat; or
  - (b) the damage occurred under a permit, the person is the permit holder in relation to that permit.
- (3) On a failure to comply with a notice issued under subclause (1), the local government may recover the costs referred to in the notice as a debt due to it.

### **PART 5 – MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY**

#### **5.1 No entry to fenced or closed local government property**

A person must not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorized to do so by the local government.

#### **5.2 Only specified gender to use entry of toilet block or change room**

Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by –

- (a) females, then a person of the male gender must not use that entry of the toilet block or change room; or

- (b) males, then a person of the female gender must not use that entry of the toilet block or change room.

### **5.3 No unauthorized entry to function**

- (1) A person must not enter local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorized, except –
  - (a) through the proper entrance for that purpose; and
  - (b) on payment of the fee chargeable for admission at the time.
- (2) The local government may exempt a person from compliance with subclause (1)(b).

## **PART 6 – ACTIVITIES IN STREETS**

### **6.1 General prohibitions**

A person must not –

- (a) plant any plant which is not maintained at or below 0.50m in height in a street so that the plant does not create a sightline hazard;
- (b) damage a lawn or a garden or remove any plant or part of a plant from a lawn or a garden unless –
  - (i) the person is the owner or the occupier of the lot abutting that portion of the street and the lawn or the garden or the particular plant has not been installed or planted by the local government; or
  - (ii) the person is acting under the authority of a written law;
- (c) damage a street tree or remove a street tree or part of a street tree irrespective of whether the street tree was planted by the owner or occupier of the lot abutting the street or by the local government, unless –
  - (i) the removal of the street tree is authorised by the local government in writing; or
  - (ii) the person is acting under authority of written law;
- (d) place on any footpath any fruit, fruit skins or other substance or fluid (whether vegetable or otherwise, but not water) which may create a hazard for any person using the footpath;
- (e) unless at the direction of the local government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter,

shed, fence or any structure erected on a street by the local government or a person acting under the authority of a written law;

- (f) play or participate in any game or sport so as to cause danger to any person or thing or impede the movement of vehicles or persons on a street; or
- (g) within a mall, arcade or verandah of a shopping centre, ride any bicycle, skateboard, roller-blades or similar device.

## **6.2 Activities allowed with a permit**

- (1) A person must not, without a permit –
  - (a) dig or otherwise create a trench through or under a kerb or footpath;
  - (b) throw, place or deposit any thing on a verge except for removal by the local government under a bulk rubbish collection, and then only in accordance with the terms and conditions and during the period of time advertised in connection with that collection by the local government;
  - (c) cause any obstruction to a vehicle or a person using a street as a street;
  - (d) cause any obstruction to a water channel or a water course in a street;
  - (e) throw, place or drain offensive, noxious or dangerous fluid onto a street;
  - (f) damage a street;
  - (g) fell or damage any street tree;
  - (h) fell any tree onto a street;
  - (i) unless installing, or in order to maintain, a permissible verge treatment –
    - (i) lay pipes under or provide taps on any verge; or
    - (ii) place or install any thing on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
  - (j) provide, erect, install or use in or on any building, structure or land abutting on a street any hoist or other thing for use over the street;
  - (k) on a street use anything or do anything so as to create a nuisance;
  - (l) place or cause to be placed on a street a bulk rubbish container; or
  - (m) interfere with the soil of, or anything in a thoroughfare or take anything from a street.

- (2) The CEO may exempt a person from compliance with subclause (1) on the application of that person.

### **6.3 Temporary crossings**

- (1) Where it is likely that works on a lot will involve vehicles leaving a street and entering the lot, the person responsible for the works must obtain a permit for the construction of a temporary crossing to protect the existing carriageway, kerb, drains, footpath, existing materials and street trees, where –
  - (a) a crossing does not exist; or
  - (b) a crossing does exist, but the nature of the vehicles and their loads is such that they are likely to cause damage to the crossing.
- (2) The “**person responsible for the works**” in subclause (1) is to be taken to be –
  - (a) the builder named on the building licence issued under the *Local Government (Miscellaneous Provisions) Act 1960*, if one has been issued in relation to the works; or
  - (b) the registered proprietor of the lot, if no building licence has been issued under the *Local Government (Miscellaneous Provisions) Act 1960* in relation to the works.
- (3) If the CEO approves an application for a permit for the purpose of subclause (1), the permit is taken to be issued on the condition that until such time as the temporary crossing is removed, the licensee must keep the temporary crossing in good repair and in such a condition so as not to create any danger or obstruction to persons using the street.

### **6.4 Removal of redundant crossing**

- (1) Where works on a lot will result in a crossing no longer giving access to a lot, the crossing is to be removed and the kerb, drain, footpath, verge and any other part of the thoroughfare affected by the removal are to be reinstated to the satisfaction of the CEO.
- (2) The CEO may give written notice to the owner or occupier of a lot requiring her or him to –
  - (a) remove any part of or all of a crossing which does not give access to the lot; and
  - (b) reinstate the kerb, drain, footpath, verge and any other part of the street, which may be affected by the removal, within the period of time stated in the notice, and the owner or occupier of the lot must comply with that notice.



## **6.5 Permissible verge treatments**

- (1) An owner or occupier of land which abuts on a verge may on that part of the verge directly in front of her or his land may install a permissible verge treatment.
- (2) The permissible verge treatments are –
  - (a) the planting and maintenance of a lawn;
  - (b) the planting and maintenance of a garden provided that –
    - (i) clear sight visibility is maintained at all times for a person using the abutting street in the vicinity of an intersection or bend in the street or using a driveway on land adjacent to the street for access to or from the street; and
    - (ii) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
  - (c) the installation of an acceptable material; or
  - (d) the installation over no more than 30 per cent of the area of the verge (excluding any approved footpath and/or vehicle crossing) of an acceptable material in accordance with paragraph (c), and the planting and maintenance of either a lawn or a garden on the balance of the verge in accordance with paragraph (a) or (b).
- (3) In this clause “acceptable material” means any material specified as acceptable for the purpose of this clause in a policy which has effect under Part 13.

## **6.6 Only permissible verge treatments to be installed**

- (1) A person must not install or maintain a verge treatment which is not a permissible verge treatment.
- (2) The owner and occupier of the lot abutting a verge treatment referred to in subclause (1) are each to be taken to have installed and maintained that verge treatment for the purposes of this clause and clause 6.7.

## **6.7 Obligations of owner or occupier**

An owner or occupier who installs or maintains a permissible verge treatment must –

- (a) keep the permissible verge treatment in a good and tidy condition and ensure, where the verge treatment is a garden or lawn, that a footpath on the verge and a carriageway adjoining the verge is not obstructed by the verge treatment;
- (b) not place any obstruction on or around the verge treatment; and
- (c) not disturb a footpath on the verge.

## **6.8 Notice to owner or occupier**

The CEO may give a notice in writing to the owner or the occupier of a lot abutting on a verge to make good, within the time specified in the notice, any breach of a provision of this Part.

## **6.9 Transitional provision**

(1) In this clause –

**"former provisions"** means the local law of the local government which permitted certain types of verge treatments, whether with or without the consent of the local government, and which was repealed by this local law.

(2) A verge treatment which –

(a) was installed prior to the commencement day; and

(b) on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions,

is to be taken to be a permissible verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions.

## **6.10 Power to carry out public works on verge**

Where the local government or an authority empowered to do so under a written law disturbs a verge, the local government or the authority –

(a) is not liable to compensate any person for that disturbance;

(b) may backfill with sand, if necessary, any garden or lawn; and

(c) is not liable to replace or restore any –

(i) verge treatment and, in particular, any plant or any acceptable material or other hard surface; or

(ii) sprinklers, pipes or other reticulation equipment.

## **6.11 Assignment of numbers**

The local government may assign a number to a lot in the district and may assign another number to the lot instead of that previously assigned.

## **6.12 Public place – Item 4(1) of Division 1, Schedule 3.1 of Act**

The following places are specified as a public place for the purpose of item 4(1) of Division 1 of Schedule 3.1 of the Act –

a public place, as that term is defined in clause 1.4.

### **6.13 Signs**

- (1) A local government may erect a sign in a street specifying any conditions of use which apply to that street.
- (2) A person must comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is to be for the purpose of giving notice of the effect of a provision of this local law.

### **6.14 Transitional**

Where a sign erected in a street has been erected under a local law of the local government repealed by this local law, then on and from the commencement day, it is to be taken to be a sign erected under clause 6.13 if –

- (a) the sign specifies a condition of use relating to the street which gives notice of the effect of a provision of this local law; and
- (b) the condition of use specified is not inconsistent with any provision of this local law.

### **6.15 No driving on closed street**

- (1) A person must not drive or take a vehicle on a closed street unless –
  - (a) it is in accordance with any limits or exceptions specified in the order made under section 3.50 of the Act; or
  - (b) the person has first obtained a permit.
- (2) In this clause –

**"closed street"** means a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act.

### **6.16 Notice to redirect or repair sprinkler**

Where a lawn or a garden is being watered with a sprinkler which is on the lawn or the garden, in a manner which causes or may cause an inconvenience or obstruction to any person using a street, the CEO may give a notice to the owner or the occupier of the land abutting on the lawn or the garden, requiring the owner or the occupier or both to move or alter the direction of the sprinkler or other watering equipment.

### **6.17 Hazardous plants**

- (1) Where a plant in a garden creates or may create a hazard for any person using a street, the CEO may give a notice to the owner or the occupier of the land abutting on the garden to remove, cut, move or otherwise deal with that plant so as to remove the hazard.

- (2) Subclause (1) does not apply where the plant was planted by the local government.

#### **6.18 Notice to repair damage to street**

Where any portion of a street has been damaged, the CEO may by notice to the person who caused the damage order the person to repair or replace that portion of the street to the satisfaction of the local government.

#### **6.19 Notice to remove thing unlawfully placed on street**

Where any thing is placed on a street in contravention of this local law, the CEO may by notice in writing to the owner or the occupier of the property which abuts on that portion of the street where the thing has been placed, or any other person who may be responsible for the thing being so placed, require the relevant person to remove the thing.

### **PART 7 – OBSTRUCTING ANIMALS, VEHICLES OR SHOPPING TROLLEYS**

#### **7.1 Leaving animal or vehicle in public place**

- (1) A person must not leave an animal or a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place, unless that person has first obtained a permit or is authorized to do so under a written law.
- (2) A person does not contravene subclause (1) where the animal is secured or tethered for a period not exceeding 1 hour.
- (3) A person does not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

#### **7.2 Prohibitions relating to animals**

- (1) In subclause (2), "**owner**" in relation to an animal includes –
  - (a) an owner of it;
  - (b) a person in possession of it;
  - (c) a person who has control of it; and
  - (d) a person who ordinarily occupies the premises where the animal is permitted to stay.
- (2) An owner of an animal must not –
  - (a) allow the animal to enter or remain for any time on any public place except for the use of the public place as a thoroughfare and unless it is led, ridden or driven;
  - (b) allow an animal which has a contagious or infectious disease to be led, ridden or driven in a public place; or

- (c) train or race the animal in a public place.
- (3) An owner of a horse must not lead, ride or drive a horse on a street, unless that person does so under a permit or under the authority of a written law.

### **7.3 Shopping trolley to be marked**

A retailer must clearly mark its name or its trading name on any shopping trolley made available for the use of customers.

### **7.4 Person not to leave trolley in public place**

A person must not leave a shopping trolley in a public place other than in an area set aside for the storage of shopping trolleys.

### **7.5 Retailer to remove abandoned trolley**

- (1) If a shopping trolley is found in a public place, other than in an area set aside for the storage of shopping trolleys, the local government may advise (verbally or in writing) a retailer whose name is marked on the trolley of the location of the shopping trolley.
- (2) A retailer must remove a shopping trolley within 24 hours of being so advised under subclause (1), unless the retailer -
  - (a) requests the local government to collect and deliver the shopping trolley to the retailer; and
  - (b) pays any fee for that collection and delivery (imposed and determined under and in accordance with sections 6.16 to 6.19 of the Act) within the period specified by the local government.

### **7.6 Retailer taken to own trolley**

In the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

## **PART 8 – TRADING IN THOROUGHFARES AND PUBLIC PLACES**

### *Division 1 - Stallholders and traders*

#### *Subdivision 1 - Preliminary*

### **8.1 Interpretation**

In this Division, unless the context otherwise requires -

**"Competition Principles Agreement"** means the Competition Principles Agreement executed by each State and Territory of the Commonwealth and the Commonwealth of Australia on 11 April 1995;

**"public place"** includes -

- (a) any thoroughfare or place which the public are allowed to use whether or not the thoroughfare or place is on private property; and
- (b) local government property,  
but does not include premises on private property from which trading is lawfully conducted under a written law.

**"stall"** means a movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold, hired or offered for sale or hire;

**"stallholder"** means a person in charge of a stall;

**"stallholder's permit"** means a permit issued to a stallholder;

**"trader"** means a person who carries on trading;

**"trader's permit"** means a permit issued to a trader; and

**"trading"** includes –

- (a) the selling or hiring of, the offering for sale or hire of or the soliciting of orders for goods or services in a public place;
- (b) displaying goods in any public place for the purpose of –
  - (i) offering them for sale or hire;
  - (ii) inviting offers for their sale or hire;
  - (iii) soliciting orders for them; or
  - (iv) carrying out any other transaction in relation to them; and
- (c) the going from place to place, whether or not public places, and –
  - (i) offering goods or services for sale or hire; or
  - (ii) inviting offers or soliciting orders for the sale or the hire of goods or services,

but does not include –

- (d) the delivery of pre-ordered goods or services to the purchaser of those goods or services or to the person nominated by the purchaser of those goods or services whether or not payment for those goods or services is accepted on delivery; or  
the taking of further orders for goods or services from the purchaser of those pre-ordered goods or services or from the person nominated by the purchaser of those pre-ordered goods or services when those orders are taken at the same time as a previous order is being delivered, whether or not payment is made for those goods or services at the time of taking the order;
- (e) the setting up of a stall or the conducting of a business at a stall under the authority of a stallholder's permit;
- (f) the selling or the offering for sale of goods and services to, or the soliciting of orders for goods and services from a person who sells those goods or services;
- (g) the selling or the offering for sale or hire by a person of goods of her or his own manufacture or services which he or she provides; and
- (h) the selling or hiring or the offering for sale or hire of –
  - (i) goods by a person who represents a manufacturer of the goods; or

- (ii) services by a person who represents a provider of the services, which are only sold directly to consumers and not through a shop.

### *Subdivision 2 - Permits*

#### **8.2 Stallholder's permit**

- (1) A person shall not conduct a stall on a public place unless that person is –
  - (a) the holder of a valid stallholder's permit; or
  - (b) an assistant specified in a valid stallholder's permit.
- (2) Every application for a stallholder's permit shall –
  - (a) state the full name and address of the applicant;
  - (b) specify the proposed number of assistants to be engaged by the applicant in conducting the stall, as well as their names and addresses if already engaged;
  - (c) specify the proposed location of the stall;
  - (d) specify the period of time for which the permit is sought, together with the proposed days and hours of operation;
  - (e) specify the proposed goods or services to be sold or hired or offered for sale or hire from the stall; and
  - (f) be accompanied by an accurate plan and description of the proposed stall.

#### **8.3 Trader's permit**

- (1) A person shall not carry on trading unless that person is –
  - (a) the holder of a valid trader's permit; or
  - (b) an assistant specified in a valid trader's permit.
- (2) Every application for a trader's permit shall –
  - (a) state the full name and address of the applicant;
  - (b) specify the proposed number of assistants, if any, to be engaged by the applicant in trading, as well as their names and addresses if already engaged;
  - (c) specify the location or locations in which the applicant proposes to trade;
  - (d) specify the period of time for which the permit is sought, together with the proposed days and hours of trading;
  - (e) specify the proposed goods or services which will be traded; and
  - (f) be accompanied by an accurate plan and description of any proposed structure or vehicle which may be used by the applicant in trading.
- (3) The conditions subject to which the local government may approve an application for a trader's permit include that the permit holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the permit holder must move on from that location within a reasonable time of the last purchase having been made.



#### **8.4 No permit required to sell newspaper**

Notwithstanding any other provision of this local law, a person who sells, or offers for sale, a newspaper only is not required to obtain a permit.

#### **8.5 Relevant considerations in determining application for permit**

- (1) In determining an application for a permit for the purposes of this Division, the local government is to have regard to –
  - (a) any relevant policies of the local government;
  - (b) the desirability of the proposed activity;
  - (c) the location of the proposed activity;
  - (d) the principles set out in the Competition Principles Agreement; and
  - (e) such other matters as the local government may consider to be relevant in the circumstances of the case.
- (2) The local government may refuse to approve an application for a permit under this Division on any one or more of the following grounds –
  - (a) that the applicant has committed a breach of any provision of this local law or of any written law relevant to the activity in respect of which the permit is sought; or
  - (b) that –
    - (i) the applicant is an undischarged bankrupt or is in liquidation;
    - (ii) the applicant has entered into any composition or arrangement with creditors; or
    - (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property.

#### **8.6 Conditions of permit**

- (1) If the local government approves an application for a permit under this Division subject to conditions, those conditions may include –
  - (a) the place, the part of the district, or the thoroughfare to which the permit applies;
  - (b) the days and hours during which a permit holder may conduct a stall or trade;
  - (c) the number, type, form and construction, as the case may be, of any stand, table, structure or vehicle which may be used in conducting a stall or in trading;
  - (d) the goods or services in respect of which a permit holder may conduct a stall or trade;
  - (e) the number of persons and the names of persons permitted to conduct a stall or trade;
  - (f) the requirement for personal attendance at the stall or the place of trading by the permit holder and the nomination of assistants, nominees or substitutes for the permit holder;
  - (g) whether and under what terms the permit is transferable;
  - (h) any prohibitions or restrictions concerning the -
    - (i) causing or making of any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder;
    - (ii) the use of amplifiers, sound equipment and sound instruments;
    - (iii) the use of signs; and
    - (iv) the use of any lighting apparatus or device;

- (i) the manner in which the permit holder's name and other details of a valid permit are to be displayed;
  - (j) the care, maintenance and cleansing of the stall or any structure used for trading and the place of the stall or any structure;
  - (k) the vacating of the place of a stall or trading when the stall is not being conducted or trading is not being carried on;
  - (l) the acquisition by the stallholder or trader of public risk insurance;
  - (m) the period for which the permit is valid; and
  - (n) the designation of any place or places where trading is wholly or from time to time prohibited by the local government.
- (2) Where a permit holder by reason of illness, accident or other sufficient cause is unable to comply with this local law, the local government may at the request of that permit holder authorize another person to be a nominee of the permit holder for a specified period, and this local law and the conditions of the permit shall apply to the nominee as if he or she was the permit holder.

### **8.7 Exemptions from requirement to pay fee or to obtain a permit**

- (1) In this clause –

**"charitable organisation"** means an institution, association, club, society or body whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium; and

**"commercial participant"** means any person who is involved in operating a stall or in conducting any trading activity for personal gain or profit.

- (2) The local government may waive any fee required to be paid by an applicant for a stallholder's permit or a trader's permit on making an application for or on the issue of a permit, or may return any such fee which has been paid, if the stall is conducted or the trading is carried on –
- (a) on a portion of a public place adjoining the normal place of business of the applicant; or
  - (b) by a charitable organisation that does not sublet space to, or involve commercial participants in the conduct of a stall or trading, and any assistants that may be specified in the permit are members of that charitable organisation.
- (3) The local government may exempt a person or a class of persons, whether or not in relation to a specified public place, from the requirements of this Division.

#### *Subdivision 3 - Conduct of stallholders and traders*

### **8.8 Conduct of stallholders and traders**

- (1) A stallholder while conducting a stall or a trader while trading shall –
- (a) display her or his permit to do so in a conspicuous place on the stall, vehicle or temporary structure or if there is no stall, vehicle or temporary structure, carry the permit with her or him while conducting a stall or trading;
  - (b) not display a permit unless it is a valid permit; and

- (c) when selling goods by weight, carry and use for that purpose, scales tested and certified in accordance with the provisions of the *National Measurement Act 1960 (Cth)*.
- (2) A stallholder or trader shall not –
- (a) deposit or store any box or basket containing goods on any part of a thoroughfare so as to obstruct the movement of pedestrians or vehicles;
  - (b) act in an offensive manner;
  - (c) use or cause to be used any apparatus or device including any flap or shelf, whereby the dimensions of a stall, vehicle or structure are increased beyond those specified in the permit; or
  - (d) in the case of a trader, carry on trading from a public place, unless there is adequate parking for customers' vehicles reasonably close to the place of trading.

### *Division 2 - Street entertainers*

#### *Subdivision 1 - Preliminary*

## **8.9 Interpretation**

In this Division, unless the context otherwise requires –

**"perform"** includes to play a musical instrument, sing, mime, dance, give an acrobatic or aerobic display or entertain, but does not include public speaking;

**"permit"** means a permit issued for the purpose of clause 6.10;

**"permitted area"** means the area or areas, specified in a permit, in which the permit holder may perform; and

**"permitted time"** means the time or times, specified in a permit, during which the permit holder may perform.

#### *Subdivision 2 - Permits*

## **8.10 Permit required to perform**

A person shall not perform in a public place without a permit.

## **8.11 Variation of permitted area and permitted time**

- (1) The local government may by notice in writing to a permit holder vary –
- (a) the permitted area;
  - (b) the permitted time; or
  - (c) both the permitted area and the permitted time,
- shown on a permit.
- (2) The local government may direct a permit holder to move from one permitted area to another permitted area, if more than one area is specified in a permit.

### **8.12 Duration of permit**

A permit is valid for a period of 3 months after the date on which it is issued unless it is sooner cancelled under this local law.

### **8.13 Cancellation of permit**

The CEO may cancel a permit if in her or his opinion the volume of sound caused by the permit holder in connection with the performance adversely affects the enjoyment, convenience or comfort of other persons in a public place, or if, in her or his opinion, or in the opinion of an authorized person, the performance otherwise constitutes a nuisance.

### **8.14 Obligations of permit holder**

A permit holder shall not in a public place –

- (a) perform wearing dirty, torn or ragged clothing;
- (b) act in an offensive manner; or
- (c) place, install, erect, play or use any musical instrument or any device which emits music, including a loud speaker or an amplifier -
  - (i) other than in the permitted area; and
  - (ii) unless the musical instrument or device is specified in the permit.

### *Division 3 - Outdoor eating facilities on public places*

### **8.15 Interpretation**

In this Division -

**"Facility"** means an outdoor eating facility or establishment on any part of a public place, but does not include such a facility or establishment on private land;

**"permit holder"** means the person to whom a permit has been issued for the purpose of clause 6.16; and

**"public place"** has the meaning given to it in clause 6.1.

### **8.16 Permit required to conduct Facility**

A person shall not establish or conduct a Facility without a permit.

### **8.17 Matters to be considered in determining application**

In determining an application for a permit for the purpose of clause 6.16, the local government may consider in addition to any other matter it considers relevant, whether or not-

- (a) the Facility is conducted in conjunction with and as an extension of a food business which abut on the Facility, and whether the applicant is the person conducting such food business;
- (b) any abutting food business is registered in accordance with the *Food Act 2008* and whether the use of the business is permitted under the town planning scheme;
- (c) users of the Facility will have access to proper and sufficient sanitary and ablutionary conveniences;
- (d) the Facility would -

- (i) obstruct the visibility or clear sight lines at an intersection of thoroughfares of any person; or
  - (ii) impede pedestrian access; and
- (e) the tables, chairs and other equipment to be used may obstruct or impede the use of the public place for the purpose for which it was designed.

### **8.18 Obligations of permit holder**

- (1) The permit holder for a Facility shall –
- (a) ensure that the Facility is conducted at all times in accordance with the provisions of this local law;
  - (b) ensure that the eating area is kept in a clean and tidy condition at all times;
  - (c) maintain the chairs, tables and other structures in the eating area in a good, clean and serviceable condition at all times; and
  - (d) be solely responsible for all and any costs associated with the removal, alteration, repair, reinstatement or reconstruction of any part of the public place arising from the conduct of the Facility.
- (2) Whenever, in the opinion of the local government, any work is required to be carried out to a Facility, the local government may give a notice to the permit holder for the Facility to carry out that work within the time limited by the notice.
- (3) In subclause (2), “work” includes the removal, alteration, repair, reinstatement or reconstruction of any part of a public place arising from or in connection with the setting up or conduct of a Facility.

### **8.19 Removal of Facility unlawfully conducted**

Where a Facility is conducted without a permit, or in contravention of a condition of a permit, any tables, chairs, umbrellas or other equipment may be removed by an authorized person and impounded in accordance with the Act.

### **8.20 Use of Facility by public**

- (1) A person shall not occupy a chair or otherwise use the equipment in a Facility the subject of a permit unless the person uses them for the purpose of consuming food or drinks provided by the Facility.
- (2) A person shall leave a Facility when requested to do so by the permit holder.

### **8.21 Temporary removal of Facility may be requested**

- (1) The permit holder for a Facility is to temporarily remove the Facility when requested to do so on reasonable grounds by an authorized person or a member of the Police Service or an emergency service.
- (2) The permit holder may replace the Facility removed under subclause (1) as soon as the person who directed her or him to remove it allows it to be replaced.

## **PART 9 – PERMITS**

### *Division 1 – Applying for a permit*

## **9.1 Application for permit**

- (1) Where a person is required to obtain a permit under this local law, that person shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law shall -
  - (a) be in the form determined by the local government;
  - (b) be signed by the applicant;
  - (c) provide the information required by the form; and
  - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The local government may require an applicant to give local public notice of the application for a permit.
- (5) The local government may refuse to consider an application for a permit which is not in accordance with subclause (2).

## **9.2 Decision on application for permit**

- (1) The local government may –
  - (a) approve an application for a permit unconditionally or subject to any conditions; or
  - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application for a permit, it is to issue to the applicant a permit in the form determined by the local government.
- (3) If the local government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.
- (4) Where a clause of this local law refers to conditions which may be imposed on a permit or which are to be taken to be imposed on a permit, the clause does not limit the power of the local government to impose other conditions on the permit under subclause (1)(a).
- (5) Where a clause of this local law refers to the grounds on which an application for a permit may be or is to be refused, the clause does not limit the power of the local government to refuse the application for a permit on other grounds under subclause (1)(b).

### ***Division 2 - Conditions***

## **9.3 Conditions which may be imposed on a permit**

The local government may approve an application for a permit subject to conditions relating to -

- (a) the payment of a fee;
- (b) the duration and commencement of the permit;

- (c) the commencement of the permit being contingent on the happening of an event;
- (d) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
- (e) the approval of another application for a permit which may be required by the local government under any written law;
- (f) the area of the district to which the permit applies;
- (g) where a permit is issued for an activity which will or may cause damage to a public place, the payment of a deposit or bond against such damage;
- (h) the obtaining of public risk insurance in an amount and on terms reasonably required by the local government; and
- (i) the provision of an indemnity from the permit holder indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder.

#### **9.4 Imposing conditions under a policy**

- (1) In this clause –

**"policy"** means a policy of the local government adopted by the Council containing conditions subject to which an application for a permit may be approved under clause 9.2(1)(a).

- (2) Under clause 9.2(1)(a) the local government may approve an application subject to conditions by reference to a policy.
- (3) The local government is to give a copy of the policy, or the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 9.2(2).
- (4) An application for a permit is to be taken not to have been approved subject to the conditions contained in a policy until the local government gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act shall apply to a policy and for that purpose a policy is to be taken to be information within section 5.94(u)(i) of the Act.

#### **9.5 Compliance with and variation of conditions**

- (1) Where an application for a permit has been approved subject to conditions, or where a permit is to be taken to be subject to conditions under this local law, the permit holder shall comply with each of those conditions.
- (2) The local government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

### ***Division 3 - General***

#### **9.6 Duration of permit**

A permit is valid for one year from the date on which it is issued, unless it is –

- (a) otherwise stated in this local law or in the permit; or



- (b) cancelled under clause 9.10.

### **9.7 Renewal of permit**

- (1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.
- (2) The provisions of –
  - (a) this Part; and
  - (b) any other provision of this local law relevant to the permit which is to be renewed,shall apply to an application for the renewal of a permit with all the necessary changes as required.

### **9.8 Transfer of permit**

- (1) An application for the transfer of a valid permit is to –
  - (a) be made in writing;
  - (b) be signed by the permit holder and the proposed transferee of the permit;
  - (c) provide such information as the local government may require to enable the application to be determined; and
  - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the local government approves an application for the transfer of a permit, the transfer may be effected by –
  - (a) an endorsement on the permit signed by the CEO; or
  - (b) issuing to the transferee a permit in the form determined by the local government.
- (4) Where the local government approves an application for the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

### **9.9 Production of permit**

A permit holder is to produce to an authorized person her or his permit immediately upon being required to do so by that authorized person.

### **9.10 Cancellation of permit**

- (1) Subject to clause 10.1, a permit may be cancelled by the local government if the permit holder has not complied with a –
  - (i) condition of the permit; or
  - (ii) provision of any written law which may relate to the activity regulated by the permit.
- (2) On the cancellation of a permit the permit holder –

- (a) shall return the permit as soon as practicable to the local government; and
- (b) is to be taken to have forfeited any fees paid in respect of the permit.

## **PART 10 - OBJECTIONS AND APPEALS**

### **10.1 Application of Part 9 Division 1 of Act**

When the local government makes a decision -

- (a) under clause 9.2(1); or
- (b) as to whether it will renew, vary, or cancel a permit,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

## **PART 11 – POLICIES**

### **11.1 Making policies**

The CEO may prepare a policy in respect of any matter related to this local law and so as to apply –

- (a) generally or for a particular class or classes of matters; and
- (b) throughout the district or in one or more parts of the district,

and may amend or add to or rescind the policy.

### **11.2 Due regard to be had to policy**

A policy does not bind the CEO in respect of any application for a permit, but the CEO is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

### **11.3 Notice**

- (1) If CEO resolves to prepare a policy, the CEO –
  - (a) is to publish a notice of the proposed policy once a week for 2 consecutive weeks in a newspaper circulating in the district, giving details of –
    - (i) where the draft policy may be inspected;
    - (ii) the subject and nature of the draft policy; and
    - (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made; and
  - (b) may publish a notice of the proposed policy in any manner and carry out any other consultation that the CEO considers appropriate.
- (2) After the expiry of the period within which submissions may be made, the CEO is to –

- (a) review the proposed policy in the light of any submissions made; and
- (b) resolve to adopt the policy with or without modification, or not to proceed with the policy.

#### **11.4 Adoption**

- (1) If the CEO decides to adopt the policy the CEO is to publish notice of the policy once in a newspaper circulating in the district.
- (2) A policy has effect on publication of a notice under subclause (1).
- (3) A copy of each policy, as amended from time to time, is to be kept and made available for public inspection during business hours at the offices of the local government.

#### **11.5 Amendment**

Clauses 11.1 to 11.4 with any necessary changes, apply to the amendment of a policy.

#### **11.6 Revocation**

A policy may be revoked by –

- (a) the adoption by CEO of a new policy made under clauses 11.1 to 11.4 that is expressed to supersede the existing policy; or
- (b) publication of a notice of revocation by the CEO once a week for 2 consecutive weeks in a newspaper circulating in the district.

### **PART 12 – ENFORCEMENT**

#### *Division 1 - Notices given under this local law*

##### **12.1 Offence to fail to comply with notice**

Whenever the local government gives a notice under this local law requiring a person to do anything, if the person fails to comply with the notice, the person commits an offence.

##### **12.2 Local government may undertake requirements of notice**

Where a person fails to comply with a notice referred to in clause 12.1, the local government may do the thing specified in the notice and recover from that person, as a debt, the costs incurred in so doing.

#### *Division 2 - Offences and penalties*

##### *Subdivision 1 - General*

### **12.3 Offences**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

#### *Subdivision 2 - Infringement notices and modified penalties*

### **12.4 Prescribed offences**

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

## **PART 13 – REPEAL AND TRANSITIONAL PROVISIONS**

### **13.1 Repeal**

This local law repeals the Shire of Yilgarn By-Laws relating to Trading in Public Places.

### **13.2 Application for permit or renewal of permit**

An application for a permit or the renewal of a permit made under the repealed local law that has not been finally determined immediately before the commencement day is to be dealt with and determined as if it were an application for a permit or a renewal of permit under this local law.

### **13.3 Licences**

A licence under the repealed local law that is in force immediately before the commencement day is to be regarded on and after that day as a permit under this local law and may be dealt with accordingly.

*Dated 20th day of February, 2025.*

*The Common Seal of the Shire of Yilgarn was affixed by authority of a resolution of the Council in the presence of—*

*Cr WAYNE DELLA BOSCA, Shire President.*

*NIC WARREN, Chief Executive Officer.*

## SCHEDULE 1

### PRESCRIBED OFFENCES

CLAUSE	NATURE OF OFFENCE	MODIFIED PENALTY \$
2.4	Failure to comply with a determination	100
3.1	Undertaking activity on local government property without a permit	150
3.2	Camping on local government property or erecting an unauthorised structure	150
3.3	Failure to obtain permit for liquor	100
4.1	Behaviour interfering with others	150
4.2	Behaviour detrimental to local government property	200
4.3	Taking or injuring fauna without authorisation	100
4.4	Under influence of liquor or prohibited drug on local government property	100
4.5	Take onto or consume prohibited drugs on local government property	100
4.6	Failure to comply with sign	100
6.13(2)		
4.7	Failure to comply with direction of authorised person	100
5.1	Unauthorised entry to closed or fenced local government property	100
5.3	Unauthorised entry to function on local government property	100
6.1(a),	Planting or allowing plant or verge treatment in street to become a sightline hazard	100
6.1(b)	Damaging a street lawn or garden	100
6.1(c)	Damaging or removing whole or part of a street tree without authorisation	150
6.1(d)	Create hazard on street	100
6.1(e)	Damaging, removing or interfering with street, part of street, sign or structure in a street without authorisation	100
6.1(f)	Playing games in street so as to impede vehicles or persons	100
6.1(g)	Riding of skateboard or similar device on mall, arcade or veranda of shopping centre	100
6.2	Carry on or undertake prohibited activity in street or damage local government property in a street without a permit	150
6.6	Install verge treatment that is not a permissible treatment	100
6.7	Failure to keep permissible verge treatment in good and tidy condition, obstruct a street, footpath, drain, or driveway	100
6.15	Driving on closed street	100
6.5(f)	Failure to ensure sprinklers or reticulation pipes do not protrude above level of verge treatment when not in use, not used at such times as to cause inconvenience to pedestrians, or otherwise present a hazard	100
7.1(1)	Animal or vehicle obstructing public place without authorisation	100
7.2(2)	Animal in public place when not led, ridden or driven	100
7.3	Failure to clearly mark name or trading name on shopping trolley	100
7.4	Person leaving a shopping trolley in a public place other than trolley bay	100

7.5	Failure to remove shopping trolley after being advised of location	100
8.2(1)	Conducting of stall in public place without a permit	250
8.3(1)	Trading without a permit	250
8.8(1)(a)	Failure of stallholder or trader to display or carry permit	100
8.8(1)(b)	Stallholder or trader not displaying valid permit	100
8.8(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	100
8.8(2)	Stallholder or trader engaged in prohibited conduct	100
8.10	Performing in a public place without a permit	150
8.11(2)	Failure of performer to move onto another area when directed	100
8.14	Failure of performer to comply with obligations	100
8.16	Establishment or conduct of outdoor eating facility without a permit	250
8.18	Failure of permit holder of outdoor eating facility to comply with obligations	100
8.20(1)	Use of equipment of outdoor eating facility without purchase of food or drink from facility	50
8.20(2)	Failure to leave outdoor eating facility when requested to do so by permit holder	50
9.5	Failure to comply with a condition of a permit	100
9.9	Failure to produce permit on request of authorized person	100
12.1	Failure to comply with notice given under local law	250



# LOCAL GOVERNMENT ACT 1995

## SHIRE OF YILGARN

### REMOVAL OF REFUSE, RUBBISH AND DISUSED MATERIALS LOCAL LAW 2025

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Shire of Yilgarn resolved on 20th February 2025 to make the following local law.

#### PART 1—PRELIMINARY

##### 1. Citation

This local law may be cited as the *Shire of Yilgarn Removal of Refuse, Rubbish and Disused Materials Local Law 2025*.

##### 2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

##### 3. Interpretation

(1) In this local law, unless the context otherwise requires—

*Act* means the *Local Government Act 1995*;

*district* means the district of the Shire of Yilgarn;

*local government* means the Shire of Yilgarn;

*refuse, rubbish or disused material* includes—

- (a) any material which is abandoned or unwanted by its owner or the person in possession of it;
- (b) any material which is not being used for its original intended purpose and which has been deposited or stored upon any property for no current purpose other than the deposit storage;
- (c) any motor vehicle, motor vehicle part or machinery which has been deposited or stored upon any property for the purpose of dismantling or breaking up;
- (d) any wood, timber, lumber; or cuttings, logs or remnants of trees; or chopped, split or chipped wood, deposited, stored, located or placed on property;

and any material may be refuse, rubbish or disused material notwithstanding that it may have a commercial value to its owner or the person in possession of it or the owner or occupier of any property upon which it is deposited or stored;

*served* has the same meaning as defined in section 75 and 76 of the *Interpretation Act 1984*;

*vacant property* means property on which no building exists or on which a building exists but any such building is no longer utilized for any business, commercial or residential purposes.

(2) Where in this local law a duty of liability is imposed on an owner or occupier of land, the duty or liability is imposed jointly and severally on each of the owners or occupiers.

#### PART 2—NOTICE FOR REMOVAL OF REFUSE, RUBBISH AND DISUSED MATERIALS

##### 4. Clearing of refuse, rubbish or disused material

(1) Where there is—

- (a) on any vacant property within the district, any refuse, rubbish or disused material or any overgrown vegetation, trees, scrub or undergrowth; or
- (b) on any property within the district other than vacant property any refuse, rubbish or disused material or any overgrown vegetation, trees, scrub or undergrowth which, in the opinion of the local government—
  - (i) is likely to adversely affect the health, comfort or convenience of the inhabitants of that property or any adjoining property; or
  - (ii) results in that property having an appearance which does not conform with the general appearance of other property in the locality,

the local government may cause a notice under the hand of the Chief Executive Officer to be served on the owner or occupier of that property requiring that owner or occupier as the case may be to clear the property of the overgrown vegetation, trees, scrub or undergrowth or refuse, rubbish or disused material specified in the notice within the time specified in the notice.

### PART 3—OFFENCES

#### 5. Offences and Penalties

Any owner or occupier who is served with a notice under clause 4 of this local law and who fails to comply with the terms of the notice commits an offence.

*Penalty—*

- (a) five thousand dollars (\$5,000); and
- (b) a daily penalty of five hundred dollars (\$500).

#### 6. Modified Penalties

- (1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.
- (2) The amount appearing in the final column of Schedule 1, directly adjacent to a prescribed offence in that Schedule, is the modified penalty for that prescribed offence.

### PART 4—RIGHT OF ENTRY

#### 7. Entry into private property

- (1) Where an owner or occupier who is served with a notice under clause 4 of this local law fails to comply with the terms of the notice, the local government is authorised—
  - (a) to clear or remove from the property the overgrown vegetation, trees, scrub or undergrowth or refuse, rubbish or disused material specified in the Notice, and dispose of the same, without payment of any compensation; and
  - (b) to recover in a court of competent jurisdiction the amount of the local government's expenses in doing so from the owner or occupier who was served the notice.
- (2) Power of entry into private property

This local law is subject to sections 3.25, 3.27 and Schedules 3.1 and 3.2 of the *Local Government Act 1995* and any power of entry exercised by the local government under this local law is subject to Part 3, Division 3, Subdivision 3 of the Act.

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#### Schedule 1 OFFENCES AND MODIFIED PENALTIES

Item No.	Clause No	Nature of Offence	Modified Penalty \$
1	5	Failure to comply with notice of breach	250

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Dated 20th day of February, 2025.

The Common Seal of the Shire of Yilgarn was affixed by authority of a resolution of the Council in the presence of—

Cr WAYNE DELLA BOSCA, Shire President.

NIC WARREN, Chief Executive Officer.

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# **BUSH FIRES ACT 1954**

## **SHIRE OF YILGARN**

# **BUSH FIRE BRIGADES LOCAL LAW**

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# ***BUSH FIRES ACT 1954***

## *Shire of Yilgarn*

### **BUSH FIRE BRIGADES LOCAL LAW**

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the Shire of Yilgarn resolved on 20 February 2025 to make the following local law.

#### **PART 1 - PRELIMINARY**

##### **1.1 Citation**

This local law may be cited as the Shire of Yilgarn Bush Fire Brigades Local Law 2025.

##### **1.2 Definitions**

(1) In this local law unless the context otherwise requires –

“**Act**” means the *Bush Fires Act 1954*;

“**Authority**” means the Fire and Emergency Services Authority of Western Australia established by section 4 of the Fire and Emergency Services Authority of Western Australia Act 1998;

“**brigade area**” is defined in clause 2.2(1)(b);

“**brigade member**” means a fire fighting member, associate member or a cadet member of a bush fire brigade;

“**brigade officer**” means a person holding a position referred to in clause 2.2 (1)(c), whether or not he or she was appointed by the local government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

“**bush fire brigade**” is defined in section 7 of the Act;

“**Bush Fire Operating Procedures**” means the Bush Fire Operating Procedures adopted by the local government as amended from time to time;

“**CEO**” means the chief executive officer of the *Shire of Yilgarn*;

“**Council**” means the Council of the *Shire of Yilgarn*;

“**fire fighting member**” is defined in clause 4.2;

“**local government**” means the *Shire of Yilgarn*;

“**Regulations**” means Regulations made under the Act; and

“**Rules**” means the Rules Governing the Operation of Bush Fire Brigades as adopted by Council and varied from time to time under clause 2.5 .

- (2) In this local law, unless the context otherwise requires, a reference to –
- (a) a Captain;
  - (b) a First Lieutenant;
  - (c) a Second Lieutenant;
  - (d) any additional Lieutenants;
  - (e) an Equipment Officer;
  - (f) a Secretary.
  - (g) a Treasurer; or
  - (h) a Secretary / Treasurer combined
  - (i) a Training Officer,

means a person holding that position in a bush fire brigade.

### **1.3 Repeal**

The By-law's of the Yilgarn Road Board relating to the Establishment, Maintenance and Equipment of Bush Fire Brigades for the Road District of Yilgarn, as published in the *Government Gazette* on 3 December 1943 are repealed.

### **1.4 Application**

This local law applies throughout the district.

## **PART 2 – ESTABLISHMENT OF BUSH FIRE BRIGADES**

### ***Division 1 – Establishment of a bush fire brigade***

#### **2.1 Establishment of a bush fire brigade**

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government's decision under subclause (1).

#### **2.2 Name and officers of bush fire brigade**

- (1) On establishing a bush fire brigade under clause 2.1(1) the local government is to –
  - (a) give a name to the bush fire brigade;
  - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities (the “brigade area”); and
  - (c) appoint –
    - (i) a Captain;
    - (ii) a First Lieutenant;
    - (iii) a Second Lieutenant;
    - (iv) additional Lieutenants if the local government considers it necessary;
    - (v) a Secretary; and
    - (vi) a Treasurer; or
    - (vii) a Secretary/Treasurer combined
    - (viii) any other position/s deemed necessary for the effective management of brigade activities.
- (2) When considering the appointment of persons to the positions in subclause (1)(c), the local government is to have regard to the qualifications and experience which may be required to fill each position.
- (3) A person appointed to a position in subclause (1)(c) is to be taken to be a brigade member.

- (4) The appointments referred to in subclause (1)(c) expire at the completion of the first annual general meeting of the bush fire brigade.
- (5) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting, then the local government is to appoint a person to fill the vacancy in accordance with subclause (2).

### *Division 2 – Command at a fire*

#### **2.3 Ranks within the bush fire brigade**

- (1) Where under the Act and Bush Fire Operating Procedures members of the bush fire brigade have command of a fire, unless a bushfire control officer is in attendance at the fire, the Captain has full control over other persons fighting the fire, and is to issue instructions as to the methods to be adopted by the firefighters. In the absence of the Captain, the first Lieutenant, and in the absence of the first, the second Lieutenant and so on, in the order of seniority determined, is to exercise all the powers and duties of the Captain.
- (2) Where a bushfire control officer is in attendance at a fire which the members of the bush fire brigade have command of under the Act and the Bush Fire Operating Procedures, the most senior bushfire control officer has full control over other persons fighting the fire and is to issue instructions as to the methods to be adopted by the fire fighters.

### *Division 3 – Application of Rules to a bush fire brigade*

#### **2.4 Rules**

- (1) The Rules govern the operation of a bush fire brigade.
- (2) A bush fire brigade and each brigade member is to comply with the Rules.

#### **2.5 Variation of Rules**

- (1) The local government may vary the Rules in their application to all bush fire brigades or in respect of a particular bush fire brigade.
- (2) The Rules, as varied, have effect on and from the date of a decision under subclause (1).
- (3) The local government is to notify a bush fire brigade of any variation to the Rules as soon as practicable after making a decision under subclause (1).

### *Division 4 – Transitional*

#### **2.6 Existing Bush Fire Brigades**

- (1) Where a local government has established a bush fire brigade prior to the commencement date, then on and from the commencement day –
  - (a) the bush fire brigade is to be taken to be a bush fire brigade established under and in accordance with this local law;
  - (b) the provisions of this local law apply to the bush fire brigade save for clause 2.2; and
  - (c) any rules governing the operation of the bush fire brigade are to be taken to have been repealed and substituted with the Rules.



- (2) In this clause –  
“**commencement day**” means the day on which this local law comes into operation.

### ***Division 5 – Dissolution of bush fire brigade***

#### **2.7 Dissolution of bush fire brigade**

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, any written policies relevant to Bush Fire Brigades or is not achieving the objectives for which it was established.

#### **2.8 New arrangement after dissolution**

If a local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

## **PART 3 - ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES**

### ***Division 1 – Local government responsibility***

#### **3.1 Local government responsible for structure**

The Council is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.

#### **3.2 Officers to be supplied with Act**

The local government is to supply each brigade with a copy of the Act, the Regulations, the Bush Fire Operating Procedures, this local law and any other written laws which may be relevant to the performance of the brigade officers' functions, and any amendments which are made thereto from time to time.

### ***Division 2 – Chief Bush Fire Control Officer***

#### **3.3 Managerial role of Chief Bush Fire Control Officer**

Subject to any directions by the local government the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of bush fire brigades.

#### **3.4 Chief Bush Fire Control Officer may attend meetings**

The Chief Bush Fire Control Officer or her or his nominee (who is to be a bush fire control officer) may attend as a non-voting representative of the local government at any meeting of a bush fire brigade.

#### **3.5 Duties of Chief Bush Fire Control Officer**

The duties of the Chief Bush Fire Control Officer include –

- (a) provide leadership to volunteer bush fire brigades;
- (b) monitor bush fire brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year to the local government;

- (c) liaise with the local government concerning fire prevention / suppression matters generally and directions to be issued by the local government to bush fire control officers (including those who issue permits to burn) bush fire brigades or brigade officers;
- (d) ensure that bush fire brigades are registered with the local government and that lists of brigade members are maintained.

### ***Division 3 – Annual general meetings of bush fire brigades***

#### **3.6 Holding of annual general meeting**

A bush fire brigade is to hold its annual general meeting during the month of March/April each year.

#### **3.7 Nomination of bush fire control officers to Bush Fire Advisory Committee**

At the annual general meeting of a bush fire brigade, one brigade member is to be nominated to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade area until the next general meeting.

#### **3.8 Nomination of bush fire control officer to the local government**

If the local government has not established a Bush Fire Advisory Committee, then at the annual general meeting of a bush fire brigade, the bush fire brigade is to nominate one brigade member to the local government to serve as the bush fire control officer for the brigade area until the next annual general meeting.

#### **3.9 Minutes to be tabled before the Bush Fire Advisory Committee**

- (1) The Secretary is to forward a copy of the minutes of the annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.
- (2) The Chief Bush Fire Control Officer is to table the minutes of a bush fire brigade's annual general meeting at the next meeting of the –
  - (a) Bush Fire Advisory Committee; or
  - (b) Council, if there is no Bush Fire Advisory Committee, following their receipt under subclause (1).

### ***Division 4 – Bush Fire Advisory Committee***

#### **3.10 Functions of Advisory Committee**

The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to include such number of nominees of the bush fire brigades as is determined by the local government.

#### **3.11 Advisory Committee to nominate bush fire control officers**

As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government from the persons nominated by each bush fire brigade a person or persons for the position of a bush fire control officer for the brigade area.

### **3.12 Local government to have regard to nominees**

When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.

### **3.13 Advisory Committee to consider bush fire brigade motions**

The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.

## **PART 4 – TYPES OF BUSH FIRE BRIGADE MEMBERSHIP**

### **4.1 Types of membership of bush fire brigade**

The membership of a bush fire brigade consists of the following –

- (a) fire fighting members;
- (b) associate members;
- (c) cadet members; and
- (d) honorary life members.

### **4.2 Fire fighting members**

Fire fighting members are those persons being at least 16 years of age who undertake all normal bush fire brigade activities.

### **4.3 Associate members**

Associate members are those persons who are willing to supply free vehicular transport for fire fighting members or fire fighting equipment, or who are prepared to render other assistance required by the bush fire brigade.

### **4.4 Cadet members**

Cadet members are –

- (a) to be aged 11 to 15 years;
- (b) to be admitted to membership only with the consent of their parent or guardian;
- (c) admitted for the purpose of training and are not to attend or be in attendance at an uncontrolled fire or other emergency incident;
- (d) to be supervised by a fire fighting member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act;
- (e) ineligible to vote at bush fire brigade meetings;
- (f) not to be assigned ranks under the Authority's rank structure.

### **4.5 Honorary life member**

- (1) The bush fire brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the bush fire brigade.
- (2) No membership fees are to be payable by an honorary life member.

#### **4.6 Notification of membership**

No later than 31 May in each year, the bush fire brigade is to report to the Chief Fire Control Officer the name, contact details and type of membership of each brigade member.

### **PART 5 – APPOINTMENT DISMISSAL AND MANAGEMENT OF MEMBERS**

#### **5.1 Rules to govern**

The appointment, dismissal and management of brigade members by the bush fire brigade are governed by the Rules.

### **PART 6 – EQUIPMENT OF BUSH FIRES BRIGADES**

#### **6.1 Policies of local government**

The local government may make policies under which it –

- (a) provides funding to bush fire brigades for the purchase of protective clothing, equipment and appliances; and
- (b) keeps bush fire brigades informed of opportunities for funding from other bodies.

#### **6.2 Equipment in brigade area**

Not later than 31 May in each year, the bush fire brigade is to report to the local government the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the brigade area (or at a station of the bush fire brigade).

#### **6.3 Funding from local government budget**

A request to the local government from the bush fire brigade for funding of protective clothing, equipment or appliance needs is to be received by the local government by 31 March in order to be considered in the next following local government budget, and is to be accompanied by the last audited financial statement and a current statement of assets and liabilities of the bush fire brigade.

#### **6.4 Consideration in the local government budget**

The local government may approve or refuse an application for funding depending upon the assessment of budget priorities for the year in question.

*Dated 20th day of February, 2025.*

*The Common Seal of the Shire of Yilgarn was affixed by authority of a resolution of the Council in the presence of—*

*Cr WAYNE DELLA BOSCA, Shire President.*

*NIC WARREN, Chief Executive Officer.*

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**MONTHLY FINANCIAL REPORT**  
**(Containing the required statement of financial activity and statement of financial position)**  
**For the period ended 31 October 2024**

***LOCAL GOVERNMENT ACT 1995***  
***LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996***

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**SHIRE OF YILGARN**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2024**

Note	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
<b>OPERATING ACTIVITIES</b>						
<b>Revenue from operating activities</b>						
General rates	4,601,698	4,553,431	4,597,774	44,343	0.97%	
Grants, subsidies and contributions	1,459,097	452,748	748,854	296,106	65.40%	▲
Fees and charges	2,060,787	1,179,645	1,208,269	28,624	2.43%	
Reimbursements	86,174	33,498	23,974	(9,524)	(28.43%)	
Interest revenue	774,449	258,148	324,501	66,353	25.70%	▲
Other revenue	626,300	211,420	217,831	6,411	3.03%	
Profit on asset disposals	10,749	0	45,455	45,455	0.00%	
	<b>9,619,254</b>	<b>6,688,890</b>	<b>7,166,658</b>	<b>477,768</b>	<b>7.14%</b>	
<b>Expenditure from operating activities</b>						
Employee costs	(4,680,008)	(1,561,704)	(1,404,252)	(157,452)	10.08%	
Materials and contracts	(2,876,890)	(1,191,085)	(986,466)	(204,619)	17.18%	
Utility charges	(1,038,701)	(296,160)	(213,760)	(82,400)	27.82%	
Depreciation	(4,739,000)	(1,579,632)	(1,720,699)	141,067	(8.93%)	
Finance costs	(31,123)	(4,062)	(3,808)	(254)	6.25%	
Insurance	(358,984)	(307,474)	(376,542)	69,068	(22.46%)	
Other expenditure	(763,366)	(313,122)	(315,011)	1,889	(0.60%)	
Loss on asset disposals	(240,976)	(79,888)	0	(79,888)	100.00%	
	<b>(14,729,048)</b>	<b>(5,333,127)</b>	<b>(5,020,538)</b>	<b>312,589</b>	<b>5.86%</b>	
Non cash amounts excluded from operating activities	2(c) 4,989,810	1,659,520	1,675,704	16,184	0.98%	
<b>Amount attributable to operating activities</b>	<b>(119,984)</b>	<b>3,015,283</b>	<b>3,821,824</b>	<b>806,541</b>	<b>26.75%</b>	
<b>INVESTING ACTIVITIES</b>						
<b>Inflows from investing activities</b>						
Proceeds from capital grants, subsidies and contributions	4,119,957	1,058,622	1,033,681	(24,941)	(2.36%)	
Proceeds from disposal of assets	491,500	0	0	0	0.00%	
	<b>4,611,457</b>	<b>1,058,622</b>	<b>1,033,681</b>	<b>(24,941)</b>	<b>(2.36%)</b>	
<b>Outflows from investing activities</b>						
Payments for property, plant and equipment	(8,640,921)	(764,858)	(1,021,002)	256,144	(33.49%)	
Payments for construction of infrastructure	(5,896,353)	(749,477)	(347,020)	(402,457)	53.70%	
	<b>(14,537,274)</b>	<b>(1,514,335)</b>	<b>(1,368,022)</b>	<b>146,313</b>	<b>9.66%</b>	
<b>Amount attributable to investing activities</b>	<b>(9,925,817)</b>	<b>(455,713)</b>	<b>(334,341)</b>	<b>121,372</b>	<b>26.63%</b>	
<b>FINANCING ACTIVITIES</b>						
<b>Inflows from financing activities</b>						
Proceeds from new borrowings	1,000,000	0	0	0	0.00%	
Transfer from reserves	2,322,000	0	0	0	0.00%	
	<b>3,322,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	
<b>Outflows from financing activities</b>						
Payments for principal portion of lease liabilities	0	(440)	(440)	0	0.00%	
Repayment of borrowings	(98,814)	49,266	49,266	0	0.00%	
Transfer to reserves	(1,076,615)	(175,508)	(199,030)	(23,522)	(13.40%)	
	<b>(1,175,429)</b>	<b>(126,682)</b>	<b>(150,204)</b>	<b>(23,522)</b>	<b>(18.57%)</b>	
<b>Amount attributable to financing activities</b>	<b>2,146,571</b>	<b>(126,682)</b>	<b>(150,204)</b>	<b>(23,522)</b>	<b>(18.57%)</b>	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>						
<b>Surplus or deficit at the start of the financial year</b>	2(a) 8,015,561	8,015,561	8,680,454	664,893	8.30%	
Amount attributable to operating activities	(119,984)	3,015,283	3,821,824	806,541	26.75%	▲
Amount attributable to investing activities	(9,925,817)	(455,713)	(334,341)	121,372	26.63%	▲
Amount attributable to financing activities	2,146,571	(126,682)	(150,204)	(23,522)	(18.57%)	
<b>Surplus or deficit after imposition of general rates</b>	<b>116,331</b>	<b>10,448,449</b>	<b>12,017,733</b>	<b>1,569,284</b>	<b>15.02%</b>	<b>▲</b>

**KEY INFORMATION**

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.

▲ Indicates a variance with a positive impact on the financial position.

▼ Indicates a variance with a negative impact on the financial position.

Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF YILGARN**  
**STATEMENT OF FINANCIAL POSITION**  
**FOR THE PERIOD ENDED 31 OCTOBER 2024**

	Actual 30 June 2024	Actual as at 31 October 2024
	\$	\$
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	20,479,306	22,381,078
Trade and other receivables	732,037	1,280,340
Inventories	37,455	64,019
Other assets	139,938	135,262
<b>TOTAL CURRENT ASSETS</b>	<b>21,388,736</b>	<b>23,860,699</b>
<b>NON-CURRENT ASSETS</b>		
Trade and other receivables	67,678	67,078
Other financial assets	83,171	83,171
Property, plant and equipment	34,457,151	35,913,866
Infrastructure	457,445,334	457,001,821
Right-of-use assets	3,104	2,772
<b>TOTAL NON-CURRENT ASSETS</b>	<b>492,056,438</b>	<b>493,068,708</b>
<b>TOTAL ASSETS</b>	<b>513,445,174</b>	<b>516,929,407</b>
<b>CURRENT LIABILITIES</b>		
Trade and other payables	569,223	749,617
Other liabilities	670,303	670,303
Lease liabilities	1,296	853
Borrowings	98,814	49,548
Employee related provisions	472,459	472,459
<b>TOTAL CURRENT LIABILITIES</b>	<b>1,812,095</b>	<b>1,942,780</b>
<b>NON-CURRENT LIABILITIES</b>		
Lease liabilities	1,683	1,683
Borrowings	564,069	564,069
Employee related provisions	75,527	75,527
Other provisions	251,351	251,351
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>892,630</b>	<b>892,630</b>
<b>TOTAL LIABILITIES</b>	<b>2,704,725</b>	<b>2,835,410</b>
<b>NET ASSETS</b>	<b>510,740,449</b>	<b>514,093,997</b>
<b>EQUITY</b>		
Retained surplus	69,027,051	72,174,205
Reserve accounts	11,321,098	11,520,128
Revaluation surplus	430,392,300	430,399,664
<b>TOTAL EQUITY</b>	<b>510,740,449</b>	<b>514,093,997</b>

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF YILGARN**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2024**

**1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES**

**BASIS OF PREPARATION**

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

**Local Government Act 1995 requirements**

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 12 September 2024

**THE LOCAL GOVERNMENT REPORTING ENTITY**

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

**MATERIAL ACCOUNTING POLICES**

Material accounting policies utilised in the preparation of these statements are as described within the 2024-25 Annual Budget. Please refer to the adopted budget document for details of these policies.

**Critical accounting estimates and judgements**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
  - Property, plant and equipment
  - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Assets held for sale
- Investment property
- Estimated useful life of intangible assets
- Measurement of employee benefits
- Measurement of provisions
- Estimation uncertainties and judgements made in relation to lease



**SHIRE OF YILGARN**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2024**

**2 NET CURRENT ASSETS INFORMATION**

	Adopted Budget Opening	Actual as at	Actual as at
(a) Net current assets used in the Statement of Financial Activity	1 July 2024	30 June 2024	31 October 2024
Note	\$	\$	\$
<b>Current assets</b>			
Cash and cash equivalents	11,270,218	20,479,306	22,381,078
Trade and other receivables	808,210	732,037	1,280,340
Inventories	52,445	37,455	64,019
Contract assets	477,873	0	0
Other assets	253,474	139,938	135,262
	12,862,220	21,388,736	23,860,699
<b>Less: current liabilities</b>			
Trade and other payables	(376,739)	(569,223)	(749,617)
Other liabilities	(652,228)	(670,303)	(670,303)
Lease liabilities	0	(1,296)	(853)
Borrowings	(959,293)	(98,814)	(49,548)
Employee related provisions	(425,957)	(472,459)	(472,459)
Other provisions	(242,524)	0	0
	(2,656,741)	(1,812,095)	(1,942,780)
Net current assets	10,205,479	19,576,641	21,917,919
Less: Total adjustments to net current assets	2(b) (9,146,762)	(10,896,187)	(11,145,066)
<b>Closing funding surplus / (deficit)</b>	1,058,717	8,680,454	10,772,853
<b>(b) Current assets and liabilities excluded from budgeted deficiency</b>			
<b>Adjustments to net current assets</b>			
Less: Reserve accounts	(10,075,710)	(11,321,098)	(11,520,128)
Less: Current assets not expected to be received at end of year			
- Current financial assets at amortised cost - self supporting loans			
- Rates receivable	(369,000)		
Add: Current liabilities not expected to be cleared at the end of the year			
- Current portion of lease liabilities		1,296	853
- Current portion of borrowings	959,293	98,814	49,548
- Current portion of employee benefit provisions held in reserve	338,655	324,801	324,661
<b>Total adjustments to net current assets</b>	2(a) (9,146,762)	(10,896,187)	(11,145,066)
	Adopted Budget Estimates	YTD Budget Estimates	YTD Actual
	30 June 2025	31 October 2024	31 October 2024
	\$	\$	\$
<b>(c) Non-cash amounts excluded from operating activities</b>			
<b>Adjustments to operating activities</b>			
Less: Profit on asset disposals	(10,749)	0	(45,455)
Add: Loss on asset disposals	240,976	79,888	0
Add: Depreciation	4,739,000	1,579,632	1,720,699
Non-cash movements in non-current assets and liabilities:			
- Pensioner deferred rates	6,000		460
- Employee provisions	14,583		0
<b>Total non-cash amounts excluded from operating activities</b>	4,989,810	1,659,520	1,675,704

**CURRENT AND NON-CURRENT CLASSIFICATION**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the local governments' operational cycle.

**SHIRE OF YILGARN**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2024**

**3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2024-25 year is \$30,000 and 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
<b>Revenue from operating activities</b>			
<b>Grants, subsidies and contributions</b>	296,106	65.40%	▲
Higher than anticipated HVRI Contributions			
<b>Interest revenue</b>	66,353	25.70%	▲
Interest from Muni & Reserve funds higher than expected			
<b>Surplus or deficit after imposition of general rates</b>	1,569,284	15.02%	▲
Due to variances outlined above			

**SHIRE OF YILGARN**  
**SUPPLEMENTARY INFORMATION**  
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**BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION**

Supplementary information is presented for information purposes. The information does not comply with the disclosure requirements of the Australian Accounting Standards.

SHIRE OF YILGARN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 OCTOBER 2024

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$8.02 M	\$8.02 M	\$8.68 M	\$0.66 M
Closing	\$0.12 M	\$10.45 M	\$12.02 M	\$1.57 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$22.38 M	% of total
Unrestricted Cash	\$10.86 M	48.5%
Restricted Cash	\$11.52 M	51.5%

Refer to 3 - Cash and Financial Assets

Payables		
	\$0.75 M	% Outstanding
Trade Payables	\$0.46 M	
0 to 30 Days		52.4%
Over 30 Days		47.6%
Over 90 Days		0.2%

Refer to 9 - Payables

Receivables		
	\$0.30 M	% Collected
Rates Receivable	\$0.98 M	80.2%
Trade Receivable	\$0.30 M	% Outstanding
Over 30 Days		5.6%
Over 90 Days		4.1%

Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.12 M)	\$3.02 M	\$3.82 M	\$0.81 M

Refer to Statement of Financial Activity

Rates Revenue		
YTD Actual	\$4.60 M	% Variance
YTD Budget	\$4.55 M	1.0%

Grants and Contributions		
YTD Actual	\$0.75 M	% Variance
YTD Budget	\$0.45 M	65.1%

Refer to 13 - Grants and Contributions

Fees and Charges		
YTD Actual	\$1.21 M	% Variance
YTD Budget	\$1.18 M	2.4%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$9.93 M)	(\$0.46 M)	(\$0.33 M)	\$0.12 M

Refer to Statement of Financial Activity

Proceeds on sale		
YTD Actual	\$0.00 M	%
Adopted Budget	\$0.49 M	(100.0%)

Refer to 6 - Disposal of Assets

Asset Acquisition		
YTD Actual	\$0.35 M	% Spent
Adopted Budget	\$5.90 M	(94.1%)

Refer to 5 - Capital Acquisitions

Capital Grants		
YTD Actual	\$1.03 M	% Received
Adopted Budget	\$4.12 M	(74.9%)

Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$2.15 M	(\$0.13 M)	(\$0.15 M)	(\$0.02 M)

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.05 M
Interest expense	\$0.00 M
Principal due	\$0.56 M

Refer to 10 - Borrowings

Reserves	
Reserves balance	\$11.52 M
Net Movement	\$0.20 M

Refer to 4 - Cash Reserves

Lease Liability	
Principal repayments	(\$0.00 M)
Interest expense	(\$0.00 M)
Principal due	\$0.00 M

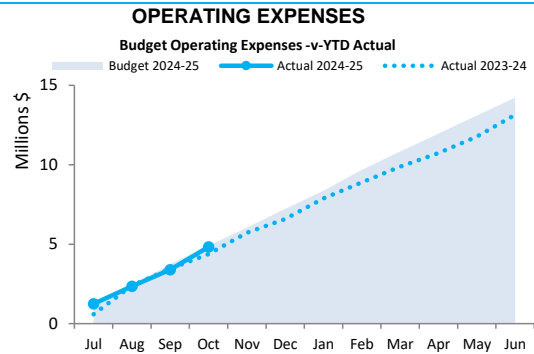
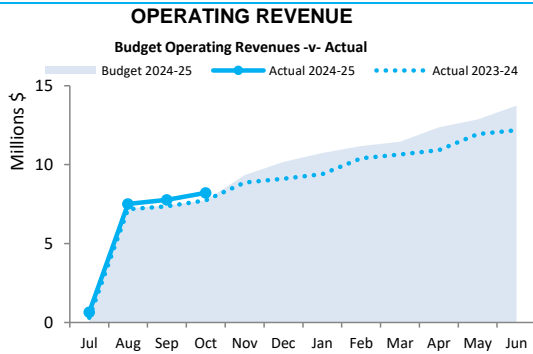
Refer to Note 11 - Lease Liabilities

This information is to be read in conjunction with the accompanying Financial Statements and notes.

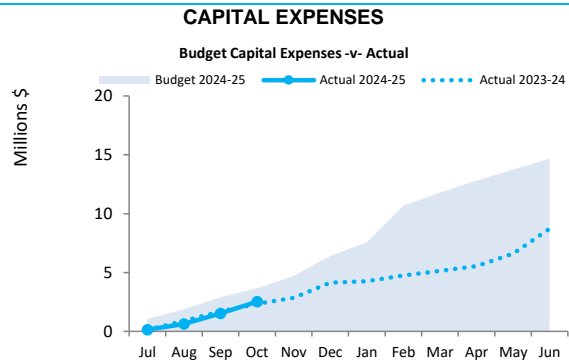
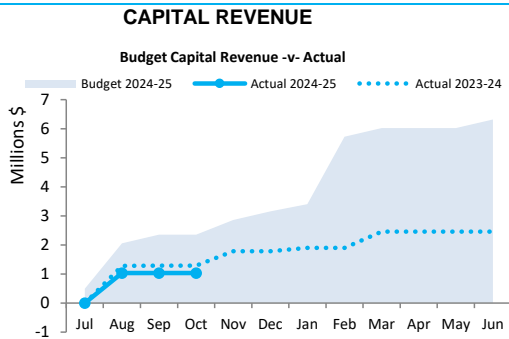
**SHIRE OF YILGARN**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 31 OCTOBER 2024**

**2 KEY INFORMATION - GRAPHICAL**

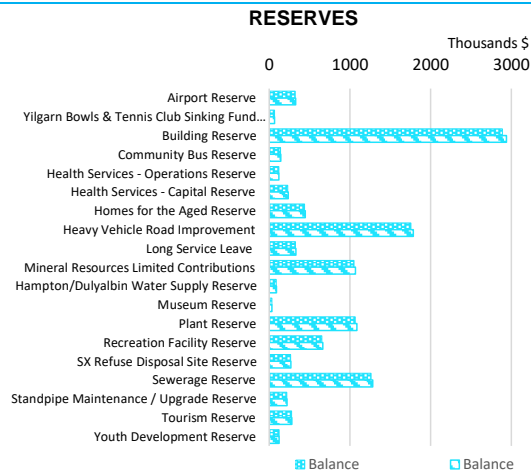
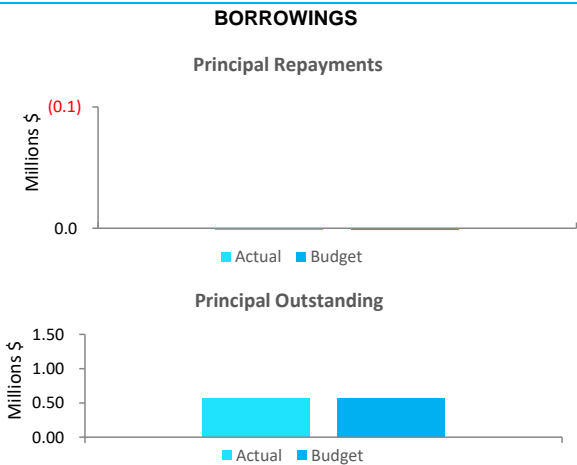
**OPERATING ACTIVITIES**



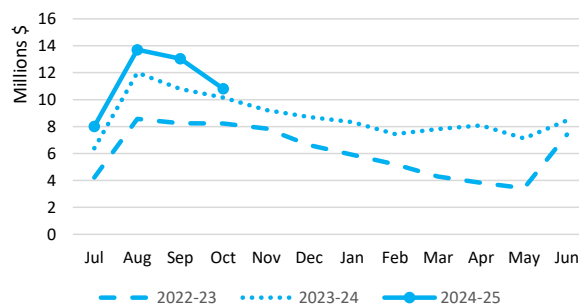
**INVESTING ACTIVITIES**



**FINANCING ACTIVITIES**



**Closing funding surplus / (deficit)**



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

**SHIRE OF YILGARN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 OCTOBER 2024**

**3 CASH AND FINANCIAL ASSETS AT AMORTISED COST**

Description	Classification	Unrestricted \$	Reserve Accounts \$	Total \$	Trust \$	Institution	Interest Rate	Maturity Date
Cash on hand		1,350		1,350				
Muni funds - bank working acc	Cash and cash equivalents	(194,303)		(194,303)		WBC	0.00%	
Muni funds - at call account	Cash and cash equivalents	4,656,798		4,656,798		WBC	1.35%	
Muni funds - investment account (31 days)	Cash and cash equivalents	6,350,000		6,350,000		WBC	4.60%	(rolling 31 day)
Reserve funds - investment account (90 days)	Cash and cash equivalents	0	11,520,128	11,520,128		WBC	5.10%	(rolling 90 day)
Trust Account	Cash and cash equivalents	47,105		47,105	47,105			
<b>Total</b>		<b>10,860,950</b>	<b>11,520,128</b>	<b>22,381,078</b>	<b>47,105</b>			
<b>Comprising</b>								
Cash and cash equivalents		10,860,950	11,520,128	22,381,078	47,105			
		<b>10,860,950</b>	<b>11,520,128</b>	<b>22,381,078</b>	<b>47,105</b>			

**KEY INFORMATION**

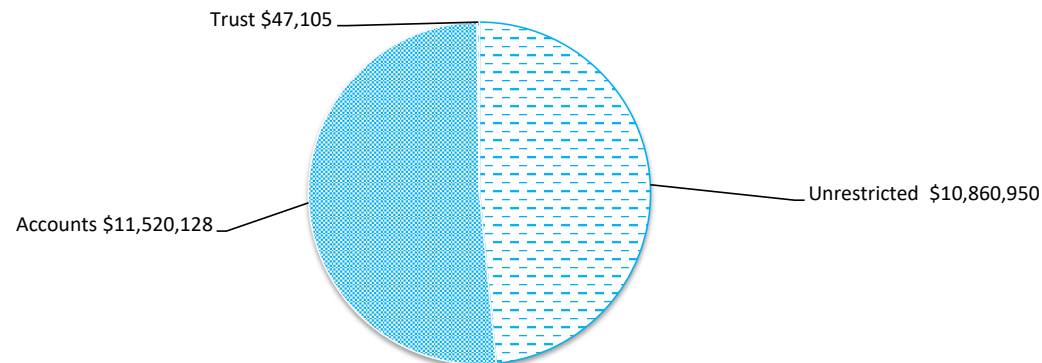
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 8 - Other assets.



**SHIRE OF YILGARN**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 31 OCTOBER 2024**

**4 RESERVE ACCOUNTS**

Reserve account name	Budget				Actual			
	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Reserve accounts restricted by Council</b>								
Airport Reserve	323,313	14,549	0	337,862	323,313	5,684	0	328,997
Yilgarn Bowls & Tennis Club Sinking Fund Reserve	65,982	130,037	0	196,019	65,982	1,160	0	67,142
Building Reserve	2,889,718	6,336	(1,700,000)	1,196,054	2,889,718	50,802	0	2,940,520
Community Bus Reserve	140,791	10,417	0	151,208	140,791	2,474	0	143,265
Health Services - Operations Reserve	118,856	5,349	0	124,205	118,856	2,090	0	120,946
Health Services - Capital Reserve	231,479	19,726	0	251,205	231,479	4,070	0	235,549
Homes for the Aged Reserve	438,360	628,968	0	1,067,328	438,360	7,707	0	446,067
Heavy Vehicle Road Improvement	1,754,849	11,923	0	1,766,772	1,754,849	30,850	0	1,785,699
Long Service Leave	324,072	14,583	0	338,655	324,072	5,698	0	329,770
Mineral Resources Limited Contributions	1,051,058	47,298	0	1,098,356	1,051,058	18,478	0	1,069,536
Hampton/Dulyalbin Water Supply Reserve	87,643	11,444	0	99,087	87,643	1,541	0	89,184
Museum Reserve	32,877	4,479	0	37,356	32,877	577	0	33,454
Plant Reserve	1,066,585	47,996	0	1,114,581	1,066,585	18,751	0	1,085,336
Recreation Facility Reserve	652,076	56,773	(622,000)	86,849	652,076	11,464	0	663,540
SX Refuse Disposal Site Reserve	264,960	29,343	0	294,303	264,960	4,659	0	269,619
Sewerage Reserve	1,261,614	9,823	0	1,271,437	1,261,614	22,180	0	1,283,794
Standpipe Maintenance / Upgrade Reserve	218,291	12,462	0	230,753	218,291	3,837	0	222,128
Tourism Reserve	276,924	9,635	0	286,559	276,924	4,869	0	281,793
Youth Development Reserve	121,650	5,474	0	127,124	121,650	2,139	0	123,789
	<b>11,321,098</b>	<b>1,076,615</b>	<b>(2,322,000)</b>	<b>10,075,713</b>	<b>11,321,098</b>	<b>199,030</b>	<b>0</b>	<b>11,520,128</b>

## 5 CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	6,360,921	764,858	1,021,002	256,144
Furniture and equipment	65,000	0	0	0
Plant and equipment	2,215,000	0	0	0
<b>Acquisition of property, plant and equipment</b>	<b>8,640,921</b>	<b>764,858</b>	<b>1,021,002</b>	<b>256,144</b>
Infrastructure - roads	5,411,353	713,979	347,020	(366,959)
Infrastructure- Other	485,000	35,498	0	(35,498)
<b>Acquisition of infrastructure</b>	<b>5,896,353</b>	<b>749,477</b>	<b>347,020</b>	<b>(402,457)</b>
<b>Total of PPE and Infrastructure.</b>	<b>14,537,274</b>	<b>1,514,335</b>	<b>1,368,022</b>	<b>(146,313)</b>
<b>Total capital acquisitions</b>	<b>14,537,274</b>	<b>1,514,335</b>	<b>1,368,022</b>	<b>(146,313)</b>
<b>Capital Acquisitions Funded By:</b>				
Capital grants and contributions	4,119,957	1,058,622	1,033,681	(24,941)
Borrowings	1,000,000	0	0	0
Other (disposals & C/Fwd)	491,500	0	0	0
Contribution - operations	8,925,817	455,713	0	(455,713)
<b>Capital funding total</b>	<b>14,537,274</b>	<b>1,514,335</b>	<b>1,033,681</b>	<b>(480,654)</b>

### KEY INFORMATION

#### Initial recognition

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Local Government (Financial Management) Regulation 17A(5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at reportable value.

#### Measurement after recognition

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2)*. Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

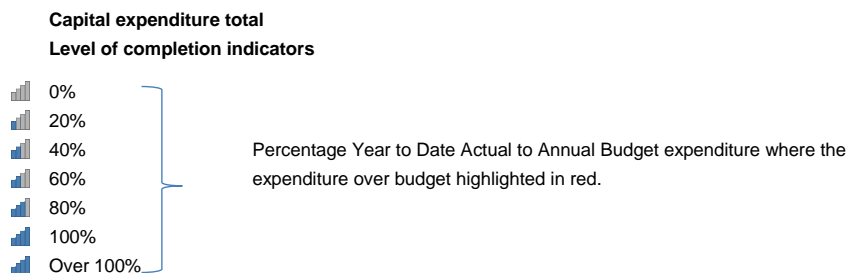
#### Reportable Value

In accordance with *Local Government (Financial Management) Regulation 17A(2)*, the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.



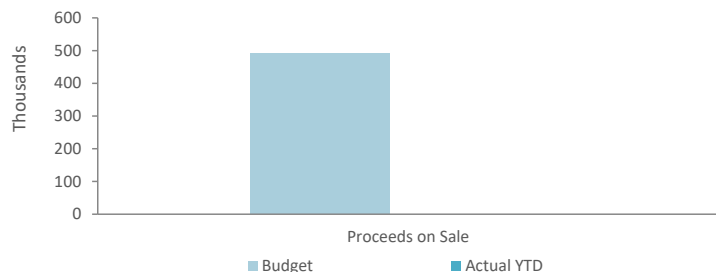
5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED



	Account Description	Adopted		30/09/2024	Variance
		Budget	YTD Budget	YTD Actual	(Under)/Over
		\$	\$	\$	\$
<b>Buildings</b>					
E07451	Medical Centre - Land & Buildings Capital	15,196	0	0	0
E08250	Child Care Centre - Land & Buildings Capital	45,000	0	0	0
E08350	Senior Citizens Centre - Land & Buildings Capital	10,000	0	0	0
J08403	Homes For The Aged - Land & Buildings Capital	77,603	0	0	0
E09710	Housing Construction - Land & Buildings	860,384	0	0	0
J09750	37 Taurus St - Land & Buildings Capital	36,000	0	0	0
J09753	103 Altair St - Land & Buildings Capital	9,093	0	2,242	(2,242)
J09754	3 Libra Pl - Land & Buildings Capital	18,653	0	7,228	(7,228)
J09755	35 Taurus St - Land & Buildings Capital	41,174	0	0	0
J09760	1/50 Antares St - Land & Buildings Capital	6,000	0	0	0
J09764	2 Libra Place - Land & Buildings Capital	30,783	0	0	0
J09766	13 Libra St (East) - Land & Buildings Capital	8,500	0	0	0
J09767	13 Libra St (West) - Land & Buildings Capital	8,500	0	0	0
J10722	Cbd Public Toilets - Land & Buildings Capital	12,063	2,004	0	2,004
J11150	Sx Community Centre - Land & Buildings Capital	0	0	144	(144)
E11250	Swimming Pool - Land & Buildings Capital	30,000	0	0	0
J11341	Yilgarn Bowls & Tennis Centre - Land & Buildings Capital	12,826	2,134	0	2,134
SPRT11	Moorine Rock Tennis Club - Land & Buildings Capital	5,600	932	0	932
SPORT9	Netball Courts / Pavilion / Toilets - Land & Buildings Capital	14,297	2,382	0	2,382
J11342	Lrci Rnd 3 - Southern Cross Sports Complex Upgrades	4,420,000	736,666	992,495	(255,829)
J13203	Caravan Park Improvements - Land & Buildings Capital	556,739	0	11,972	(11,972)
J13207	Caravan Park Residence - Land & Buildings Capital	18,000	0	2,410	(2,410)
J14602	Depot - Land & Buildings Capital	58,479	9,744	3,427	6,317
J14604	Depot - Yard Surfaces - Land & Buildings Capital	25,000	4,166	0	4,166
J14603	11 Antares Street - Shop Front Capital	18,739	3,118	984	2,134
J14607	11 Antares Street - Residence Capital	22,292	3,712	99	3,613
<b>Furniture</b>					
E14655	Shire Administration - Furniture & Equipment Capital	65,000	0	0	0
<b>Plant and equipment</b>					
E10353	Southern Cross Sewerage Scheme - Plant & Equipment Capital	52,500	4,375	0	4,375
E10451	Marvel Loch Sewerage Scheme - Plant & Equipment Capital	10,500	875	0	875
J11345	Sx Sporting Complex - Plant & Equipment Capital	25,000	2,083	0	2,083
E11357	Parks & Gardens - Plant & Equipment Capital	210,000	17,500	0	17,500
E12350	Purchase Of Plant And Equipment	1,725,000	143,750	0	143,750
E12353	Depot - Plant & Equipment Capital	75,000	6,250	11,900	(5,650)
E13257	Caravan Park Improvements - Plant & Equipment Capital	65,000	0	43,558	(43,558)
E14656	Shire Administration - Plant & Equipment	52,000	0	0	0
<b>Infrastructure - roads</b>					
RRG28	R2030 - Bodallin Wheatbin Rd - Replace Culvert And Reconstruc	1,674,799	0	600	(600)
R2R40	R2R - Marvel Loch Forrestania Rd - Reconstruct To 8M Primer S	445,054	0	0	0
R2R41	R2R - Marvel Loch Forrestania Rd - Reseal - Slk 0.17 - 2.90 (24/	120,728	0	0	0
R2R42	R2R - Koorda-Bullfinch Rd - Shoulder Widening - Slk 6.00 - 11.2	303,088	151,545	1,242	150,303
R2R43	R2R - Southern Cross South Rd - Gravel Sheet - Slk 86.00 - 91.9	414,953	207,478	162,171	45,307
WSFN1	Wsfm - Koorda/Bullfinch Rd - Geotesting, Survey & Replace 2 Cul	136,500	27,299	0	27,299
RRU38	Rru - Various Reseals, Short Sections And Intersections (24/25)	406,980	0	0	0
RRU39	Rru - Noonga North Rd - Gravel Sheet - Slk ?? (24/25)	303,017	0	1,760	(1,760)
RRU40	Rru - Cockatoo Tank Rd - Resheet - Slk 0.00 To 5.00 (24/25)	364,894	0	10,000	(10,000)
RRU41	Rru - Dulyalbin Rd - Gravel Sheet - Slk 1.00 - 5.00 (24/25)	282,325	282,325	154,543	127,782
RRU42	Rru - Lrci Phase 4B - Replace Various Culverts	272,000	45,332	8,120	37,212
RRU43	Rru - Ivy Rd - Gravel Sheet - Slk 23.00 - 28.00 (24/25)	308,576	0	640	(640)
TRU14	Tru - Altair St - Reseal - Slk 0.00 - 1.35 (24/25)	70,291	0	0	0
HVRIC9	Hvric - Koolyanobbing Rd - Replace Various Culverts And Recon	308,148	0	7,944	(7,944)
<b>Infrastructure - Other</b>					
E10350	Southern Cross Sewerage Scheme - Infrastructure Capital	17,500	2,916	0	2,916
E10450	Marvel Loch Sewerage Scheme - Infrastructure Capital	25,500	4,250	0	4,250
J11344	Renewal Of Cricket Practice Nets & Surface	30,000	5,000	0	5,000
J12101	Concrete Footpath - Spica Street - Southern Cross	120,000	20,000	0	20,000
AERO5	Windsock Lighting Upgrade	20,000	3,332	0	3,332
TRU15	Tru - Lrci Phase 4B - Sx Town Kerbing	272,000	0	0	0
		<b>14,537,274</b>	<b>1,689,168</b>	<b>1,423,480</b>	<b>265,688</b>

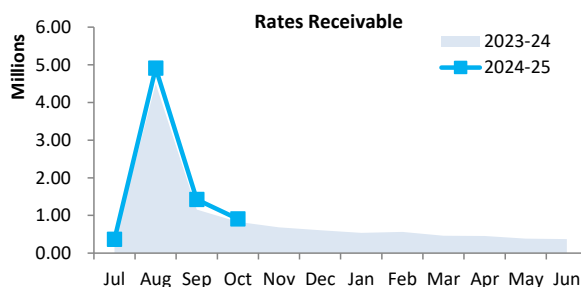
6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
<b>Plant and equipment</b>									
2061	Light Tip Truck	54,881	40,000	0	(14,881)	0	0	0	0
2013	Freightliner Prime Mover	153,753	65,000	0	(88,753)	0	0	0	0
2011	Replace Asset 2011 - John Deere Grader	163,055	80,000	0	(83,055)	0	0	0	0
P1818	Replace Asset P1818 - Tandem Dolly	17,272	10,000	0	(7,272)	0	0	0	0
2018	Toro GM360 Ride On	23,606	4,500	0	(19,106)	0	0	0	0
2057	Dual Cab 4x4 Truck	67,716	60,000	0	(7,716)	0	0	0	0
2058	Dual Cab 4x4 Truck	67,716	60,000	0	(7,716)	0	0	0	0
2035	Tray Deck & Crane	56,172	45,000	0	(11,172)	0	0	0	0
2112	Toyota Landcruiser (WS)	60,251	70,000	9,749	0	0	0	0	0
2043	Builders Ute	25,000	26,000	1,000	0	0	0	0	0
2100	Mitsubishi Outlander	32,305	31,000	0	(1,305)	0	0	0	0
		<b>721,727</b>	<b>491,500</b>	<b>10,749</b>	<b>(240,976)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



7 RECEIVABLES

Rates receivable	30 Jun 2024	31 Oct 2024
	\$	\$
Opening arrears previous year	310,001	367,490
Levied this year	4,378,475	4,597,774
Less - collections to date	(4,320,986)	(3,981,302)
<b>Net rates collectable</b>	<b>367,490</b>	<b>983,962</b>
% Collected	92.2%	80.2%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	0	152,749	425	1,944	6,597	161,715
Percentage	0.0%	94.5%	0.3%	1.2%	4.1%	
<b>Balance per trial balance</b>						
Trade receivables						161,715
GST receivable						139,115
Allowance for credit losses of rates and statutory receivables						(4,452)
<b>Total receivables general outstanding</b>						<b>296,378</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

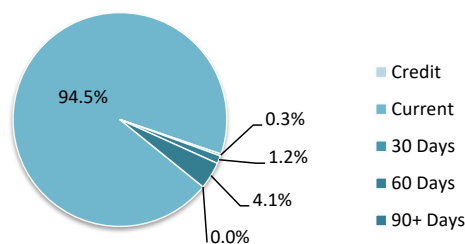
Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.

Accounts Receivable (non-rates)



8 OTHER CURRENT ASSETS

Other current assets	Opening Balance 1 July 2024	Asset Increase	Asset Reduction	Closing Balance 31 October 2024
	\$	\$	\$	\$
<b>Inventory</b>				
Fuel and materials	37,455	26,564	0	64,019
<b>Other assets</b>				
Accrued income	4,676	0	(4,676)	0
Contract assets	135,262			135,262
<b>Total other current assets</b>	<b>177,393</b>	<b>26,564</b>	<b>(4,676)</b>	<b>199,281</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

**Inventory**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

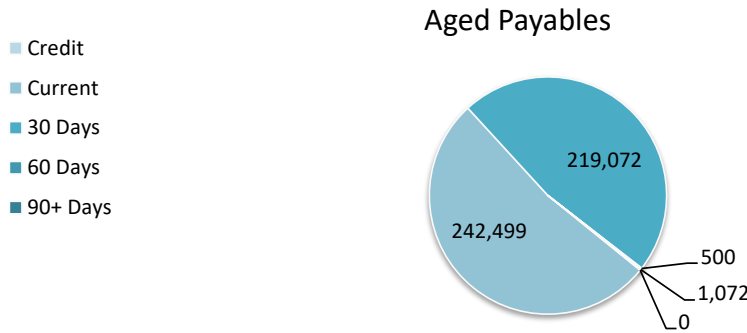
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	242,499	219,072	500	1,072	463,143
Percentage	0.0%	52.4%	47.3%	0.1%	0.2%	
<b>Balance per trial balance</b>						
Sundry creditors						463,144
Accrued salaries and wages						118,419
ATO liabilities						97,090
Bonds and deposits held						4,010
Trust						66,954
<b>Total payables general outstanding</b>						<b>749,617</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



10 BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2024	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
WA Treasury, Southern Cross swimming pool	98	662,883	0	0	49,266	98,814	564,069	564,069	3,787	(7,323)
Southern Cross Recreation Center Upgrade	99	0	0	1,000,000	0	0	0	0	0	(22,600)
<b>Total</b>		<b>662,883</b>	<b>0</b>	<b>1,000,000</b>	<b>49,266</b>	<b>98,814</b>	<b>564,069</b>	<b>564,069</b>	<b>3,787</b>	<b>(29,923)</b>
Current borrowings		98,814					49,548			
Non-current borrowings		564,069					514,521			
		<b>662,883</b>					<b>564,069</b>			

All debenture repayments were financed by general purpose revenue.

New borrowings 2024-25

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$
Southern Cross Recreation Centre Upgrade	0	1,000,000	WATC	Annuity	10	252,168	4.49	0	1,000,000	0

KEY INFORMATION

The City has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

11 LEASE LIABILITIES

Movement in carrying amounts

Information on leases Particulars	Lease No.	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments		
		1 July 2024	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
<i>Canon Photocopier (back office)</i>		2,979			(440)		2,539	2,979	(28)	(1,200)
<b>Total</b>		<b>2,979</b>	<b>0</b>	<b>0</b>	<b>(440)</b>	<b>0</b>	<b>2,539</b>	<b>2,979</b>	<b>(28)</b>	<b>(1,200)</b>
Current lease liabilities		1,296					853			
Non-current lease liabilities		1,683					1,683			
		<b>2,979</b>					<b>2,536</b>			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

## 12 OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2024	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 October 2024
		\$	\$	\$	\$	\$
<b>Other liabilities</b>						
Contract liabilities		629,210	0			629,210
Unearned Revenue		41,093	0			41,093
<b>Total other liabilities</b>		670,303	0	0	0	670,303
<b>Employee Related Provisions</b>						
Provision for annual leave		244,291	0			244,291
Provision for long service leave		228,168	0			228,168
<b>Total Provisions</b>		472,459	0	0	0	472,459
<b>Total other current liabilities</b>		<b>1,142,762</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,142,762</b>

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

### KEY INFORMATION

#### Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

#### Employee Related Provisions

##### Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

##### Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

#### Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

#### Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.



SHIRE OF YILGARN  
 SUPPLEMENTARY INFORMATION  
 FOR THE PERIOD ENDED 31 OCTOBER 2024

OPERATING ACTIVITIES

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue		
	Liability 1 July 2024	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Oct 2024	Current Liability 31 Oct 2024	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Grants and subsidies</b>								
GRANTS COMMISSION GENERAL				0		526,462	131,615	103,609
GRANTS COMMISSION ROADS				0		179,759	44,939	44,363
ESL OPERATING GRANT				0		62,500	31,250	21,532
CRC GRANT FUNDING - OTHJER				0		10,432	3,476	3,055
CRC PROFESSIONAL DEVELOPMENT & TRAINING				0		2,500	832	0
DRD GRANT FUNDING (CRC)				0		113,944	56,972	59,714
GRANT FUNDING				0		1,000	332	0
STREET LIGHT - OPERATION GRANT				0		12,500	0	0
HVRIC - HEAVY VEHICLE ROAD IMPROVEMENT CHARGE				0		550,000	183,332	516,580
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,459,097</b>	<b>452,748</b>	<b>748,853</b>
<b>Contributions</b>								
GRANT FUNDING - OTHER				0		10,432	1,738	1,528
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,432</b>	<b>1,738</b>	<b>1,528</b>
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,469,529</b>	<b>454,486</b>	<b>750,381</b>

SHIRE OF YILGARN  
 SUPPLEMENTARY INFORMATION  
 FOR THE PERIOD ENDED 31 OCTOBER 2024

INVESTING ACTIVITIES

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities				Capital grants, subsidies and contributions revenue			
	Liability	Increase in	Decrease in	Liability	Current	Adopted	YTD	YTD
	1 July 2024	Liability	Liability	31 Oct 2024	Liability	Budget	Budget	Revenue
	\$	\$	(As revenue)	\$	\$	\$	\$	\$
<b>Capital grants and subsidies</b>								
LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI)				0		1,136,311	284,077	0
GRANT ROADS 2025				0		1,116,533	446,613	472,614
MRWA DIRECT GRANT				0		561,067	561,067	561,067
ROADS TO RECOVERY (R2R)				0		1,178,691	0	0
COMMODITY ROUTE / SECONDARY FREIGHT NETWORK FUNDING				0		127,355	50,942	0
		0	0	0	0	4,119,957	1,342,699	1,033,681

**SHIRE OF YILGARN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 OCTOBER 2024**

**15 TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

<b>Description</b>	<b>Opening Balance 1 July 2024</b>	<b>Amount Received</b>	<b>Amount Paid</b>	<b>Closing Balance 31 October 2024</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Police Licensing	759	-	-	759
Builders Levy	11,765	-	(10,638)	1,127
Transwa Bookings	3,047	-	-	3,047
Staff Personal Dedns	(1)	-	-	(1)
Housing Tenancy Bonds	4,240	-	-	4,240
Hall Hire Bonds And Deposits	1,115	-	-	1,115
Security Key System - Key Bonds	1,830	-	-	1,830
Third Party Contributions	6,338	-	-	6,338
Rates Overpaid	16,047	-	(4,333)	11,714
Retention Monies	20,000	-	-	20,000
Council Nomination Deposit	100	-	(100)	0
	<b>65,240</b>	<b>0</b>	<b>(15,071)</b>	<b>50,169</b>

Shire of Yilgarn

Payments made from the Municipal Account for the Period 1st October 2024 to 31st October 2024  
Presented to Council, 21st November 2024

Date	Payee	Description	Amount
<b>CORPORATE CREDIT CARDS</b>			
09/10/2024	PRINT HALL	DRINKING PLACES	\$ 47.75
09/10/2024	HQ BAR AND KITCHEN	HOTELS, MOTELS, RESORTS	\$ 360.00
09/10/2024	ISLAND BREWHOUSE	EATING PLACES, RESTAURANTS	\$ 479.21
11/10/2024	QUAY PERTH	HOTELS, MOTELS, RESORTS	\$ 889.57
29/10/2024	SP OXFORDSHOP1978	COMPUTER SOFTWARE	\$ 253.37
29/10/2024	CONCLOTH	MISCELLANEOUS APPAREL	\$ 300.00
30/10/2024	RDMP INVESTMENT PTY	COMMERCIAL EQUIPMENT	\$ 1,341.00
<b>TOTAL CEO CREDIT CARD:</b>			<b>\$ 3,670.90</b>
01/10/2024	IINET BATCH	COMPUTER NETWORK/INFORMATION	\$ 79.99
01/10/2024	SX HARDWARE AND NEWS	NEWS DEALERS AND NEWS STANDS	\$ 15.75
07/10/2024	SHIRE OF YILGARN	GOVERNMENT SERVICES	\$ 19.40
09/10/2024	MWAVE LIDCOMBE	COMPUTERS, PERIPHERALS, SOFTWARE	\$ 82.11
11/10/2024	SQ *NC ELECTRICAL	PROFESSIONAL SERVICES	\$ 4,180.00
16/10/2024	OFFICEWORKS	STATIONARY, OFFICE & SCHOOL	\$ 4,915.95
16/10/2024	SAFETYCULTURE	COMPUTER SOFTWARE	\$ 31.90
15/10/2024	LANDGATE	GOVERNMENT SERVICES	\$ 31.60
16/10/2024	MERREDIN SUPA IGA	GROCERY STORES, SUPERMARKETS	\$ 53.93
19/10/2024	OFFICEWORKS	STATIONARY, OFFICE & SCHOOL	\$ 46.77
25/10/2024	SHIRE OF YILGARN	GOVERNMENT SERVICES	\$ 46.85
28/10/2024	POST SOUTHERN CROSS	POSTAL SERVICES	\$ 205.95
<b>TOTAL EMCS CREDIT CARD:</b>			<b>\$ 9,710.20</b>
<b>TOTAL CREDIT CARD:</b>			<b>\$ 13,381.10</b>

Shire of Yilgarn

Payments made from the Municipal Account for the Period 1st October 2024 to 31st October 2024  
Presented to Council, 21st November 2024

Date	Payee	Description	Amount
<b>FUEL CARDS</b>			
01/10/2024	AMPOL COOLGARDIE	5207 9653 FUEL	\$ 95.08
01/10/2024	WEX AUSTRALIA	5207 9653 TRANSACTION FEE	\$ 0.83
20/10/2024	AMPOL MUNDARING	5207 9653 FUEL	\$ 105.12
20/10/2024	WEX AUSTRALIA	5207 9653 TRANSACTION FEE	\$ 0.83
23/10/2024	AMPOL COOLGARDIE	5207 9653 FUEL	\$ 116.07
23/10/2024	WEX AUSTRALIA	5207 9653 TRANSACTION FEE	\$ 0.83
24/10/2024	CASTLE TOWN SERVICE STATION	5207 9653 FUEL	\$ 90.88
24/10/2024	WEX AUSTRALIA	5207 9653 TRANSACTION FEE	\$ 0.83
25/10/2024	BP ALBANY	5207 9653 FUEL	\$ 115.70
25/10/2024	WEX AUSTRALIA	5207 9653 TRANSACTION FEE	\$ 0.83
27/10/2024	AMPOL MUNDARING	5207 9653 FUEL	\$ 109.22
27/10/2024	WEX AUSTRALIA	5207 9653 TRANSACTION FEE	\$ 0.83
31/10/2024	WEX AUSTRALIA	5207 9653 CARD FEE	\$ 11.29
<b>CARD 5207 9653 TOTAL:</b>			<b>\$ 648.34</b>
04/10/2024	BP THE LAKES	5294 7495 SURCHARGE	\$ 2.06
04/10/2024	BP THE LAKES	5295 7495 FUEL	\$ 129.16
04/10/2024	WEX AUSTRALIA	5296 7495 TRANSACTION FEE	\$ 0.83
15/10/2024	BP SOUTHERN CROSS	5297 7495 FUEL	\$ 215.62
15/10/2024	WEX AUSTRALIA	5296 7495 TRANSACTION FEE	\$ 0.83
31/10/2024	WEX AUSTRALIA	5294 7495 CARD FEE	\$ 11.29
<b>CARD 5294 7495 TOTAL:</b>			<b>\$ 359.79</b>
10/10/2024	DUNNINGS SOUTHERN CROSS	5521 9892 FUEL	\$ 54.55
10/10/2024	WEX AUSTRALIA	5521 9892 TRANSACTION FEE	\$ 0.83
21/10/2024	BP SOUTHERN CROSS	5521 9892 FUEL	\$ 113.41
21/10/2024	WEX AUSTRALIA	5521 9892 TRANSACTION FEE	\$ 0.83
27/10/2024	AMPOL KALGOORLIE SOUTH	5521 9892 FUEL	\$ 86.94
27/10/2024	WEX AUSTRALIA	5521 9892 TRANSACTION FEE	\$ 0.83
28/10/2024	BP SOUTHERN CROSS	5521 9892 FUEL	\$ 78.73
28/10/2024	WEX AUSTRALIA	5521 9892 TRANSACTION FEE	\$ 0.83
31/10/2024	WEX AUSTRALIA	5521 9892 CARD FEE	\$ 11.29
<b>CARD 5521 9892 TOTAL:</b>			<b>\$ 348.24</b>

Shire of Yilgarn

Payments made from the Municipal Account for the Period 1st October 2024 to 31st October 2024  
Presented to Council, 21st November 2024

Date	Payee	Description	Amount
<b>FUEL CARDS</b>			
07/10/2024	DUNNINGS SOUTHERN CROSS	5701 7682 FUEL	\$ 97.13
07/10/2024	WEX AUSTRALIA	5701 7682 TRANSACTION FEE	\$ 0.83
21/10/2024	DUNNINGS SOUTHERN CROSS	5701 7682 FUEL	\$ 36.80
21/10/2024	WEX AUSTRALIA	5701 7682 TRANSACTION FEE	\$ 0.83
31/10/2024	WEX AUSTRALIA	5701 7682 CARD FEE	\$ 11.29
<b>CARD 5701 7682 TOTAL:</b>			<b>\$ 146.88</b>
06/10/2024	ATLAS FUEL SAWYERS VALLEY	5809 3955 SURCHARGE	\$ 4.52
06/10/2024	ATLAS FUEL SAWYERS VALLEY	5809 3955 FUEL	\$ 143.60
06/10/2024	WEX AUSTRALIA	5809 3955 TRANSACTION FEE	\$ 0.83
31/10/2024	WEX AUSTRALIA	5809 3955 CARD FEE	\$ 11.29
<b>CARD 5809 3955 TOTAL:</b>			<b>\$ 160.24</b>
31/10/2024	WEX AUSTRALIA	5842 7070 CARD FEE	\$ 11.29
<b>CARD 5842 7070 TOTAL:</b>			<b>\$ 11.29</b>
09/10/2024	BP SOUTHERN CROSS	6339 6948 FUEL	\$ 124.86
09/10/2024	WEX AUSTRALIA	6339 6948 TRANSACTION FEE	\$ 0.83
13/10/2024	DUNNINGS SOUTHERN CROSS	6339 6948 FUEL	\$ 41.49
13/10/2024	WEX AUSTRALIA	6339 6948 TRANSACTION FEE	\$ 0.83
16/10/2024	DUNNINGS SOUTHERN CROSS	6339 6948 FUEL	\$ 78.75
16/10/2024	WEX AUSTRALIA	6339 6948 TRANSACTION FEE	\$ 0.83
19/10/2024	AMPOL MUNDARING	6339 6948 FUEL	\$ 103.85
19/10/2024	WEX AUSTRALIA	6339 6948 TRANSACTION FEE	\$ 0.83
27/10/2024	DUNNINGS SOUTHERN CROSS	6339 6948 FUEL	\$ 101.11
27/10/2024	WEX AUSTRALIA	6339 6948 TRANSACTION FEE	\$ 0.83
31/10/2024	WEX AUSTRALIA	6339 6948 CARD FEE	\$ 11.29
<b>CARD 6339 6948 TOTAL:</b>			<b>\$ 465.50</b>
31/10/2024	WEX AUSTRALIA	6346 5230 CARD FEE	\$ 11.29
<b>CARD 6346 5230 TOTAL:</b>			<b>\$ 11.29</b>

**Payments made from the Municipal Account for the Period 1st October 2024 to 31st October 2024**  
**Presented to Council, 21st November 2024**

<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
<b>FUEL CARDS</b>			
02/10/2024	BURK CARRABIN	6673 6959 FUEL	\$ 30.09
02/10/2024	WEX AUSTRALIA	6673 6959 TRANSACTION FEE	\$ 0.83
13/10/2024	BURK CARRABIN	6673 6959 FUEL	\$ 89.50
13/10/2024	WEX AUSTRALIA	6673 6959 TRANSACTION FEE	\$ 0.83
19/10/2024	AMPOL COOLGARDIE	6673 6959 FUEL	\$ 109.34
19/10/2024	WEX AUSTRALIA	6673 6959 TRANSACTION FEE	\$ 0.83
26/10/2024	AMPOL COOLGARDIE	6673 6959 FUEL	\$ 104.81
26/10/2024	WEX AUSTRALIA	6673 6959 TRANSACTION FEE	\$ 0.83
31/10/2024	WEX AUSTRALIA	6673 6959 CARD FEE	\$ 11.29
<b>CARD 6673 6959 TOTAL:</b>			<b>\$ 348.35</b>
31/10/2024	WEX AUSTRALIA	5240 1576 CARD FEE	\$ 11.29
<b>CARD 5240 1576 TOTAL:</b>			<b>\$ 11.29</b>
31/10/2024	WEX AUSTRALIA	5526 7685 CARD FEE	\$ 11.29
<b>CARD 5526 7685 TOTAL:</b>			<b>\$ 11.29</b>
17/10/2024	AMPOL MIDVALE	5808 4749 FUEL	\$ 91.14
17/10/2024	WEX AUSTRALIA	5808 4749 TRANSACTION FEE	\$ 0.83
22/10/2024	BP MERREDIN	5808 4749 FUEL	\$ 50.04
22/10/2024	WEX AUSTRALIA	5808 4749 TRANSACTION FEE	\$ 0.83
31/10/2024	WEX AUSTRALIA	5808 4749 CARD FEE	\$ 11.29
<b>CARD 5808 4749 TOTAL:</b>			<b>\$ 154.13</b>
<b>TOTAL FUEL CARD:</b>			<b>\$ 2,676.63</b>

Payments made from the Municipal Account for the Period 1st October 2024 to 31st October 2024  
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CHQ/EFT	Date	Payee	Description	Amount
<b>DIRECT DEBITS</b>				
DD19230.1	08/10/2024	THE TRUSTEE FOR AWARE SUPER	PAYROLL	\$ 14,905.08
DD19230.2	08/10/2024	BT PANORAMA SUPER	PAYROLL	\$ 626.59
DD19230.3	08/10/2024	HESTA SUPER FUND	PAYROLL	\$ 639.46
DD19230.4	08/10/2024	AUSTRALIAN RETIREMENT TRUST	PAYROLL	\$ 232.22
DD19230.5	08/10/2024	HOSTPLUS EXECUTIVE SUPERANNUATION FUND	PAYROLL	\$ 598.65
DD19230.6	08/10/2024	REST (RETAIL EMPLOYEES SUPERANNUATION TRUST)	PAYROLL	\$ 1,527.54
DD19230.7	08/10/2024	AUSTRALIAN SUPER	PAYROLL	\$ 3,438.10
DD19230.8	08/10/2024	CBUS	PAYROLL	\$ 1,178.89
DD19230.9	08/10/2024	AUSTRALIAN RETIREMENT TRUST	PAYROLL	\$ 526.91
DD19230.10	08/10/2024	PRIME SUPER	PAYROLL	\$ 1,220.84
DD19230.11	08/10/2024	THE TRUSTEE FOR MACQUARIE SUPERANNUATION PLAN	PAYROLL	\$ 748.00
DD19230.12	08/10/2024	MERCER SUPER TRUST	PAYROLL	\$ 935.71
DD19230.13	08/10/2024	MLC SUPER FUND	PAYROLL	\$ 322.88
<b>TOTAL DIRECT DEBIT 19230:</b>				<b>\$ 26,900.87</b>
DD19254.1	22/10/2024	THE TRUSTEE FOR AWARE SUPER	PAYROLL	\$ 16,333.42
DD19254.2	22/10/2024	MERCER SUPER TRUST	PAYROLL	\$ 1,026.78
DD19254.3	22/10/2024	BT PANORAMA SUPER	PAYROLL	\$ 689.55
DD19254.4	22/10/2024	HESTA SUPER FUND	PAYROLL	\$ 651.86
DD19254.5	22/10/2024	AUSTRALIAN RETIREMENT TRUST	PAYROLL	\$ 148.62
DD19254.6	22/10/2024	HOSTPLUS EXECUTIVE SUPERANNUATION FUND	PAYROLL	\$ 599.41
DD19254.7	22/10/2024	REST (RETAIL EMPLOYEES SUPERANNUATION TRUST)	PAYROLL	\$ 1,647.98
DD19254.8	22/10/2024	AUSTRALIAN SUPER	PAYROLL	\$ 4,090.92
DD19254.9	22/10/2024	CBUS	PAYROLL	\$ 946.61
DD19254.10	22/10/2024	AUSTRALIAN RETIREMENT TRUST	PAYROLL	\$ 609.84
DD19254.11	22/10/2024	PRIME SUPER	PAYROLL	\$ 1,396.32
DD19254.12	22/10/2024	THE TRUSTEE FOR MACQUARIE SUPERANNUATION PLAN	PAYROLL	\$ 670.68
DD19254.13	22/10/2024	MLC SUPER FUND	PAYROLL	\$ 434.86
DD19254.14	22/10/2024	THE GARY AND JOSIE KENT SUPERANNUATION FUND	PAYROLL	\$ 194.01
<b>TOTAL DIRECT DEBIT 19254:</b>				<b>\$ 29,440.86</b>
<b>TOTAL DIRECT DEBITS:</b>				<b>\$ 56,341.73</b>



Payments made from the Municipal Account for the Period 1st October 2024 to 31st October 2024  
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CHQ/EFT	Date	Payee	Description	Amount
<b>BANK CHARGES</b>				
	01/10/2024	WESTPAC BANK	BANK CHARGES	\$ 10.00
	01/10/2024	WESTPAC BANK	BANK CHARGES	\$ 348.70
	01/10/2024	WESTPAC BANK	BANK CHARGES	\$ 1,101.58
<b>TOTAL BANK CHARGES:</b>				<b>\$ 1,460.28</b>

Shire of Yilgarn

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Date	Payee	Description	Amount
		<i>EFT</i>	
04/10/2024	3SIXT AUTOMOTIVE SERVICES	EFT15755	\$ 1,932.04
04/10/2024	ZENITH AUSTRALIA INVESTMENT HOLDING PTY LTD	EFT15756	\$ 11,000.00
04/10/2024	AUSTRALIA POST	EFT15757	\$ 308.60
04/10/2024	AXFORD PLUMBING AND GAS PTY LTD	EFT15758	\$ 860.20
04/10/2024	CR BRADFORD	EFT15759	\$ 400.00
04/10/2024	BOC GASES	EFT15760	\$ 64.42
04/10/2024	STAFF	EFT15761	\$ 105.00
04/10/2024	AUST. GOVERNMENT CHILD SUPPORT AGENCY	EFT15762	\$ 686.11
04/10/2024	CR CLOSE	EFT15763	\$ 400.00
04/10/2024	COPIER SUPPORT	EFT15764	\$ 786.10
04/10/2024	TEAM GLOBAL EXPRESS PTY LTD	EFT15765	\$ 241.36
04/10/2024	CR NEWBURY	EFT15766	\$ 620.64
04/10/2024	EFTSURE PTY LTD	EFT15767	\$ 6,029.96
04/10/2024	FRONTLINE FIRE & RESCUE EQUIPMENT	EFT15768	\$ 180.38
04/10/2024	CR GUERINI	EFT15769	\$ 713.86
04/10/2024	GILBA DOWNS	EFT15770	\$ 9,988.00
04/10/2024	MT HAMPTON PROGRESS ASSOCIATION	EFT15771	\$ 1,385.00
04/10/2024	HI-TEC ALARMS	EFT15772	\$ 171.60
04/10/2024	IT VISION	EFT15773	\$ 554.40
04/10/2024	CR ROSE	EFT15774	\$ 400.00
04/10/2024	CR GRANICH	EFT15775	\$ 419.80
04/10/2024	LNB ELECTRICAL	EFT15776	\$ 6,310.95
04/10/2024	G & PM DELLA BOSCA	EFT15777	\$ 14,916.00
04/10/2024	IXOM OPERATIONS PTY LTD	EFT15778	\$ 2,268.42
04/10/2024	PAYWISE PTY LTD	EFT15779	\$ 483.21
04/10/2024	PERFECT COMPUTER SOLUTIONS PTY LTD	EFT15780	\$ 85.00
04/10/2024	RAILWAY TAVERN	EFT15781	\$ 101.00
04/10/2024	WA CONTRACT RANGER SERVICES	EFT15782	\$ 1,320.00
04/10/2024	SHEQSY PTY LTD	EFT15783	\$ 197.84
04/10/2024	DAIMLER TRUCKS PERTH	EFT15784	\$ 52,455.09
04/10/2024	YILGARN SHIRE SOCIAL CLUB	EFT15785	\$ 72.00
04/10/2024	FOODWORKS	EFT15786	\$ 626.56
04/10/2024	STANDFAST EQUIPMENT SERVICES PTY LTD	EFT15787	\$ 2,370.50
04/10/2024	SOUTHERN CROSS PLANT & MECHANICAL SERVICES PTY LTD	EFT15788	\$ 4,522.10
04/10/2024	SOUTHERN CROSS TYRE & AUTO SERVICES	EFT15789	\$ 1,965.58
04/10/2024	SYNERGY	EFT15790	\$ 16,468.04
04/10/2024	TOTAL EDEN WATERING SYSTEMS PTY LTD	EFT15791	\$ 2,087.80
04/10/2024	T-QUIP	EFT15792	\$ 310.08
04/10/2024	WALGA BUSINESS SOLUTIONS	EFT15793	\$ 700.00
04/10/2024	CR DELLA BOSCA	EFT15794	\$ 800.00
04/10/2024	WB CONTRACTING	EFT15795	\$ 25,674.00
04/10/2024	WESTRAC EQUIPMENT PTY LTD	EFT15796	\$ 10,041.08
15/10/2024	SEMINARS AUSTRALIA PTY LTD	EFT15797	\$ 429.00
18/10/2024	AERODROME MANAGEMENT SERVICES PTY LTD	EFT15798	\$ 10,570.31
18/10/2024	WA DISTRIBUTORS PTY LTD	EFT15799	\$ 486.55
18/10/2024	EUROFINS ARL PTY LTD	EFT15800	\$ 341.00
18/10/2024	AVON WASTE	EFT15801	\$ 15,929.70
18/10/2024	BANNER EXCAVATIONS & ROCKBREAKING	EFT15802	\$ 42,396.50
18/10/2024	AUST. GOVERNMENT CHILD SUPPORT AGENCY	EFT15803	\$ 686.11
18/10/2024	COMBINED TYRES PTY LTD	EFT15804	\$ 2,799.50
18/10/2024	DEPARTMENT OF PLANNING, LANDS AND HERITAGE	EFT15805	\$ 183.34
18/10/2024	DEVLYN AUSTRALIA PTY LTD	EFT15806	\$ 687,046.65
18/10/2024	DRAEGER AUSTRALIA PTY LTD	EFT15807	\$ 451.00
18/10/2024	STAFF	EFT15808	\$ 550.00
18/10/2024	GILBA DOWNS	EFT15809	\$ 10,120.00
18/10/2024	INDUSTRIAL AUTOMATION GROUP PTY LTD	EFT15810	\$ 1,155.00
18/10/2024	WESFARMERS KLEENHEAT GAS PTY LTD	EFT15811	\$ 2,053.40

Shire of Yilgarn

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Date	Payee	Description	Amount
<i>EFT</i>			
18/10/2024	LANDGATE	EFT15812	\$ 276.55
18/10/2024	LGISWA	EFT15813	\$ 6,746.30
18/10/2024	LNB ELECTRICAL	EFT15814	\$ 262.24
18/10/2024	PAYWISE PTY LTD	EFT15815	\$ 483.21
18/10/2024	PUBLIC LIBRARIES WESTERN AUSTRALIA INC	EFT15816	\$ 300.00
18/10/2024	WA CONTRACT RANGER SERVICES	EFT15817	\$ 1,430.00
18/10/2024	REDFISH TECHNOLOGIES PTY LTD	EFT15818	\$ 7,242.72
18/10/2024	SHEQSY PTY LTD	EFT15819	\$ 197.84
18/10/2024	YILGARN SHIRE SOCIAL CLUB	EFT15820	\$ 72.00
18/10/2024	FOODWORKS	EFT15821	\$ 29.98
18/10/2024	STANDFAST EQUIPMENT SERVICES PTY LTD	EFT15822	\$ 2,508.00
18/10/2024	SOUTHERN CROSS MOTOR MART	EFT15823	\$ 2,092.55
18/10/2024	WHEATBELT HOTELS PTY LTD	EFT15824	\$ 170.00
18/10/2024	SOUTHERN CROSS TYRE & AUTO SERVICES	EFT15825	\$ 1,124.20
18/10/2024	TOWN PLANNING INNOVATIONS PTY LTD	EFT15826	\$ 1,072.50
18/10/2024	T-QUIP	EFT15827	\$ 1,896.54
18/10/2024	WESTRAC EQUIPMENT PTY LTD	EFT15828	\$ 437.32
18/10/2024	WOODLANDS DISTRIBUTORS AND AGENCIES	EFT15829	\$ 772.64
18/10/2024	ENTERPRISE PLUMBING AND GAS	EFT15830	\$ 1,020.25
21/10/2024	CP GUEST	EFT15831	\$ 110.00
21/10/2024	LEISURE INSTITUTE OF WA AQUATICS (INC)	EFT15832	\$ 260.00
21/10/2024	LNB ELECTRICAL	EFT15833	\$ 1,160.67
21/10/2024	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA INCORPORATED	EFT15834	\$ 1,235.00
21/10/2024	MARKET CREATIONS	EFT15835	\$ 8,956.20
21/10/2024	MINERAL CRUSHING SERVICES	EFT15836	\$ 114,968.70
21/10/2024	WB CONTRACTING	EFT15837	\$ 51,841.90
<b>TOTAL EFTS:</b>			<b>\$ 1,162,888.09</b>

Shire of Yilgarn

Payments made from the Municipal Account for the Period 1st October 2024 to 31st October 2024  
Presented to Council, 21st November 2024

Date	Payee	Description	Amount
		<b>CHQ</b>	
24/10/2024	CANON FINANCE AUSTRALIA PTY LTD	2481	\$ 127.62
14/10/2024	TELCO CHOICE - COMMANDER CENTRE NORTH PERTH	2482	\$ 250.00
16/10/2024	TELCO CHOICE - COMMANDER CENTRE NORTH PERTH	2483	\$ 1,369.33
15/10/2024	MOTORCHARGE LIMITED	2484	\$ 2,556.54
01/10/2024	SOUTHERN CROSS GENERAL PRACTICE	2485	\$ 8,800.00
28/10/2024	SOUTHERN CROSS PHARMACY AND HEALTH	2486	\$ 550.00
09/10/2024	SHIRE OF YILGARN - PAYROLL	2487	\$ 114,760.64
23/10/2024	SHIRE OF YILGARN - PAYROLL	2488	\$ 117,636.74
21/10/2024	TELSTRA	2489	\$ 834.27
16/10/2024	TELSTRA	2490	\$ 913.99
14/10/2024	TELSTRA	2491	\$ 195.00
09/10/2024	TELSTRA	2492	\$ 3.60
04/10/2024	DEPARTMENT OF TRANSPORT	2493	\$ 2,983.90
11/10/2024	DEPARTMENT OF TRANSPORT	2494	\$ 22,482.05
18/10/2024	DEPARTMENT OF TRANSPORT	2495	\$ 6,453.85
25/10/2024	DEPARTMENT OF TRANSPORT	2496	\$ 19,358.90
31/10/2024	DEPARTMENT OF TRANSPORT	2497	\$ 4,708.00
15/10/2024	WESTPAC BANKING CORPORATION	2498	\$ 1,287.98
15/10/2024	WESTPAC BANKING CORPORATION	2499	\$ 150.00
		<b>TOTAL CHEQUES:</b>	<b>\$ 305,422.41</b>

Shire of Yilgarn

Payments made from the Municipal Account for the Period 1st October 2024 to 31st October 2024  
Presented to Council, 21st November 2024

Date	Payee	Description	Amount
<i>CHQ</i>			
04/10/2024	BULLFINCH PROGRESS ASSOCIATION	41295	1000.00
04/10/2024	LGRCEU	41297	20.50
18/10/2024	MORTON CLIFFORD WIGNALL	41298	35.90
18/10/2024	LGRCEU	41299	20.50
<b>TOTAL CHEQUES: \$</b>			<b>1,076.90</b>

## Usage Agreement

<b>Lessor</b>	Shire of Yilgarn (ABN 58 923 991 148) 23 Antares Street, Southern Cross, WA 6426 Phone: 08 9049 1001 Email: yilgarn@yilgarn.wa.gov.au
<b>Lessee (Fulton Hogan)</b>	Fulton Hogan Industries Pty Ltd (ABN 54 000 538 689) ("Fulton Hogan") 158 Talbot Road, Perth Airport WA 6055 Representative Name: Stephen Holdsworth Phone: 0437 861 380 Email: Stephen.Holdsworth@fultonhogan.com.au

### Operative

Fulton Hogan has been engaged by Main Roads Western Australia to construct the Work Order C197/18-0115 - (H005) Great Eastern Highway Upgrade – Walgoolan to Southern Cross  
Package 3 – SLK 302.20 to 306.65  
Package 6 – SLK 335.20 to 339.80  
Package 8A – SLK 340.86 to 343.27

(the **Project**).

In order for Fulton Hogan to carry out and undertake the Project Fulton Hogan requests access to the Land.

The Lessor agrees to Fulton Hogan's use of those parts of the Lessor's Property referred to in Appendix A on the terms of this Usage Agreement.

### Reference Schedule

<b>Item 1</b>	<b>Commencing Date</b> 30 <sup>th</sup> October 2024
<b>Item 2</b>	<b>Completion Date</b> 20 <sup>th</sup> August 2025
<b>Item 3</b>	<b>Lessor's Property</b> Bodallin Community Hall and Oval Lot 41 Great Eastern Highway Bodallin, WA 6424
<b>Item 4</b>	<b>Permitted Use</b> Temporary use of land during construction for use in C197/18-0115 - (H005) Great Eastern Highway Upgrade – Walgoolan to Southern Cross Package 3 – SLK 302.20 to 306.65 Package 6 – SLK 335.20 to 339.80 Package 8A – SLK 340.86 to 343.27 : <ul style="list-style-type: none"><li>• Site Facilities and laydown areas,</li><li>• Contractor Camp/Accommodation Facilities</li><li>• Stockpiling of materials for construction use.</li><li>• Private use of Community Hall for Lessees Site Offices<ul style="list-style-type: none"><li>• Included Area's Limited to:<ul style="list-style-type: none"><li>○ Kitchen</li><li>○ Front Foyer</li><li>○ Toilets</li></ul></li></ul></li></ul>

- Main Hall and Stage Area to be made available for public use (including hall toilets during any public use).
- Access to Water and Power from the Community Hall for the Lessees Site Office Facilities

Working Hours: 6:00am to 6:00pm

Working Days: Monday to Sunday

**Item 5**

**Public liability insurance**

\$10,000,000

**Item 6**

**Rent**

The Lessee will provide the following in consideration as Rent:

- \$3,000.00 ex GST per Month
- Reimbursement, plus Shire Administration fee of 12% for Water and Electricity costs incurred for the property while being used.
- Clean out of Septic System throughout period of usage and final clean out upon completion of usage.
- Leave the Bodallin Hall and surrounds in an as found condition.
- Leave the old Bodallin Oval in an as found condition.

## **1. Definitions and interpretation**

### **1.1 Definitions**

The following words have these meanings unless the contrary intention appears:

**Commencing Date** means the date shown in item 1 of the Reference Schedule

**Completion Date** means the date shown in item 2 of the Reference Schedule.

**Land** means the land to be used by Fulton Hogan which forms part of the Lessor's Property and is identified in Annexure A.

**Usage Agreement** means this usage agreement, including all schedules and annexures to it.

**Lessor's Property** means that property comprised in Certificate of Title as shown in item 3 of the Reference Schedule and includes all plant, equipment, fixtures, fittings and other property the Lessor provides in the Land.

**Permitted Use** means the use in Item 4 of the Reference Schedule.

**Reference Schedule** means the reference schedule to this Usage Agreement.

## **2. Rent**

Fulton Hogan must pay the Rent in accordance with Item 6 of the Reference Schedule.

## **3. Charges for Services**

The Lessor remains responsible for payment of any services (rates, water, power, gas, phone, internet taxes and the like) separately metered or charged to or against the Land.

## **4. Goods and Services Tax (GST)**

The Rent provided in clause 2 is exclusive of GST. If the Lessor is registered for GST, Fulton Hogan is liable to pay GST in connection with this usage and the provisions of A New Tax System (Goods and Services Tax) Act 1999 (Cth) (GST Act) will apply.

## **5. Permitted Use**

- (a) Fulton Hogan must not use the Land for any purpose other than the Permitted Use without the prior written consent of the Lessor.
- (b) The Lessor does not warrant the suitability or fitness for use of the Land for the Permitted Use.
- (c) Fulton Hogan is responsible for obtaining all necessary approvals and consents from the authorities for the Permitted Use.

## **6. Insurances**

- (a) Fulton Hogan must maintain with insurers:
  - (i) public liability insurance for at least the amount in item 5 of the Reference Schedule, and
  - (ii) other insurances which are required by law, in connection with the Land.
- (b) Fulton Hogan must:
  - (i) give the Lessor certificates of currency for those insurances identified in clause 6(a) when asked to do so
- (c) The Lessor must maintain public liability insurance in respect of any public use of the premises.

## **7. Lessee's rights and additional obligations**

Subject to the Lessor's rights, while Fulton Hogan complies with its obligations under this Usage Agreement, Fulton Hogan may occupy the Land from the Commencing Date to the Completion Date without interference by the Lessor.

## **8. Lessor's additional obligations and rights**

- (a) The Lessor may enter the Land at reasonable times on reasonable notice to:
  - (i) see if Fulton Hogan is complying with its obligations under this Usage Agreement



- (ii) do repairs to the Land as required by the orders of an authority and that cannot be reasonably be done unless the Lessor enters the Land, or
  - (iii) do anything the Lessor must or may do under this Usage Agreement or must do under any law or to satisfy the requirements of any authority.
- (b) If the Lessor decides there is an emergency, the Lessor may enter the Land at any time without notice.

**9. Destruction, flood etc**

If the Land is destroyed by flooding, fire, damage, or the like, so that the Land can no longer be used or is made inaccessible, then:

- (a) Fulton Hogan is not liable to pay Rent payable to the Lessor for the period that the Land cannot be used or are inaccessible, and
- (b) either party terminate this Usage Agreement by giving notice to the other.

**10. Default**

The Lessor may terminate this Usage Agreement by giving Fulton Hogan 7 days written notice if Fulton Hogan:

- (a) repudiates its obligations under this Usage Agreement; or
- (b) does not comply with an essential term or express obligation of this Usage Agreement.

**11. Expiry or termination**

- (a) Fulton Hogan must vacate the Land on the earlier of the Completion Date or the date this Usage Agreement is terminated.
- (b) On expiry or termination of this Usage Agreement, Fulton Hogan must remove Fulton Hogan's property and promptly make good any damage caused by that removal.
- (c) Fulton Hogan agrees that on or shortly after vacating the Land, Fulton Hogan shall reinstate the Land to its pre-existing condition.

**12. Disputes**

If a dispute or difference arises between the parties in respect of any fact, matter or thing arising out of, or in any way in connection with, this Usage Agreement, delegates of each party must meet and undertake genuine and good faith negotiations with a view to resolving the dispute.

**13. Reusage**

The Lessor acknowledges that upon the earlier of the Completion Date or the date this Usage Agreement is terminated, it shall provide to Fulton Hogan a properly executed release on terms satisfactory to Fulton Hogan, from all claims or demands (whether for damages or otherwise howsoever arising) from the Lessor that includes confirmation that Fulton Hogan have fully complied with the requirements of the Usage Agreement and that the Land has been reinstated to its pre-existing condition.

**This is Annexure A to the Usage Agreement between Shire of Yilgarn as Lessor and Fulton Hogan Industries Pty Ltd as Lessee**

Map of the Land and Mark Up Area(s) that will be used by Fulton Hogan.



**LEGEND**

**CONTRACTORS CAMP/ACCOMMODATION AND LAYDOWN – area to be utilised for Contractors Camp/Accommodation Facilities, Plant, Equipment and Materials Laydown.**

**SITE OFFICES AND LAYDOWN – area to be utilised for Contractor’s site offices and parking.**

EXECUTED BY THE PARTIES:

**Lessor**

Signed by Shire of  
Yilgarn

\_\_\_\_\_  
Chief Executive Officer  
Signatory

\_\_\_\_\_  
Executive Manager Corporate  
Service Signatory

\_\_\_\_\_  
Chief Executive Officer name

\_\_\_\_\_  
Executive Manager Corporate  
Service name

**Lessee**

Signed by Authorised  
Representative.  
**Fulton Hogan  
Industries Pty Ltd**

\_\_\_\_\_  
sign (signatory)

\_\_\_\_\_  
sign (witness)

\_\_\_\_\_  
Hardus van Aswegen

\_\_\_\_\_  
Full name

\_\_\_\_\_  
Full name of witness

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POLICY: ASSESSING APPLICATIONS TO OPERATE RESTRICTED ACCESS VEHICLES

POLICY NO:

SECTION: Engineering

LAST REVIEW DATE: NEW 2024

DUE FOR REVISION: SEPTEMBER 2026

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## INTRODUCTION

The Shire of Yilgarn seeks to achieve a sustainable road network that balances the needs of the community and the provision of an efficient freight network to support economic growth and development. The most recent RAV network routes for the Shire of Yilgarn can be found on the Main Roads WA Heavy Vehicles website

A Restricted Access Vehicle (RAV) is a vehicle that exceeds a statutory mass or dimension limit as prescribed in the Road Traffic (Vehicles) Regulations 2014. RAVs can only operate on roads approved by Main Roads, under either an Order (Notice) or a permit. A Notice is an instrument of approval that is published in the Government Gazette and grants access for certain types of RAVs on defined networks of roads. All RAVs require a permit unless they are authorised under a Notice.

There are three types of restricted networks; the Standard RAV Network, Concessional Loading RAV Network and the Tri – drive Restricted Access Vehicle Network.

Operators may apply to add or amend a RAV route. It is Main Roads WA policy to consult with Local Governments before adding or amending a RAV route. Local Governments may request that Main Roads WA consider certain conditions for the RAV route. Once a Local Government has provided their conditional approval for a RAV route, Main Roads WA conducts a route assessment and prepares a summary report. The Main Roads Heavy Vehicle Services (HVS) considers the application before the RAV Network is updated.

## OBJECTIVE

The objective of this policy is to provide guidance to the Shire of Yilgarn Staff when assessing an application to add or amend a road on the Restricted Access Vehicle network.

## DEFINITIONS:

**Restricted Access Vehicle (RAV):** A Restricted Access Vehicle (RAV) is a vehicle that exceeds any of the following:

- a width of 2.5 metres;
- a height of 4.3 metres;
- a length of 19 metres for a vehicle combination;
- a length of 12.5 metres for a rigid vehicle;
- a gross mass of 42.5 tonnes; or
- any other mass or dimension limit prescribed in the Road Traffic (Vehicles) Regulations 2014.

**Notice:** A Notice (or Order) is an approval instrument published in the Government Gazette by the Commissioner of Main Roads that grants access or provides mass or dimension modifications to RAVs

**Permit:** A Permit is an approval instrument issued by the Commissioner of Main Roads to grant access or provide mass or dimension modifications to RAVs.

**Accredited Mass Management Scheme (AMMS):** AMMS is a Main Roads concessional loading scheme that allows vehicles to operate above statutory Mass Limits. Once a transport operator has the appropriate loading control method in place they can apply for an AMMS permit which allows them to operate at the higher mass limits. AMMS allows for three (3) concessional mass levels which provide up to an additional 3.5 tonnes per tri-axle and 1.0 tonne per tandem axle combination.

**CA07:** is a condition of access applied by Main Roads via a Restricted Access Vehicle (RAV) Permit or Order, which requires the Transport Operator to obtain a Letter of Agreement from the Local Government to access specific local roads. Without the Letter of Agreement, the Transport Operator is not meeting the condition of access and is consequently breaching the Permit or Order and not legally allowed access to the local road

## RELATED POLICIES

The following Local Government strategies and policies are relevant to this policy:

- Heavy Vehicle Road Improvement Contribution
- Road Construction Policy

## RELATED LEGISLATION

- Road Traffic (Vehicles) Regulations 2014
- Road Traffic (Vehicles) Act 2012 Road Traffic (Administration) Act 2008
- Road Traffic (Administration) Regulations 2014
- Road Traffic Code 2000 Land Administration Act 1997 (Sec 55)
- Local Government Act 1995 Main Roads Act 1930

## POLICY STATEMENT

### Assessing a RAV Access Application

It is Main Roads' policy that support from the relevant road owner is obtained before an application for RAV access is assessed. Main Roads HVS will forward all applications to the road owner for support. If the Local Government is supportive of the application, then they must undertake a preliminary assessment before endorsing the application.

The Main Roads RAV Network Access Strategy is aimed at establishing and maintaining a Strategic Road Freight Network (SRFN). The SRFN consists of roads, agreed on by Main Roads and Local Government, which carry the bulk of freight vehicles. When considering access decisions, Local Governments should be mindful of network wide considerations relating to efficiency, connectivity, sustainability, asset protection public safety and public amenity. Where a more appropriate route is available, linking to the SRFN, it is reasonable to propose alternative routes to the applicant via the response to Main Roads WA. Approvals for RAV access outside of the SRFN should generally be limited to where access is required to a particular origin and / or destination or loading and unloading locations.

## Assessing Support

The Local Government must first determine if it supports the application. The assessment to determine support must be performed by a suitably qualified and experienced Local Government officer or consultant. The assessor must record the basis for the decision and these records should accompany the application when it is referred to Council for approval.

### The following criteria should be considered.

1. Is the road identified as a link on the Strategic Road Freight Network on a regional or local plan?
2. What is the designated Main Roads hierarchy? See Hierarchy Definitions and recommended roles in relation to the RAV.
3. Does the route provide connectivity to activity centres?
4. Does the route provide connectivity to the State Road network?
5. Is the proposed RAV rating consistent with the connecting routes?
6. If the route crosses into adjacent Shires, have they been consulted?
7. Are there alternative routes that would be preferable for the RAV access?
8. Does the route impact community facilities e.g. schools, hospitals and town sites?
9. Will the proposed access impact public safety?
10. Is the proposed access likely to result in extraordinary damage to the road pavement? Consult the Local Government Heavy Vehicle Charging Policy.
11. Are there any bridges or other structures that are clearly below the standard required for the proposed access or likely to result in dangerous operating conditions?
12. Are there any known physical or topographical constraints?
13. Is the road listed in ROADS 2030?

Further to this, consideration needs to be given to the benefits of approving RAV access. While a RAV may be a larger vehicle, the routes are assessed to ensure the vehicle can operate safely amongst other traffic. Approving RAV access will potentially reduce vehicle movements for the same transport task, which in turn reduces congestion, emissions, noise, community impact and road wear.

### Preliminary Assessment

If the Local Government supports the application, then a preliminary assessment must be performed by the Local Government.

However, If the application is for a road on the Tandem Drive Network to be added to the Tri Drive or Concessional Networks then no preliminary assessment is required by the Local Government. Guidance on performing a preliminary assessment is provided by MR HVS Framework adding a Local Government Road to a Redistricted Access Vehicle Network.

### The Guide states that the following criteria should be considered:

- An assessment of the road width to ensure the road is suitable for the level of RAV access being requested.
- An assessment of the steepness of longitudinal grades to ensure they are within the specified limits.
- An assessment of the stacking and sight distance of any railway level crossings on the route.
- Sight distances at intersections must be checked to ensure they comply with the guideline requirements



## Operating Conditions

Standard Operating Conditions:

Based on the Assessment of Support and the Preliminary Assessment, the Local Government may review their support for the application or recommend a selection of operating conditions to be applied as a condition of permit. Main Roads will apply all or some of the conditions below to very low traffic volume roads when the road's width does not meet the minimum requirements as shown in Appendix C.

These and other similar operating conditions may be applied to the assessment of other roads

1. When travelling at night, the RAV must travel at a maximum speed of 40km/h and display an amber flashing warning light on the prime mover. Where RAVs are limited to 40km/h advisory signs must be installed for safety to other vehicles who may unexpectedly catch up a vehicle at night.
2. No operation on unsealed road segment when visibly wet, without Road Owners approval.
3. Headlights must be switched on at all times.
4. Speed restrictions. (\*40 km/h or 60 km/h in accordance with the Appendix C Low Volume Rural Road Minimum Widths of the Standard Restricted Access Vehicle (RAV) Route Assessment guidelines
5. Direct radio contact must be maintained with other RAVs to establish their position on or near the road (suggested UHF Ch 40).
6. Road not to be entered until driver has established by radio communication that there is no other RAV on the road travelling in the opposing direction.
7. Operation is not permitted while the school bus is operating on the road. Operators must obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop offs/ pickup have been completed on the road.
8. The Operator must obtain written approval from the Road Owner. The approval letter must be carried in the vehicle and produced upon request. Commonly referred to as a CA07 Condition

## Other Operating Conditions

The Local Government may consider the need for additional operating conditions for example:

- Road not to be used as a through route. For local delivery and pick up only. Driver must carry proof of local delivery or pick up.
- Empty travel only
- Single lane operation only
- Laden ascent travel only
- Speed restrictions
- Warning signs to be installed in accordance with Australian Standards and removed when haulage completed
- One truck movement at a time
- Truck entering signs to be erected by the Local Government and removed when not in use.
- Turning restrictions
- No operation during specified months or periods
- No operation on certain days e.g. Saturdays, Sundays or Public Holidays
- No movement permitted between specified times.

The Local Government must justify the need for the additional conditions, which will be approved and applied at Main Roads discretion. Only conditions applied by Main Roads are enforceable.

### **Restricted Local Access Period Permit**

If the road is deemed unsuitable for addition to the RAV network, the assessor may consider the alternative of recommending to Main Roads that the application be considered for “Restricted Local Access”. The “Restricted Local Access” Period Permit provides access to the final destination of a particular transport task. This may include access to a farm gate, local business or pine plantation. A safety assessment is conducted by Main Roads taking into consideration the specific vehicle type and operation. The permit may be issued to a particular vehicle combination and/ or length with particular operating conditions. The assessor should consider the required operating conditions and make recommendations when referring the application back to Main Roads.

### **Timeframes**

The Local Government will endeavour to return the assessment to Main Roads within 4 weeks of receipt. Should Main Roads not receive support from the Local Government within three (3) months, Main Roads reserves the right to undertake an assessment of the road and add to the relevant network if deemed suitable without Local Government support.

### **Authority**

- Support of an application to amend a RAV Route is a decision of Council.
- Any applications seeking an increase to the already approved Accredited Mass Management Scheme will require a pavement assessment.
- Support of an application to amend the level of the Accredited Mass Management Scheme will be a decision of Council.

### **Reference Material**

The RAV assessment process is managed and approved by Main Roads Western Australia. This policy must be applied in accordance with the relevant Main Roads guiding documentation. The latest reference material is listed below however Main Roads may review and change the process from time to time and Officers applying this policy should ensure they have familiarised themselves with the latest guidelines. The Guidelines can be viewed on the Main Roads website under Heavy Vehicles, RAV Network Access.

1. Restricted Access Vehicles: Prime Mover, Trailer Combinations: Operating Conditions.
2. Framework – Adding a Local Government Road to a Restricted Access Vehicle Network
3. Guidelines for Approving RAV Access.
4. Framework for Using Consultants to Assess Local Government Roads for Inclusion on a Restricted Access Vehicle Network.
5. Standard Restricted Access Vehicle (RAV) Route Assessment Guidelines.
6. Tri – Drive Route Assessment Guidelines.
7. Concessional Loading Route Assessment Guidelines.





### **Community Impacts**

HVS will consult with the relevant Local Government and/or Main Roads Region for input in relation to potential adverse impacts on the local community that may result from approving RAV access.

### **Rail Contestability**

HVS will consult with the relevant Local Government and/or Main Roads Region for input in relation to potential adverse impacts on the local community that may result from approving RAV access.

### **Other Road Users**

Consideration must be given to the risks a RAV may pose to more vulnerable road users, such as the following:

- Pedestrians;
- Cyclists;
- Tourists and recreational users (who may be unfamiliar with the conditions);
- School buses, where the buses are dropping children adjacent to the road in a non-dedicated bus stop.

## Rural Road Minimum Width

	60 to 70 km/h		80 to 100 km/h	
	Carriageway Width (m)	Sealed Width (m)	Carriageway Width (m)	Sealed Width (m)

### 0 to 150 AADT / VPD\*\*\*

RAVs Categories 2-4	7.6	3.3	7.9	3.4
RAVs Categories 5-7	7.7	3.4	8.0	3.5
RAVs Categories 8-10	8.2	3.8	8.6	3.9

### 150 to 500 AADT / VPD

RAVs Categories 2-4	7.6	5.6	7.9	5.9
RAVs Categories 5-7	7.7	5.7	8.0	6.0
RAVs Categories 8-10	8.2	6.1	8.6	6.4

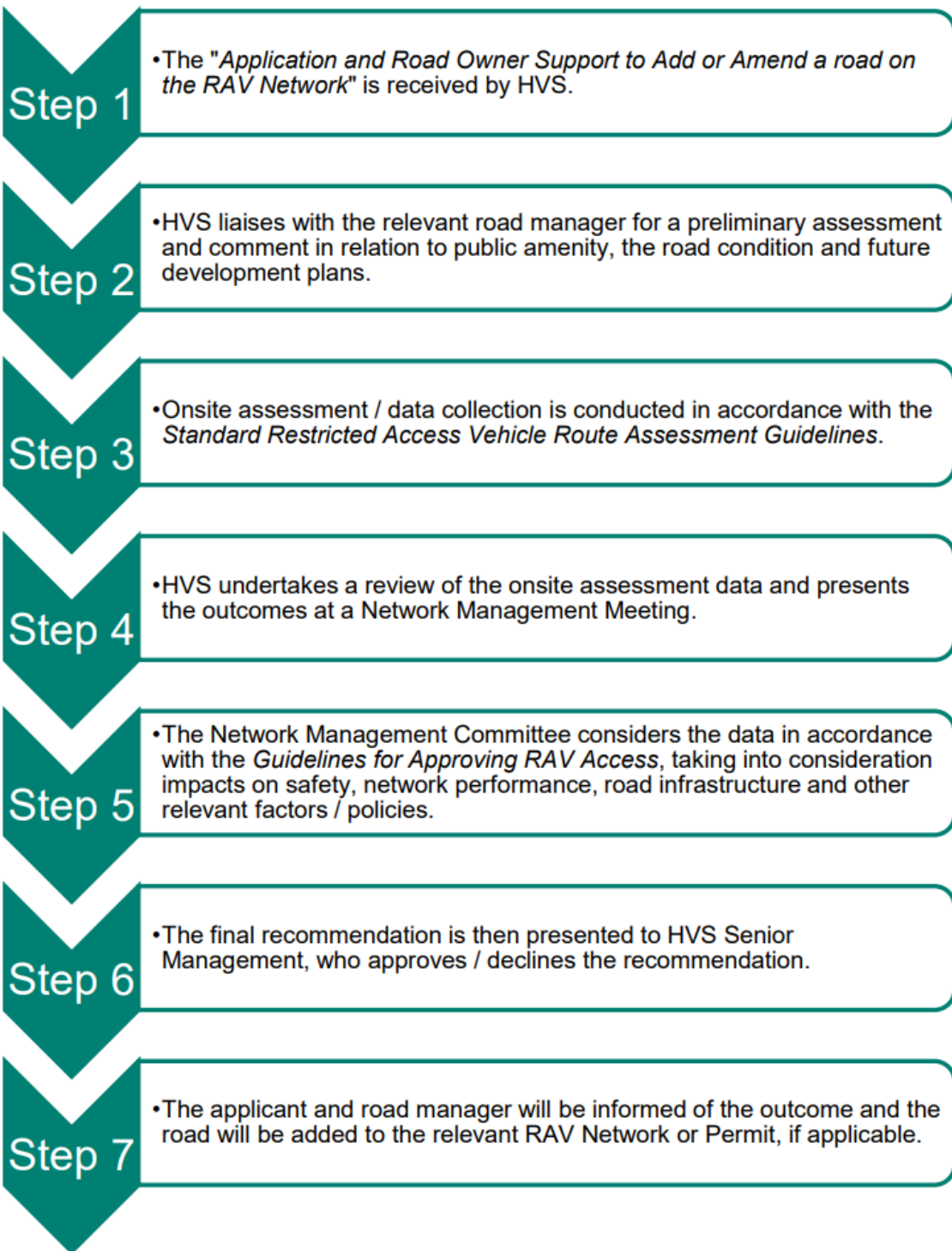
### 500 to 1 000 AADT

RAVs Categories 2-4	7.9	6.1	8.2	6.4
RAVs Categories 5-7	8.0	6.2	8.3	6.5
RAVs Categories 8-10	8.6	6.6	9.0	6.9

### More than 1 000 AADT

RAVs Categories 2-4	9.6	6.8	9.9	7.1
RAVs Categories 5-7	9.7	6.9	10.0	7.2
RAVs Categories 8-10	10.6	7.6	11.0	8.0

## Route Determination Process



**POLICY:** Heavy Vehicle Road Improvement Contribution Policy

**POLICY NO:**

**SECTION:** ENGINEERING

**LAST REVIEW DATE:** New 2024

**DUE FOR REVISION:** February 2026

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## INTRODUCTION

The serviceable life of a road is dependent on the quantity and type of heavy vehicle passes. A road will typically be designed to last for a defined time period (typically between 20 to 50 years) during which time it will be subjected to a predicted quantity of heavy vehicle passes. The road is designed and constructed to fit its intended purpose. If an industry or mining operation proposes a transport task that increases the volume of heavy vehicles well above the quantity that it was designed and constructed to carry, then the life of the road will be consumed at a much higher rate than anticipated.

The road will require additional maintenance and may fail prematurely leaving the local government with the cost to reconstruct the road. It is unreasonable for the community to bear this additional cost and the proponent should be charged at a fair rate to offset the cost of additional maintenance and reduction in the life of the road.

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## PURPOSE

The policy is to present a methodology and framework for heavy vehicle charging for a defined task on a sealed Local Government Road. This includes the calculation of heavy vehicle charges, qualifying scenarios, funding administration and development of agreements. This policy applies to all Mining and Extractive Industry operations within the Shire of Yilgarn.

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## DEFINITIONS

**Agreement:** An agreement between the Shire of Yilgarn and a proponent defining the conditions of access including charges for a defined transport task

**Applicant:** The party that is requesting to use a road for a defined freight task

**Equivalent Standard Axle (ESA):** The number of standard axle loads which are equivalent in damaging effect on a pavement to a given vehicle or axle loading. Every vehicle combination can be expressed as a number of ESAs.

**Annual Design ESA (ADESA):** The predicted annual ESA that was used to design a road pavement structure. If this is unknown it may be estimated based on the average annual ESA from historic traffic counts or the annual ESA that would reasonably be expected for a particular Category of road under normal circumstances.

**Extraordinary Load:** An Extraordinary Load is defined as a freight task that will result in a significant increase in the ADESA resulting in damage to the road pavement and reduction in the structural design life of the road giving rise to extraordinary expenses as a result of increased routine and planned maintenance and premature failure necessitating rehabilitation or reconstruction of the road.

**Routine maintenance:** Unplanned activities that maintain the serviceability of the road e.g. repairing potholes, cleaning drainage structures, repairing edge breaks and sweeping pavements.

**Preservation:** Planned maintenance and rehabilitation that are designed to preserve or extend the serviceable design life of the road e.g. crack sealing, resealing with a bituminous sprayed seal, rehabilitation of gravel shoulders and replacing culverts and kerbs.

## **POLICY STATEMENT:**

### **Statutory Power**

The Road Traffic (Administration) Act 2008 Part 7, s.132 and s.136 allows for the road authority to recover the expenses of damage to a road caused by heavy traffic. In particular; s.132 (2) states:

*“Where it appears to the road authority that has functions in relation to the repair of road infrastructure that, having regard to the average expense of repairing road infrastructure in the vicinity, extraordinary expenses have been incurred by the road authority in repairing the road infrastructure because of damage caused by heavy traffic, the road authority may recover the amount of the expenses as may be proved to the satisfaction of the court to have been incurred by the road authority because of damage caused by heavy traffic.”*

Section 132(4) states: *“A person against whom expenses are or may be recoverable under this section may enter into an agreement with the road authority for payment to it in respect of heavy traffic, and on making the payment as agreed the person is not to be subject to any proceedings under this section.”*

### **Other Statutory Powers**

Revised State Planning Policy 3.6 – Development Contributions for Infrastructure, developed under the authority of Planning and Development Act 2005, Section 26

Local Government Act 1995 Part 6 – Financial Management, Div 5 – Financing Local Government Activities, Subdivision 2 – Fees and charges, 6.16 – Imposition of fees and charges.

### **Application**

This policy applies to any party that plans to run a defined vehicle freight task on a Shire of Yilgarn Road(s). The task must be deemed to be of such a volume (extraordinary load) that it

is likely to cause damage resulting in “extraordinary expenses”, which is damage that is well beyond what would normally be anticipated for the category of road(s) concerned.

If the Local Government considers that the defined freight task is likely to also effect roads in adjacent Shire(s) it will notify them accordingly.

### **Extraordinary Load**

An Extraordinary Load is defined as a task that will result in a significant increase in the Annual Design ESA (ADESA) and will result in damage to the pavement and reduction in the structural design life of the road leading to extraordinary expenses.

An Extraordinary Load is assigned a nominal value of an annual ESA for the category of road concerned. The Shire of Yilgarn may decide that a different percentage is more appropriate depending on the individual circumstances. The ADESA shall be determined using one of the following methods:

- Historical pavement design information.
- Engineering assessment based on traffic counts, pavement structure and condition performance.

### **Cost Calculation:**

The relevant charge shall be calculated using the User Guide – Estimating the Incremental Cost Impact on Sealed or Gravel Local Roads from Additional Freight Tasks (WALGA & ARRB 2015). The Proponent shall provide the following information to the Local Government:

1. The type and axle configuration of the vehicles to be used for the task.
2. The annual freight tonnage for the task and the vehicle payload.
3. The number daily vehicle passes.
4. The duration of the task.
5. The task routing and distance.

### **Negotiation**

CEO is authorised to negotiate with the applicant for the Mining or Extractive Industry to determine alternative contribution arrangements provided that the CEO is satisfied that any alternative arrangements provide equivalent or better value to the Shire of Yilgarn

The following conditions may necessitate negotiation with the Proponent to adjust the calculated charge or to use an alternative methodology:

If the Category of road has been purposely constructed to a level that is markedly different to the ADESA, then an appropriate ADESA shall be determined using available engineering data and judgement. The road category shall also be appropriately adjusted for the determination of cost from the User Guide.

If the road is in a very poor or failed condition then the Local Government shall negotiate with the proponent on a strategy and cost to bring the road to a serviceable condition before calculating an annual charge.

The rates in the User Guide are current for 2015 and the Shire of Yilgarn and the proponent shall agree on a suitable method to calculate escalation.

If the proposed ESA are excessively above the limits in the User Guide or if for any other reason this method is deemed inappropriate then the Shire of Yilgarn may elect to calculate the charge using an alternative method.

## **Road Improvements**

Mines and Extractive Industry Heavy Haul Road designs will not be dependant on Annual Average Daily Traffic (AADT) within the Shire of Yilgarn. Designated haul roads are generally public roads and Council's decision will be based on other criteria including:

- **Route:** when considering new Mines or Extractive Industries, the Shire will identify the most appropriate route from the site to a state controlled road suitable for the transport of the material.
- **Fitness for purpose:** where the purpose for which the works are to be carried out are made clear, that works when completed will be reasonably fit for their intended purpose in respect to the design element of its work, particularly when considering key oversize / over mass routes and the level of RAV access that may be required, to provide an efficient freight network into the future.
- **Design:** the Designer is to produce a road design and scope of works for the project that meets the fundamental design objectives. The Designer is responsible for all elements of the design and its fitness for purpose, unless the Council demands a specific treatment in the design. Any such instruction will be fully documented. This instruction will be documented in a design report for the project. Final approval for the design shall only be given by council when approved engineering drawings and specifications are to the satisfaction of the Shire.
- **Public Safety:** Public safety includes the safety of persons or property. This includes, but is not limited to, the safety of drivers and passengers of vehicles, the safety of persons such as pedestrians and people near the road-related area, and the safety of property such as vehicles and loads on or near the road-related area. Public safety is about ensuring that the use of a RAV does not cause harm to other people using the roads or to property on or near the road. All road users have a legitimate expectation that they can use the road without being put at unreasonable risk of harm by another road user. The Shire of Yilgarn adopts the Safe Systems approach, where applicable, when considering aspects of public safety and with the aim of safe travel on the public road network. This approach suggests (amongst other things) that road users will make mistakes, and vehicles and road infrastructure need to be 'forgiving' of them.
- **Construction:** All Road works are to be carried out in accordance with best accepted engineering practices to the complete satisfaction of the Shire. Mines and Extractive Industries to obtain all relevant titles and permits for any road upgrades. These may include any or all listed below.

1. Department of Water and Environmental Regulations,
2. Department of planning lands and heritage
3. Main Roads
4. Aboriginal Heritage Act,
5. Watercorp,
6. Western Power.

- **Creation of the asset:** Capital or new works are those works that create a new asset that did not previously exist, or works which upgrade or improve an existing asset beyond its existing capacity. A complete end to end process for the acquisition of assets, irrespective of how it is acquired, will be developed to ensure the information about the asset, the associated resources and management activities and financial accounting treatment is fully covered.

### **Legal Expenses**

Prior to commencing negotiations, the proponent must agree to cover any legal costs incurred by the Shire of Yilgarn in relation to said application and negotiations, should they arise.

### **HVRIC Funds**

Any funds collected from the Mining and Extractive Industries shall be placed into the Heavy Vehicle Road Improvement Contribution Reserve and can be used for routine maintenance, preservation and structural strengthening activities on sections of road impacted by heavy haulage operations.

### **Agreement**

The Shire of Yilgarn and proponent shall enter into an Agreement that includes the following:

- The type and axle configuration of the vehicles to be used for the task.
- The annual quantity of vehicle passes and the payload tonnage. If seasonal then this must be described
- The routing including return journeys.
- The duration of the task.
- The annual and unit rate charge and method of calculation.
- Payment terms and conditions.
- The obligations of the parties including works records, expenditure, evidence and audit requirements in relation to the determination of actual payload tonnages and notifications of changes to vehicles, payload or routing.
- Conditions on expiry of the agreement.
- Hours and conditions of operation.
- Breaches and terms of remedy for the Shire of Yilgarn and the Mining Extractive Industry.
- Any legal costs incurred for the establishment of a road user agreement will be paid by the applicant.



## **Duties of Local Government**

The Shire of Yilgarn will take all reasonable steps to keep the road in a serviceable condition for the duration of the agreement. The Shire of Yilgarn will keep records to ensure transparency of expenditure of all collected charges.

## **Authority**

The authority to enter into any agreement with a Mining Extractive Industry under this policy will need Council approval.

## **References**

1. WALGA & ARRB 2015, User Guide – Estimating the Incremental Cost Impact on Sealed or Gravel Local Roads from Additional Freight Tasks, WALGA, Perth, Western Australia.
2. ARRB Group 2015, Technical Basis for Estimating the Incremental Cost Impact on Sealed or Gravel Local Roads from Additional Freight Tasks, ARRB Group Project 009335 for WALGA, Perth, Western Australia

**POLICY:** Road Construction Policy

**POLICY NO:**

**SECTION:** ENGINEERING

**LAST REVIEW DATE:** New 2024

**DUE FOR REVISION:** February 2026

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## **INTRODUCTION**

The Local Government is responsible for the care, control and management of the local road network within its jurisdiction. This comes with the responsibility of ensuring that all works in the road reserve and on Local Government controlled property are approved and comply with the requirements of relevant legislation and governing documents. Any person planning to undertake such works should first contact the Local Government to obtain information on the relevant conditions and approval procedures.

The primary function of a road is to allow the transportation of people and goods from one place to another. At one end of the scale, regional roads provide a high degree of mobility, by safely and efficiently moving high volumes of traffic, often at high speeds, over relatively long distances. The function of local streets and rural roads is primarily to provide access to abutting properties and land uses and connectivity between local districts and to main roads. These types of roads are accepted as the responsibility of Local Government.

With the introduction of recent legislation Local Governments are now required to have Asset Management Plans to openly manage their infrastructure. These plans are to ensure that Councils are planning to maintain their assets adequately for the future, in particular the road network. This strategy is part of the Council's overall policy to introduce 'best practice' techniques in the routine maintenance of its infrastructure including sustainable upgrades as the demand increases.

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## **PURPOSE**

To assist in achieving a uniformity of road conditions and serve as a guideline to staff and Proponents when developing works programmes and assessing applications for new road or road improvements.

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## **DEFINITIONS**

### **Access Road**

*Provide access to abutting properties with safety aspects having priority over the vehicle movement function.*

Minimum 8 metre gravel formation with a minimum 7.0 metre, wide paved running surface and 0.5 m shoulders within a minimum 20 metre, wide road reserve.

### **Industrial, Commercial and Thoroughfares**

Pavements shall be subject to a minimum seal width of 7.2 metres between kerbs within a minimum 20 metre, wide road reserve. Unsealed gravel footpath on sides of the road to connect to existing footpaths where possible.

### **Local Distributer**

*Connect to other Regional Distributors and to Rural Access Roads but are designed for the efficient movement of people and goods within regional areas.*

Minimum 10 metre gravel formation with a minimum 7.0 metre, wide running surface and 1.5 m shoulders within a minimum 20 metre, wide road reserve.

### **Local Distributer of Regional Significance**

*Shall be defined as a road that provides a connection between inter – regional routes (State Roads) or between inter – regional routes (State Roads) and areas or towns of significant population.*

Minimum 10 metre gravel formation with a minimum 7.0 metre, wide sealed running surface and 1.5 m shoulders within a minimum 20 metre, wide road reserve.

This may require further development with additional seal width being provided as traffic volumes increase to improve safety; reduce maintenance costs; provide space for a stationary vehicle to stand clear of traffic lanes;

### **Road Upgrade Design Standards**

- a) The *Guide to Road Design*
- b) Part 2: Design Considerations and Part 8: Process and Documentation were incorporated into Part 1: Objectives of Road Design in March 2021.
- c) Guide to Pavement Technology Part 2: Pavement Structural Design
- d) Guide to Pavement Technology Part 4K: Selection and Design of Sprayed Seals

### **Rural Residential**

Pavements shall be subject to a minimum width of 7.2 metres within a minimum 20 metre, wide road reserve. Unsealed gravel footpath to one side of the road to connect to existing footpaths where possible.

### **Proponents**

*Any organisation seeking to upgrade roads of which are under the authority of the Shire of Yilgarn*

### **Subdivider**

Any organisation seeking to develop land of which creates additional Shire road assets or impacts on existing road assets of the Shire.

### **Town Streets**

*In urban areas, these roads can be high and low volume but are bicycle and pedestrian friendly, with aesthetics and amenity also important.*

These are defined in the Liveable Neighbourhoods Guide as Access Streets and Laneway/Service Lane. Town Access Streets Pavements shall be sealed with a minimum width of 7.2 metres between kerbs within a minimum 20 metre, wide road reserve.

The diameter between kerbs for a cul-de-sac shall be a minimum of 18.0 metres. ('T' turning heads are not acceptable) Concrete/asphalt footpath on at least one side of the road shall connect to existing footpaths.

## **PROVISION OF SUBDIVISIONAL ROADS AND ASSOCIATED CIVIL WORKS**

### **Preliminary**

- a) It is the responsibility of subdividers who have received conditional approval which includes the provision of roads and associated civil works to deliver to the Council's Chief Executive Officer (CEO) full drawings designs and information which would enable the CEO to make a decision on approving this work.
- b) A Consulting Engineer or qualified practicing Civil Engineer or person with relevant experience or qualification approved by the CEO, must be engaged to prepare detailed design drawings and specifications sufficient to show exact details of materials, locations (both horizontal and vertical) and construction methods of all physical features such as, but not limited to, roads, drainage, sewage, earthworks, landscaping, signage (regulatory and directional), guideposts and all necessary works.
- c) Plans need to be submitted to the CEO for approval following amendment and revision (if required).
- d) If the subdivider does not accept the Council's requirements the subdivider may appeal to the Minister for Planning and Infrastructure within 30 days. The State Administrative Appeals Tribunal is the sole arbiter on the matter as per the Local Government Miscellaneous Provisions Act, Clause 2.95. 1
- e) When an approved plan is available the subdivider may call tenders or engage a contractor of their choice.
- f) A bond to the value of 7.5% of the total cost of the work shall be paid to the Council to cover any defects which may arise in the first 12 months after clearance of the relevant Planning Commission condition(s) relating to roads and/or drainage, landscaping or any other details included within the Council or CEO approved plans or specifications. The bond may take the form of a payment to the Council or alternatively an irrevocable Bank Guarantee. Unused portions of the bond are refundable.
- g) If day to day site supervision is to be provided by the Consulting Engineer or Site Supervisor, the subdivider must pay to the Council an amount of 1½% of the total cost of construction as estimated by the Council, to cover the costs incurred by the Council through activities such as officer attendance at site meetings/inspections etc. If day to day site supervision is not provided by the Consulting engineer or Site Supervisor then the amount required is 3%.
- h) Public access to all or part of the roads as applicable within the subdivision will not be allowed until a certificate of completion from the Consulting Engineer is given and accepted by the CEO.
- i) Clearance of the subdivision by the CEO shall be granted at such time as the subdivisional civil works are fully completed, all other relevant conditions set by the Planning Commission are satisfied, supervision fee (1.5% or 3%) paid, and the 7.5%

retention bond is in place as per clause (e) above. Clearance may also be granted to an uncompleted subdivision whereby bonds will be negotiated to cover the cost of the incomplete works or relevant conditions. This will be decided, at the discretion of the CEO, on a case, by case basis however generally bonds will only be permitted where the majority of the work or the majority of the relevant conditions set by the Planning Commission have been satisfied. Bonds will be held until such time as the outstanding issues are completed to the satisfaction of the CEO. The amount of the bond will be determined based on the value of the work subject to the bond plus 20%.

### **Contributions to Upgrading Adjoining Feeder Roads**

Subdivisions which increase the volume of traffic on the Councils controlled roads may attract a contribution from the subdivider for the upgrading of the Council managed road.

In instances where a subdivision attracts a road upgrading condition, the CEO shall specify and justify the work in the response to the Planning Commission. Depending upon the size and scale of the proposed subdivision the CEO is to either stipulate the specific road upgrading requirements (eg; upgrade 'x' road to 6m seal from intersection with 'y' road to entrance of proposed internal access road of subdivision) or a financial contribution towards the future upgrading of the subject road. In some instances, the size of the subdivision will generate such a significant increase in traffic volume on an existing road that a total (100%) contribution towards the upgrading of the road will be required. This is to allow appeal by the subdivider through the normal appeal process.

All financial contributions received from subdividers not expended in the same year as receipt are to be placed in reserve and quarantined for use on the nominated road

## **CONSTRUCTION SPECIFICATIONS**

### **General**

All work should be carried out to the complete satisfaction of the Shire of Yilgarn in accordance with best accepted engineering practice. As a guide, proponents and developers should refer to the Road Upgrade Design Standards in the Definitions.

### **Design**

A preliminary design for new or upgraded road construction work must be prepared by a qualified practicing Civil Engineer or suitably qualified or experienced person as approved by the CEO. The design should show longitudinal plans and cross sections of the proposed road(s), general specifications, levels, drainage, nature of soil and other such information to enable the CEO to make a decision on approving the work. It is important that subdividers establish road standards with the Shire before commencing design.

### **Design Drawings**

Design drawings and specifications should be to the extent and in accordance with that recommended at Section 3 of the text 'Local Government Guidelines for Subdivisional Development'. However, as a minimum design drawings shall include plans and longitudinal sections generally at the scale of 1 in 1000. Levels should be reduced to AHD where possible.

## **ROAD UPGRADE AND USE AGREEMENTS**

Where Proponents are seeking to upgrade Shire managed roads for heavy haulage purposes, the following will apply:

- Prior to commencing negotiations, the Proponent must agree, in writing, to cover any legal and consultancy costs incurred by the Shire of Yilgarn in relation to said application and negotiations, should they arise.
- The Proponent will enter into a written agreement with the Shire of Yilgarn, detailing the responsibilities of both parties;
- The Proponent will incur all costs associated with the planning and construction of subject Shire road upgrades;
- The Shire reserves the right to determine the suitability of any consultant or contractor proposed by a Proponent to undertake the design and construction works, and where deemed unsuitable, require the Proponent to seek alternatives;
- The Proponent will pay a usage cost as per the Shire's HVRIC Policy;
- The Proponent will not commence construction works until such time as an agreement is in place, in keeping with this section;
- Haulage activities will not commence until such time as the approved construction works are implemented in full.

The above requirements may be amended upon written agreement, endorsed by the Shire of Yilgarn Council.

## **ROAD IMPROVEMENTS BY OTHERS**

Mines or Extractive Industry Heavy Haul Road designs will not be dependant, on Annual Average Daily Traffic (AADT) within the Shire of Yilgarn. Designated haul roads are generally public roads and Council's decision will be based on other criteria including:

- **Route:** when considering a Mines or Extractive Industries, the Shire will identify the most appropriate route from the site to a state, controlled road suitable for the transport of the material.
- **Fitness for purpose:** where the purpose for which the works are to be carried out are made clear, that works when completed will be reasonably fit for their intended purpose in respect to the design element of its work, particularly when considering key oversize / over mass routes and the level of RAV access that may be required, to provide an efficient freight network into the future.
- **Design:** the Designer is to produce a road design and scope of works for the project that meets the fundamental design objectives. The Designer is responsible for all elements of the design and its fitness for purpose, unless the Council demands a specific treatment in the design. Any such instruction will be fully documented. This instruction will be documented in a design report for the project. Final approval for the design shall only be given by council when approved engineering drawings and specifications are to the satisfaction of the Shire.
- **Public Safety:** Public safety includes the safety of persons or property. This includes, but is not limited to, the safety of drivers and passengers of vehicles, the safety of

persons such as pedestrians and people near the road-related area, and the safety of property such as vehicles and loads on or near the road-related area. Public safety is about ensuring that the use of a RAV does not cause harm to other people using the roads or to property on or near the road. All road users have a legitimate expectation that they can use the road without being put at unreasonable risk of harm by another road user. The Shire of Yilgarn adopts the Safe Systems approach, where applicable, when considering aspects of public safety and with the aim of safe travel on the public road network. This approach suggests (amongst other things) that road users will make mistakes, and vehicles and road infrastructure need to be ‘forgiving’ of them.

- **Construction:** All Road works are to be carried out in accordance with best accepted engineering practices to the complete satisfaction of the Shire. Mines and Extractive Industries to obtain all relevant titles and permits for any road upgrades. These may include any or all listed below.
  1. Department of Water and Environmental Regulations,
  2. Department of planning lands and Heritage Act
  3. Main Roads
  4. Biodiversity Conservation Act and Regulations 2018
  5. Aboriginal Heritage Act 2018
  6. Watercorp,
  7. Western Power.
  
- **Creation of the asset:** Capital or new works are those works that create a new asset that did not previously exist, or works which upgrade or improve an existing asset beyond its existing capacity. A complete end to end process for the acquisition of assets, irrespective of how it is acquired, will be developed to ensure the information about the asset, the associated resources and management activities and financial accounting treatment is fully covered.

## **Authority**

The authority to enter into any agreement with a Mining or Extractive Industry under this policy will need Council approval.

## **References**

The Austroads Guide to Road Design  
Local Government Act 1995  
Local Government Guidelines for Subdivisional Development (Institute Public Works Engineers Western Australia)  
Department of Planning Lands and Heritage Act  
Local Government Miscellaneous Provisions Act  
Liveable Neighbourhoods Guide 2015  
Aboriginal Heritage Regulations 2018  
Biodiversity Conservation Act and Regulations 2018  
Freedom of Information Act 1994  
Public Interest Disclosure Act 2003