



Ordinary Meeting of Council

Agenda

19 December 2024

Shire of Yilgarn NOTICE OF MEETING



Councillors:

Please be advised that the

December 2024 Ordinary Meeting of Council

Will be held in the Council Chambers on
Thursday, 19 December 2024
Commencing at **5pm**

COUNCILLORS PLEASE NOTE:

- *The Discussion Session will start at 3pm*
- *The Ordinary Meeting of Council will start at 5pm*



Nicholas Warren
Chief Executive Officer

12/12/2024

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

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3. ATTENDANCE

Members

Cr W Della Bosca
Cr Close
Cr B Bradford
Cr G Guerini
Cr L Granich
Cr Newbury
Cr L Rose

Council Officers	N Warren	Chief Executive Officer
	F Mudau	Finance Manager
	K Chrisp	Assets and Projects Manager

Apologies:	C Watson	Executive Manager Corporate Services
	G Brigg	Executive Manager Infrastructure

Observers:

Leave of Absence:

4. DECLARATION OF INTEREST

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5.1. PUBLIC QUESTION TIME

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council, Thursday, 21 November 2024- (Minutes Attached)

Recommendation

That the minutes from the Ordinary Council Meeting held on the 21 November 2024 be confirmed as a true record of proceedings.

Voting Requirements: Simple Majority

- 6.2 Wheatbelt East Regional Organisation of Council (WEROC), Thursday, 28 November 2024- (Minutes Attached)

Recommendation

That the minutes from the WEROC Annual General Meeting held on the 28 November 2024 be received.

Voting Requirements: Simple Majority

- 6.3 Wheatbelt East Regional Organisation of Council (WEROC), Thursday, 28 November 2024- (Minutes Attached)

Recommendation

That the minutes from the WEROC Board Meeting held on the 28 November 2024 be received.

Voting Requirements: Simple Majority

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

1. Mohammad Siddiqui, the Director for the Wheatbelt Region of Main Roads WA will attend Council to provide an update and answer questions from Council.
2. Raoul Abrutat, Project Developer for Collgar Renewables will attend Council to provide a presentation on their plans for a wind farm in the Shire of Yilgarn.

8. DELEGATES' REPORTS

9.1 Reporting Officer – Chief Executive Officer

9.1.1 Proposed Leasehold Tenure - 74 Procyon Street, Southern Cross

File Reference	00302-2022
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Kelly Watts – Regulatory Services Officer
Attachments	- Aerial Map -Tenure Map

Purpose of Report

For Council to consider a response to the Department of Planning, Lands and Heritage (DPLH) regarding a request from Westdrill Pty Ltd to obtain a general lease of Lot 860 on Deposited Plan 213925), being 74 Procyon Street Southern Cross.

Background

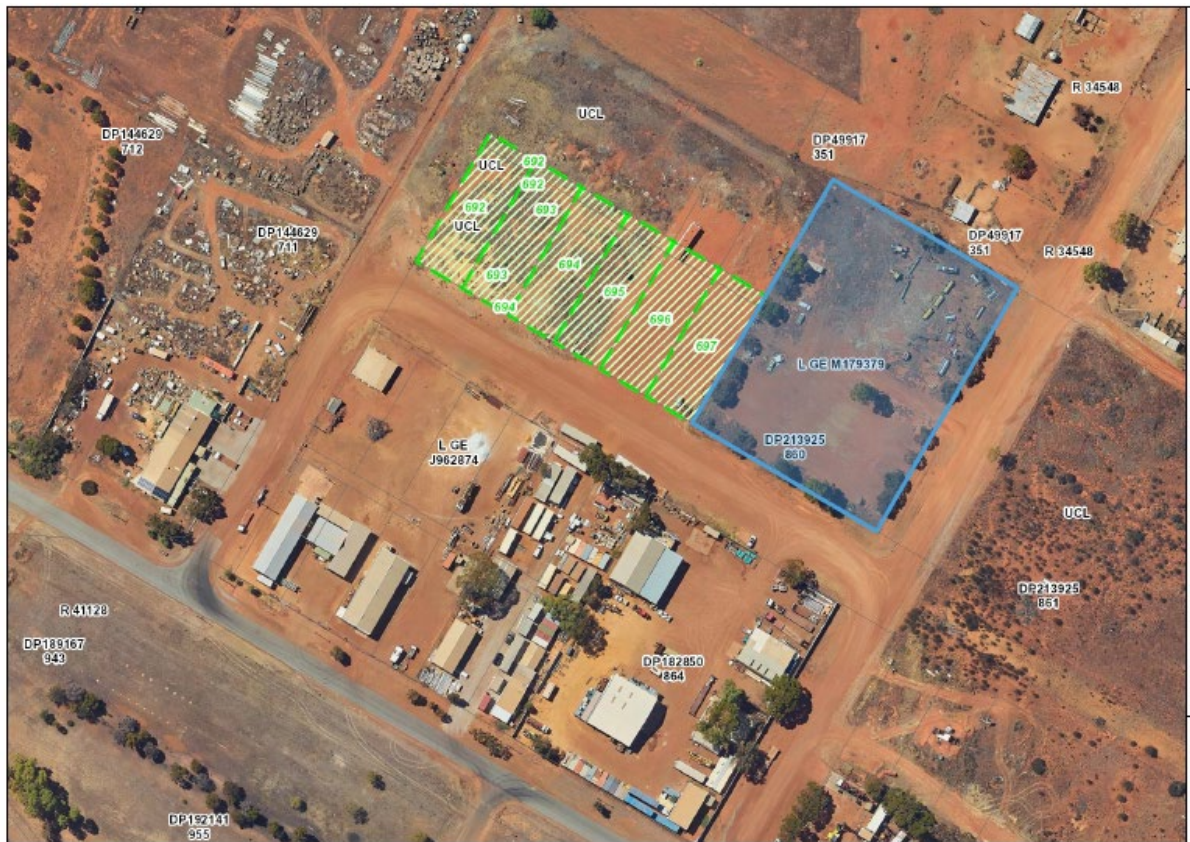
The site is currently subject to Lease M179379 and is registered on the title for ‘Light Industry’ purposes. However, the lease was not reissued due to breaches. In July 2023, the Land Divestment Team (LDT) investigated the potential divestment of the site, but this was halted due to Native Title implications.

The Department of Planning, Lands, and Heritage (Department) is now exploring a leasehold tenure option, as proposed by Westdrill Pty Ltd, located adjacent to the site, for a 5-year period with a 5-year option for the purpose of ‘Storage & Laydown.’

The Department has sought comments from the Shire of Yilgarn regarding the proposal.

Comment

A layout plan detailing the location of the subject lot is provided over the page, as well as an aerial map and tenure map provided as attachments.



Statutory Environment

Nil

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Lack of industrial land leads to lack of economic investment	Moderate (8)	Supporting local businesses to obtain industrial land.
Environment	Nil	Nil	Nil

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

Officer Recommendation

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

In relation to the request from Westdrill Pty Ltd to obtain a general lease of Lot 860 on Deposited Plan 213925), being 74 Procyon Street Southern Cross, the Shire of Yilgarn has no objections.

9.1 Reporting Officer – Chief Executive Officer

9.1.2 Request for Comment - Clearing Permit - Barto Gold

Disclosure of Interest	None
Voting Requirements.	Simple Majority
Author	Kelly Watts – Regulatory Services Officer
Attachments	- Natmap - Photomap - Supporting Documentation

Purpose of Report

For Council to consider a response to the Department of Energy, Mines, Industry, Regulation and Safety regarding an application from Barto Gold Mining Pty Ltd to clear native vegetation under the Environmental Protection Act 1986 (the Act) for the purpose of Mineral Production.

Background

Barto Gold Mining Pty Ltd (Barto) propose to develop the Yilgarn Star deposit (the Proposal), part of their Southern Cross Operations (SXO), located approximately 45 km southeast of Southern Cross in the Eastern Goldfields region of Western Australia.

The relevant tenements include G77/74, G77/75, M77/1054, M77/137, M77/431, M77/597 and M77/640.

The clearing of native vegetation within the Proposed Clearing Permit Area requires submission of a Native Vegetation Clearing Permit (NVCP) application, and subsequent approval by the Department of Mines, Energy, Industry Regulation and Safety (DEMIRS), in accordance with s 51E of the Environmental Protection Act 1986 (EP Act). The application seeks approval for the clearing of up to 250 ha of native vegetation.

In accordance with sub-section 51E(4) of the Act, the Shire of Yilgarn may have a direct interest in the subject matter of the application and is provided an opportunity to make a submission.

Comment

Relevant clearing maps, detailing the location of the subject clearing area are provided over the page, as well as a natmap and photomap provided as attachments.

The Native Vegetation Clearing Permit Application: Supporting Documentation has also been attached for reference.

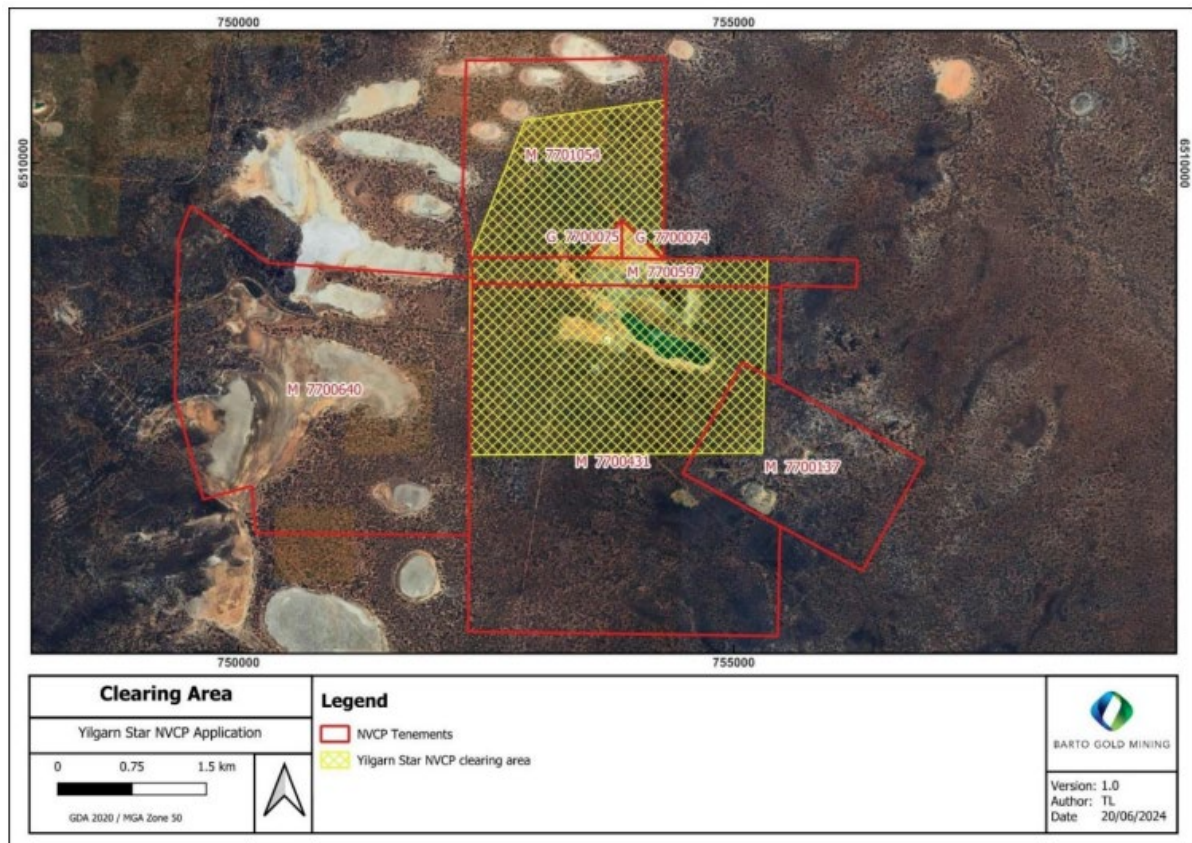


Figure 2-2. Yilgarn Star NVCP proposed clearing area

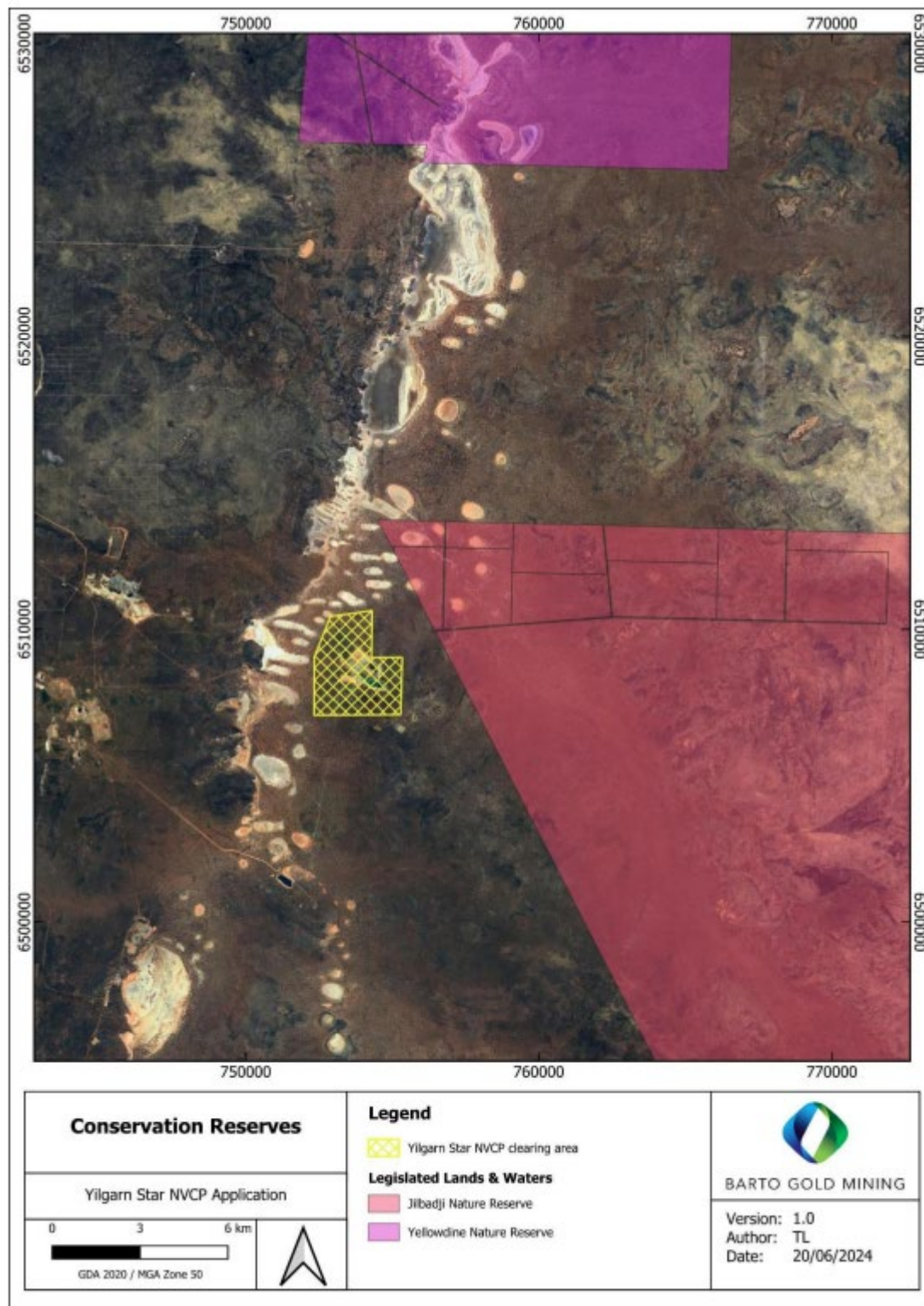


Figure 5-3. Conservation reserves near Yilgarn Star Project Area



Figure 6-1. Stantec Flora, Fauna & Vegetation Survey Area 2021

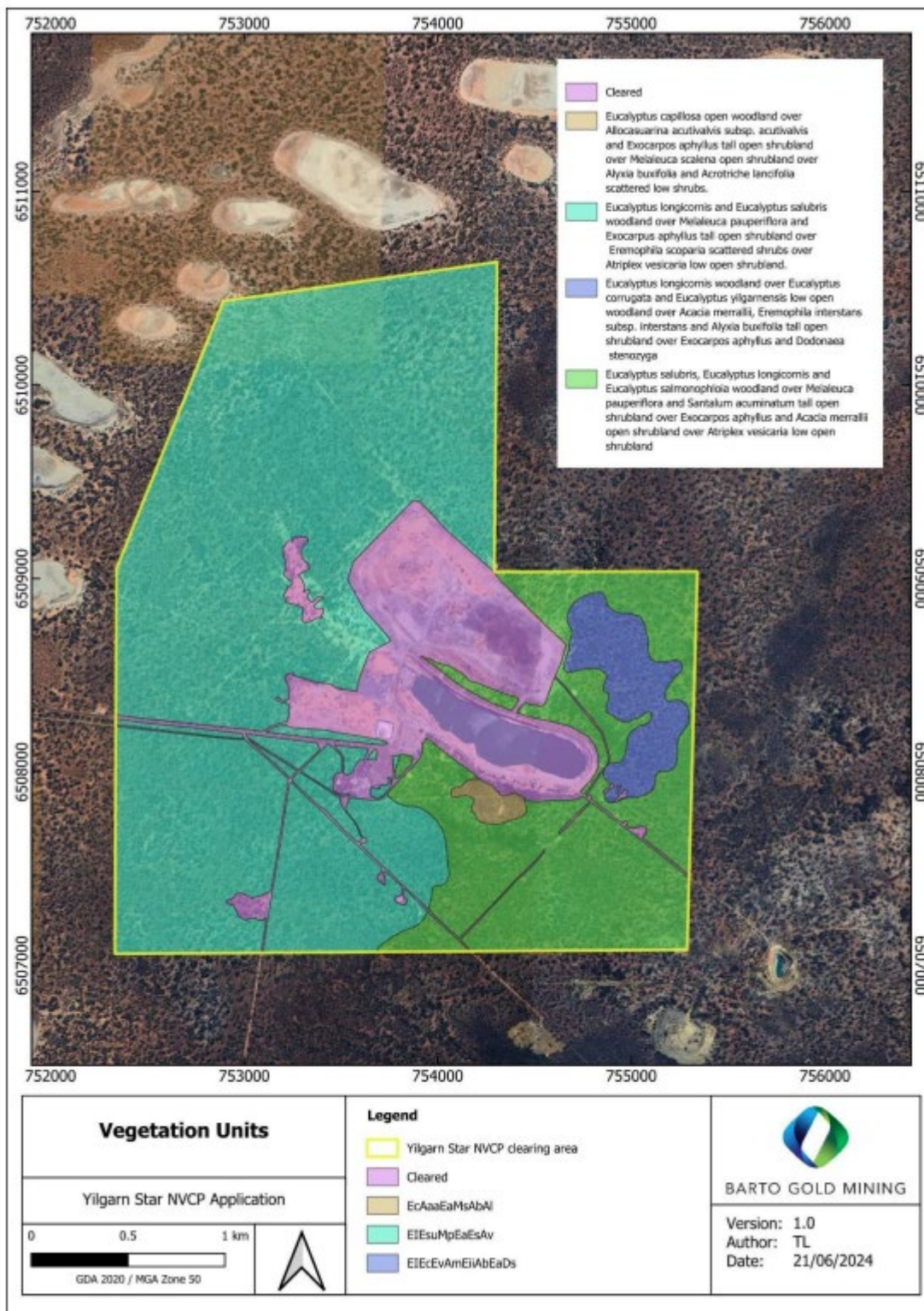


Figure 6-3. Vegetation units recorded within the Yilgarn Star Survey Area

Statutory Environment

Environmental Protection Act 1986

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	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Damage to natural environment due to illegal clearing.	Moderate (6)	Clearing permit process ensures responsible clearing of native bushland

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

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

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

In relation to the application from Barto Gold Mining Pty Ltd to clear 250 hectares of native vegetation for mineral production upon tenements G77/74, G77/75, M77/1054, M77/137, M77/431, M77/597 and M77/640, the Shire of Yilgarn have no objections.

9.1 Reporting Officer – Chief Executive Officer

9.1.3 Request for Comment Licence Amendment – Barto Gold

Disclosure of Interest	None
Voting Requirements.	Simple Majority
Author	Kelly Watts – Regulatory Services Officer
Attachments	

Purpose of Report

For Council to consider a response to the Department of Water and Environmental Regulation regarding an application by Barto Gold Mining Pty Ltd for an amendment to licence (L4597/1988/14) under Division 3 Part V of the Environmental Protection Act 1986.

Background

Barto Gold Mining Pty Ltd (Barto) owns and operates the Southern Cross Operations (SXO), located in the eastern wheatbelt region of Western Australia, within the Shire of Yilgarn (SoY). The project covers approximately 973 km² of tenements with operations centred at Marvel Loch, 30 km south of the town of Southern Cross and 360 km east of Perth.

As a Prescribed Premise, Barto currently holds a Licence (L4597/1988/14) from the Department of Water and Environmental Regulation (DWER), issued under the Environmental Protection Act 1986 Act (EP Act). This licence permits dewatering, processing, waste storage and disposal activities at the SXO.

The SXO Prescribed Premises includes a series of open pit and underground mines stretching from Southern Cross in the north to Yilgarn Star in the south. Mines include but are not limited to Frasers, Aquarius, Polaris, Cornishman, Achilles, Axehandle, Glendower, Lenneberg, Triad, Treasury, Marvel Loch, Jaccoletti, Nevoria, Banker, Great Victoria Gold (GVG), Windmills, Bronco, Yilgarn Star and Southern Star. The mines are all linked to the central processing hub at Marvel Loch, through site haul roads and pipeline infrastructure.

Barto's Licence L4597/1988/14 currently authorises the processing of ore, dewatering discharge to pits, onsite landfills and tyre storage.

The application for Licence Amendment proposes the following amendments;

- Changes relating to Category 64 (Class II or III putrescible landfill);
 - o Add a landfill to the Frasers site, and
- Changes relating to Category 5 (Processing or beneficiation of metallic or non-metallic ore);
 - o Increase the permitted height for discharge to TSF (Tailings Storage facility) 3 to 456mRL;

Comment

The following is an excerpt from Barto Golds application:

The proposed Class II and III (Category 64) landfill site will be constructed and operated according to the conditions of Barto's PPL, and the Environmental Protection (Rural Landfill) Regulations 2002. Domestic (putrescible and non-putrescible), non-recyclable waste produced at the Frasers Project will be disposed of into this landfill facility. Recyclable materials, such as metals, rubber, plastic, paper, glass, and fabric products, will be segregated from other waste of removal offsite.

The proposed landfill design is a trench-based system which incorporates a maximum open excavation of 30m long by 4 m wide and up to 4 m deep. Base of trench will have a minimum 2 meters depth to ground level and will be located within the Frasers West waste rock landform (WRL) (see figure 4 above) Excavated overburden material will be placed around the edge of the landfill to create a safety bund of 0.5m minimum height or half the height of the largest wheel for the vehicles using this facility. Excavated material will also be used to cover waste on a weekly basis or as required per licence conditions. The excavated overburden stored alongside the long edges of the excavation will also prevent water inflow. The empty trench will be filled with waste by tipping over the edge. There will be no vehicle access into the cell.

At least once a month the waste will be compacted with a layer of overburden soil to reduce odours and pest species. If filled, a new trench is dug in front of the first trench and the resultant overburden is used to compact and backfill the previous trench. The vehicle access ramp into the trench will offer egress for both humans and fauna to enter and exit the excavation safely.

For the initial phase of the project, before the landfill is established, all waste will be removed and disposed at the appropriate landfill facility within the Shire of Yilgarn.

Any waste that is blown outside of the landfill will be returned to the tipping area at least once every month in accordance with Regulation 8 of the Environmental Protection (Rural Landfill) Regulations 2002. The landfill facility will be constructed and managed in accordance with DWER Environmental licence condition

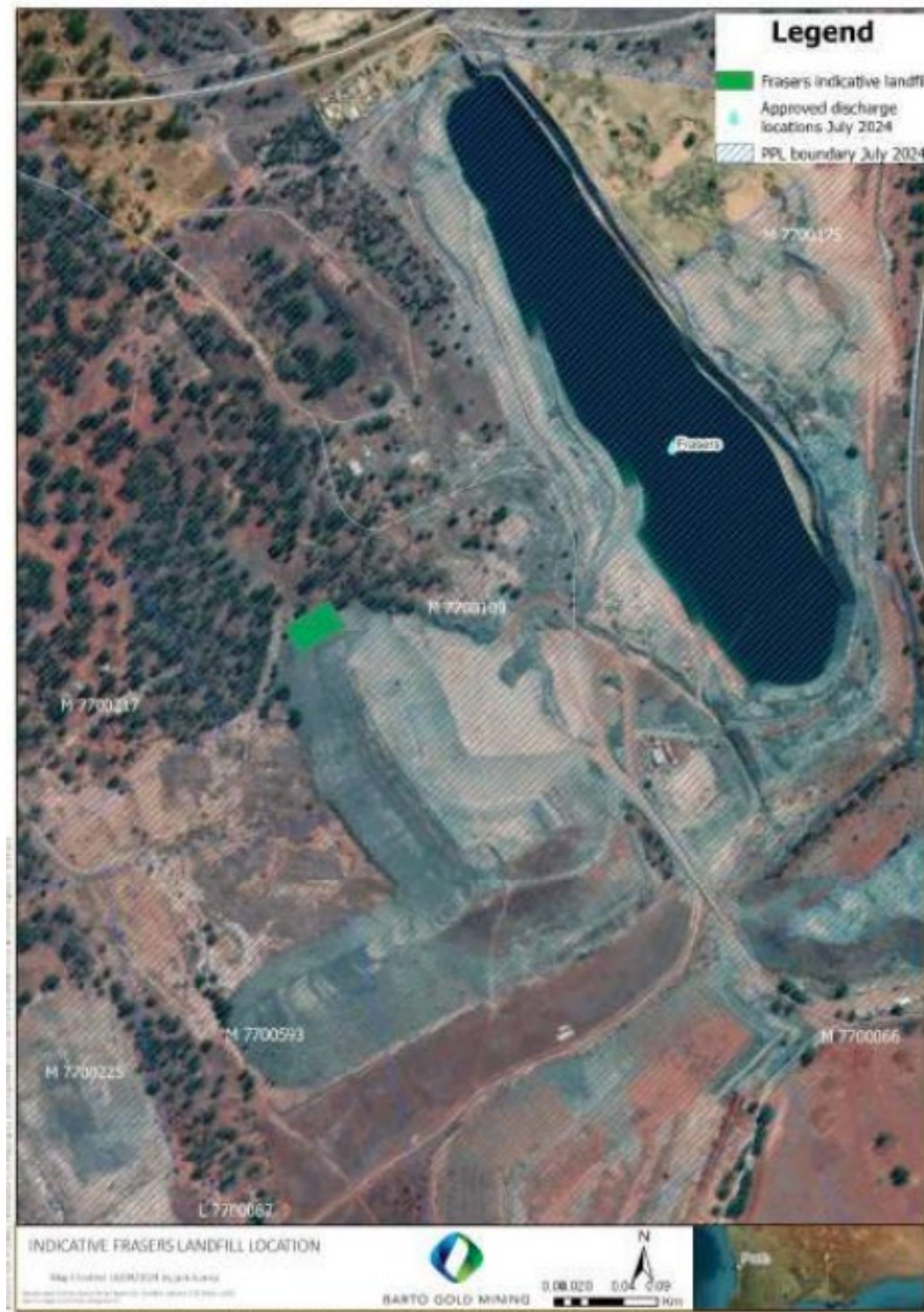


Figure 4: Proposed Frasers landfill location

Tailing Storage Facility 3

In September 2017, previous tenement holder Tianye, applied for a licence amendment for the construction and operation of TSF 3 at Marvel Loch. This amendment was approved on the 8th of December 2017.

Construction of the TSF 3 starter embankment commenced on the 10 of June 2019 and reached practical completion on 15 November 2019. These works were based of the TSF 3 design concept....and included all lifts from Stage 1 to Stage 7.

... at present, only Stage 0, 1 and 2 are listed on Barto's licence

26. The Licence Holder is authorised to:

- (a) construct embankment raises for TSF3 to the construction height; and
- (b) operate TSF3 until the end of Stage 2 to the operating height, as specified in Table 7.

Table 7: Tailings storage facility operating heights

Stage	Infrastructure	Embankment elevation (mRL)	Maximum operating height (mRL) – with freeboard
Starter embankment	TSF3	442	441.7
Stage 1 Lift	TSF3	444	443.7
Stage 2 Lift	TSF3	446	445.7

Since the 2021 licence amendment, both stage 1 lifts on each cell of TSF 3 have been completed with certified construction reports submitted to DWER in September 2023 for Cell 1 and July 2024 for Cell 2.

Barto's processing throughput has increased in 2024 and will ramp up further in 2025. The below table from the 2017 approval was based on the processing numbers at the time under previous tenement control. With Stage 0, and 1 completed, and the Stage 2 lift commencing shortly on TSF 3 Cell 1, The cumulative storage life for stage 2 through 7 based on expected processing numbers is approximately 3.5 years, not 6.5 years as depicted below;

Table 4: TSF 3 storage volumes per stage lift and estimated storage life base on 2017 throughput

Stage	Embankment Crest RL (m AHD)	Storage Area (m ²)	Storage Depth (m)	Storage Volume (m ³)	Cumulative Storage Volume (Mm ³)	Cumulative Storage Capacity (t)	Cumulative Storage Life (months)
0 (Starter)	442	375,338	Varies	1,672,124	1,672,124	2,340,974	14
1	444	728,880	2	1,278,660	2,950,784	4,131,098	11
2	446	732,480	2	1,341,441	4,292,225	6,009,116	11
3	448	850,206	2	1,419,322	5,711,547	7,996,166	12
4	450	840,346	2	1,579,295	7,290,842	10,207,179	13
5	452	821,918	2	1,576,805	8,867,647	12,414,706	13
6	454	820,348	2	1,516,583	10,384,230	14,537,922	13
7 (Final)	456	813,029	2	1,609,794	11,994,024	16,791,634	14

...Barto respectfully requests that all 5 subsequent staged lifts of TSF 3 be added to the licence as per table 4 above (embankment elevation mRL).

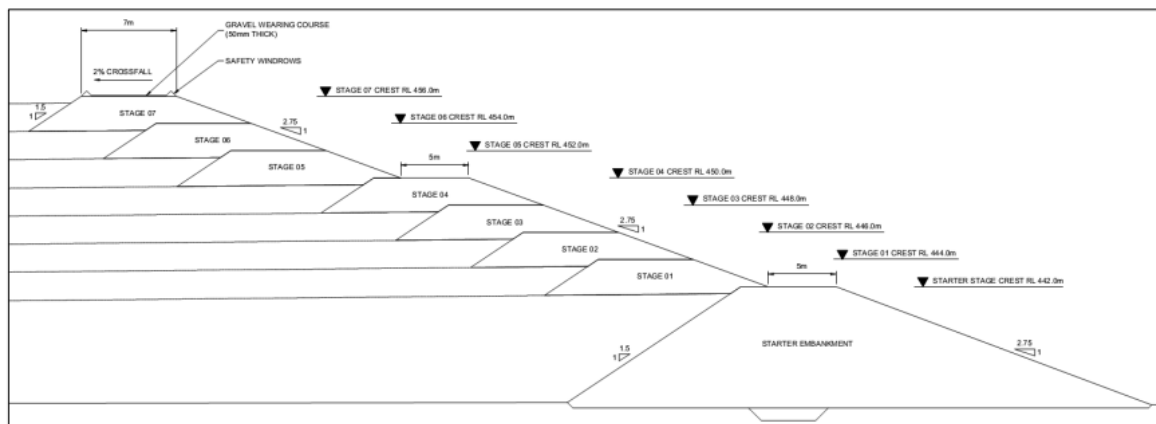
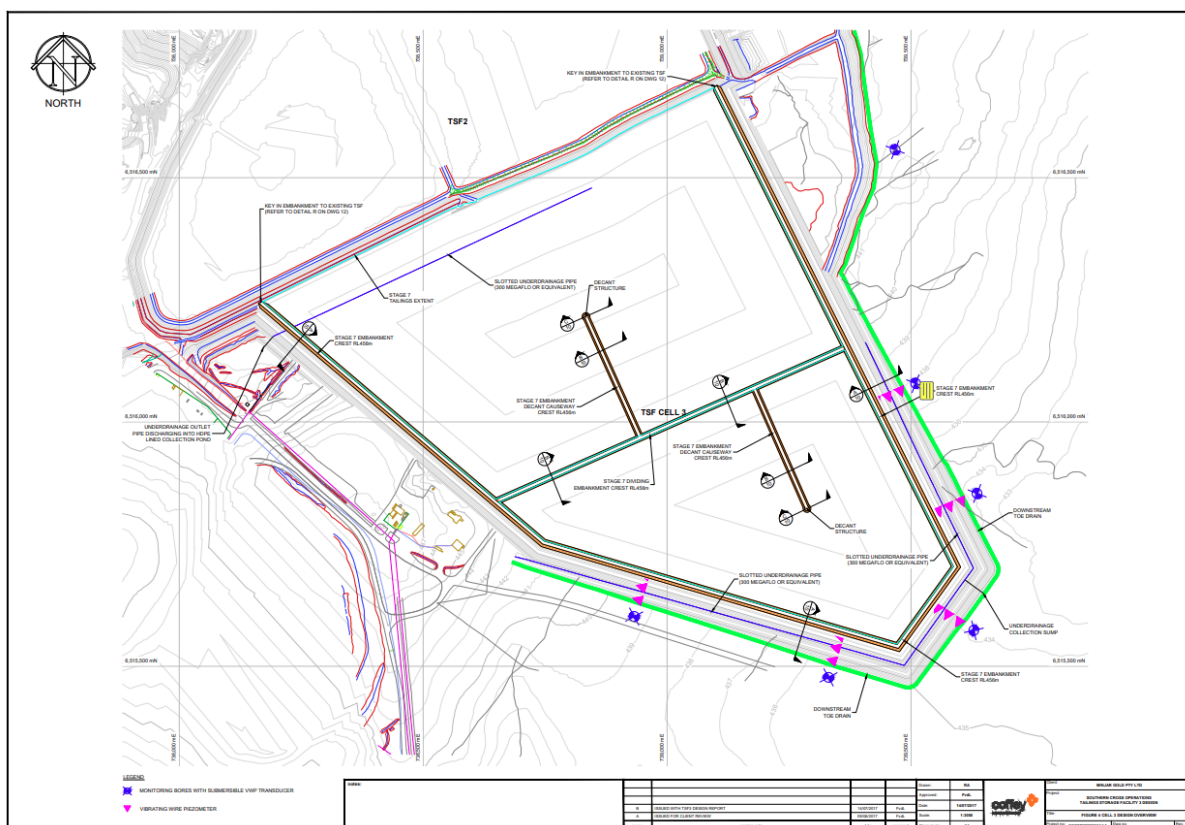


Figure 6: Typical TSF Cross Section (Coffey 2017)



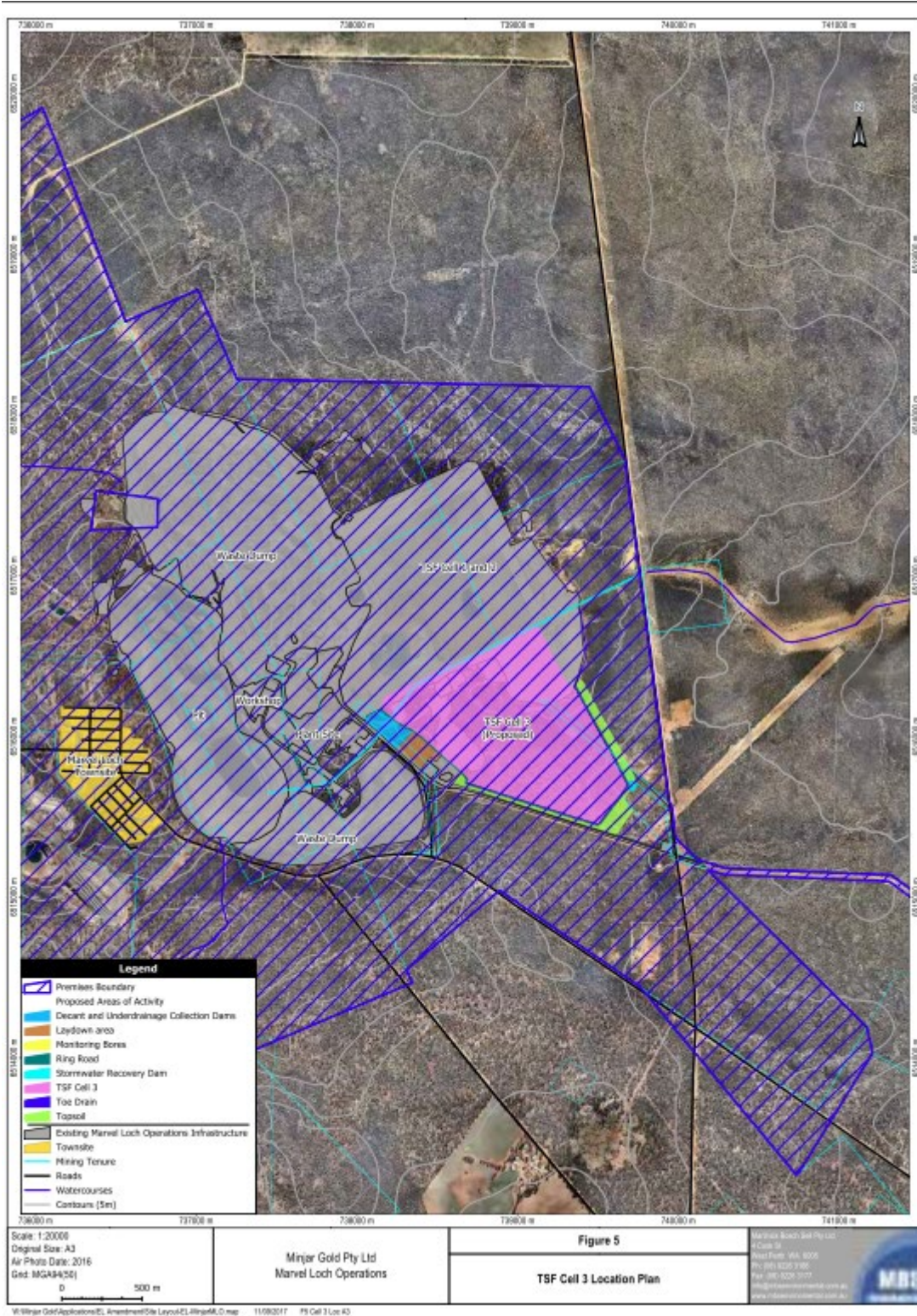
3.3 TSF3 DESIGN

TSF3 will consist of two paddock-type cells constructed using upstream methods using dried tailings. The total design storage capacity of TSF3 is estimated to be 12 Mm³ (16 Mtpa) based on an assumed tailings dry density of 1.4 t/m³ (Section 2.5). The total storage life at current throughput rates will be eight years. Table 6 summarises the TSF storage capacity over the life of the project.

The TSF has been designed in accordance with the Code of Practice for Tailings Storage Facilities in Western Australia (CMP 2013) and ANCOLD Guidelines on Tailings Dam Planning, Design, Construction, Operation and Closure (ANCOLD 2012). It will be constructed under the supervision of a suitably accredited engineer and in accordance with industry standards and guidelines.

Table 6: TSF3 Storage Capacity Volumes

Stage	Embankment Crest RL (m AHD)	Storage Area (m ²)	Storage Depth (m)	Storage Volume (m ³)	Cumulative Storage Volume (Mm ³)	Cumulative Storage Capacity (t)	Cumulative Storage Life (months)
0 (Start)	442	375,338	Varies	1,672,124	1,672,124	2,340,974	14
1	444	728,880	2	1,278,660	2,950,784	4,131,098	11
2	446	732,480	2	1,341,441	4,292,225	6,009,116	11
3	448	850,206	2	1,419,322	5,711,547	7,996,166	12
4	450	840,346	2	1,579,295	7,290,842	10,207,179	13
5	452	821,918	2	1,576,805	8,867,647	12,414,706	13
6	454	820,348	2	1,516,583	10,384,230	14,537,922	13
7 (Final)	456	813,029	2	1,609,794	11,994,024	16,791,634	14



Statutory Environment

Nil

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

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

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

Officer Recommendation

That Council endorse the following response to the Department of Water and Environmental Regulation:

In relation to the licence amendment submitted by Barto Gold for L4597/1988/14, being the addition of a landfill site to the Frasers site, and increasing the permitted height for discharge to TSF (Tailings Storage facility) 3 to 456mRL, the Shire of Yilgarn have no objections.

9.1 Reporting Officer – Chief Executive Officer

9.1.4 Proposed Closure of Portion of King Ingram Road

File Reference	
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	- General Site Layout - Mt Holland site within road reserve

Purpose of Report

For Council to endorse commencing the legislative process for closing a road, in relation to a portion of King Ingram Road.

Background

The Shire was approached by Western Power in November 2024, regarding their plans to place a communications tower in the vicinity of King Ingram Road.

Wester Power stated:

Western Power are seeking the Shire of Yilgarn's support for the placement and construction of an 80m communications tower within the road reserve, commonly referred to King Ingram Rd, as identified in indicative design drawing attached. Western Power, on behalf of Synergy request that the Shire Yilgarn support the proposal and progress, via Department of Planning, Lands and Heritage (DPLH), a partial road closure (per Land Administration Act 1997 -Sect 58) of the land identified in design drawing attached so that Western Power can take up the land as an excised Crown Reserve/lot under Management Order (an example of this is below in Crown Reserve 51716). Western Power has requested this permanent land tenure arrangement/instrument because its infrastructure cannot reside in a gazetted road (unconstructed or constructed), this represents a substantial investment, is permanent and is critical for the operation of the network.

The layout plans have been provided as attachments for Councillors perusal. As can be seen, closure of a portion of the road reserve will not affect usage of the King Ingram Road.

Comment

The process for road closures is governed by the Section 58 of the land Administration Act 1997.

Council must first endorse the proposed closure, after which a 35 day public notice period can commence, including contacting affected landholders (if any) to seek their endorsement of the proposal. After the closure of the public notice period, the matter will be returned to Council for a resolution prior to applying to the Minister.

Western Power will cover the costs of advertising for the public notice period.

Statutory Environment

Land Administration Act 1997 Roads Part 5 Conventional roads Division 1

58. Closing roads

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —*
 - a. by order grant the request; or*
 - b. direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
 - c. refuse the request.*
- (5) If the Minister grants a request under subsection (4) —*
 - a. the road concerned is closed on and from the day on which the relevant order is registered; and*
 - b. any rights suspended under section 55(3)(a) cease to be so suspended.*
- (6) When a road is closed under this section, the land comprising the former road —*
 - a. becomes unallocated Crown land; or*
 - b. if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.*

Land Administration Regulations 1998 Part 2 General

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

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

- (a) written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and*
- (b) sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed; and*

- (c) copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government's comments on those submissions; and
- (d) a copy of the relevant notice of motion referred to in paragraph (c); and
- (e) any other information the local government considers relevant to the Minister's consideration of the request; and
- (f) written confirmation that the local government has complied with section 58(2) and (3) of the Act.

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Advertising costs to be paid for by Western Power.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Western Power service disruptions.	Moderate (6)	Assisting with communications tower install will help to mitigate risk of service interruptions.
Compliance	Non-compliance with Land Administration Act in relation to road closure	Low (3)	Following of requirements in Act and Regulations.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

Recommendation

That Council endorse commencing a 35 day public notice period as per Section 58 of the Land Administration Act 1997, detailing the intention to close a portion of King Ingram Road as per plans presented. The closure is to allow for Western Power to take up the land as an excised Crown Reserve/lot under Management Order, in order to install a telecommunications tower.

9.2 Reporting Officer – Executive Manager Corporate Services

9.2.1 Financial Reports - November 2024

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

Purpose of Report

To consider the Financial Reports

Background

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

The following reports are attached and have been prepared as at the 30 November 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 Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

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

9.2 Reporting Officer – Executive Manager Corporate Services

9.2.2 Accounts for Payment – November 2024

File Reference	8.2.1.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Steven Chilcott – Finance Officer
Attachments	Accounts for Payment

Purpose of Report

To consider the Accounts Paid under delegated authority.

Background

- Municipal Fund – Cheques 41300 to 41303 totalling \$1,152.23
- Municipal Fund - EFT 15838 to 16004 totalling \$1,970,321.41
- Municipal Fund – Cheques 2501 to 2519 totalling \$314,425.58
- Municipal Fund - Direct Debit Numbers:
 - 19273.1 to 19273.14 totalling \$26,466.94
 - 19345.1 to 19345.13 totalling \$26,544.60

The above are presented for endorsement as per the submitted list

Comment

Nil

Statutory Environment

Local Government Act 1995

5.42. Delegation of some powers and duties to CEO

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

* Absolute majority required.

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

Local Government (Financial Management) Regulations 1996

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

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

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

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

Strategic Implications

Nil

Policy Implications

Council Policy 3.11 – Timely Payment of Suppliers

Financial Implications

Drawdown of Bank funds

Risk Implications

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

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

Officer Recommendation

- *Municipal Fund – Cheques 41300 to 41303 totalling \$1,152.23*
- *Municipal Fund - EFT 15838 to 16004 totalling \$1,970,321.41*
- *Municipal Fund – Cheques 2501 to 2519 totalling \$314,425.58*
- *Municipal Fund - Direct Debit Numbers:*
 - *19273.1 to 19273.14 totalling \$26,466.94*
 - *19345.1 to 19345.13 totalling \$26,544.60*

The above are presented for endorsement as per the submitted list

9.2 Reporting Officer – Executive Manager Corporate Services

9.2.3 2023/2024 Audit & Management Report

File Reference	8.2.3.3
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Cameron Watson-Executive Manager Corporate Services
Attachments	Attachment 1 – 2023/2024 Annual Report including the Annual Financial Report incorporating the Independent Auditor's Report.

Purpose of Report

Council is requested to accept the Annual Report incorporating the Annual Financial Report and Independent Auditor's Report for the year ending 2023/2024.

Background

The Local Government Act 1995 requires Council to prepare and accept an Annual Report for each Financial Year by the 31 December of the year after that financial year. If the Auditor's report is not available in time for the Annual Report to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the Auditor's report becomes available.

Comment

The Annual Report for the financial year ending 30 June 2021 has been provided to Councillors for their consideration and acceptance.

The Audited Financial Statements and the Independent Audit Report are also included in the Annual Report. Following the acceptance of the Annual Report, Council is required to give public notice of the availability of the Annual Report as soon as practicable.

It is also a requirement that a General Meeting of Electors is to be held on a day set by Council not more than 56 days after acceptance of the Annual Report, 14 days local public notice of this meeting is to be given.

Statutory Environment

Local Government Act 1995 –

5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president; and
 - (b) a report from the CEO; and

[(c), (d) deleted]

- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
 - (f) the financial report for the financial year; and
 - (g) such information as may be prescribed in relation to the payments made to employees; and
 - (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and
 - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*; and
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - (i) the number of complaints recorded in the register of complaints; and
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require;
- and
- (i) such other information as may be prescribed.

[Section 5.53 amended by No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6; No. 5 of 2017 s. 7(1).]

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

** Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

[Section 5.54 amended by No. 49 of 2004 s. 49.]

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.55A. Publication of annual reports

The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.

[Section 5.55A inserted by No. 5 of 2017 s. 8.]

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

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

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 the relevant section of the Local Government Act 1995 and associated Regulations	Moderate (9)	Where ever possible and within the control of Council, ensure compliance with the Local Government Act and associated Regulations
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

Policy Implications

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

Financial Implications

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

Committee Recommendation

That Council:

- 1. accept the Annual Report for 2023/2024 including the Audited Financial Report and Auditor's Audit Report for period ended 30 June 2024; and**
- 2. conducts the 2023/24 Annual Meeting of Electors in the Shire of Yilgarn Council Chambers on Thursday 10th February 2025 commencing at 6.00 pm.**

9.3 Reporting Officer – Executive Manager Infrastructure

9.3.1 Supply and Delivery of Box Culverts

File Reference

Disclosure of Interest

Nil

Voting Requirements

Absolute Majority

Attachments

Nil

Purpose of Report

For Council to consider tenders received for the Supply and Delivery of 172, 1200mm x 1200mm precast box culverts.

Background

During routine inspections staff found the culvert on the Bodallin Wheatbin Road had significant structural issues. Even though this culvert is classed as a major structure, it doesn't qualify for Main Roads bridge funding. Due to the significant replacement cost, staff submitted an application through Regional Roads Group to fund the replacement. Regional Roads Group approved the replacement in the 2024-2025 financial year with the normal RRG funding arrangements, 2/3 Regional Roads Group 1/3 Local Government.



In accordance with Section 3.57 of the Local Government Act, staff called for quotations via WALGA Preferred Supplier Portal with submissions closing the 5th of December. Due to the estimated cost of procurement, staff asked 4 companies to tender.

- CASCADA GROUP
- Hydra Storm
- Mjb Industries Pty Ltd
- Smartstream Technology Pty Ltd

One quote was received from MJB Industries. MJB make, supply and deliver precast products to Main Roads and other Local Governments across the state. All products produced by MJB meet Austroads, Main Roads and Australian Standards.

MJB pricing for the supply of 172, 1200mm x 1200mm culverts is \$261,440 ex GST. Delivery quotation is \$38,000 ex GST with a total price of \$299,440 ex GST

Comment

Culverts play a crucial role in managing water flow beneath roads and rail. Over time, these structures can deteriorate due to age, corrosion, or inadequate design, compromising safety. Understanding the underlying issues prompting replacement helps determine the scope and urgency of the project.

This culvert does not appear on Shire's of Yilgarn's Road Asset Software. A section of this route is called the Kalgoorlie Road. This road may have been managed by Main Roads when the culvert was constructed. Staff contacted Main Roads to check if they had it on their asset register with a construction date. Main Roads didn't find it on their asset register either.



Staff asked locals for any information that could help with an approximate construction date. Locals thought the culvert was constructed in the 1970s. This would make the culvert

approximately 50 years old with an expected life of 80 years. Box culvert failure before reaching end of life is common. Staff are not proposing and changes to the current design. Contractors will be replacing the structure, like for like.

Statutory Environment

Section 3.57 of the Local Government
Local Government Act 1995

Strategic Implications

Regular maintenance of roads and associated infrastructure is crucial to ensure safety of motorists, maintain vital connectivity and prevent costly reactive road maintenance where it can be avoided by implementing regular asset renewal.

Policy Implications

Finance Policy 3.5 Purchasing and Tendering
Asset Management Policy

Financial Implications

Council annually budgets for the external supply of goods and services. Quotations or Tenders are sought to ensure Council gets value for money and meets its obligations under the Local Government Act 1995 (3.57) "Tenders for providing goods or services" and Local Government (Functions and General) Regulations 1996 "Tenders for providing goods or services (s. 3.57)". The 2024-2025 budget makes provisions to replace the culvert through Regional Roads Group on a 2/3 RRG and 1/3 LG funding arrangement.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People			
Financial Impact	Major repairs needed if the culvert fails before replacement.	(2)	The 2024-2025 budget makes provision to replace the culvert.
Service Interruption	Reduced access to the Bodallin Wheatbin.	(2)	There will be part road closures during the replacement. Bodallin Wheatbin will have access from the Highway at all times.
Compliance	Nil		Nil
Reputational	Nil		Nil
Property	Nil		Nil
Environment	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, by Absolute Majority in accordance Local Government Act 1995 3.57 “Tenders for providing goods or services” and Local Government (Functions and General) Regulations 1996 “Tenders for providing goods or services (s. 3.57)”

- 1. Council accepts the quotation from MJB Industries Pty Ltd for the supply of 172, 1200mm x 1200mm precast box culverts for a total price of \$261,440 ex GST*
- 2. Staff will seek quotations from local transport companies for the delivery of 172 precast box culverts and the CEO will select the most advantageous transport quote.*

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

13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

Nil

14 CLOSURE