



# *Ordinary Meeting of Council*

## *Agenda*

*20 March 2025*

# Shire of Yilgarn NOTICE OF MEETING



Councillors:

Please be advised that the

**March 2025**

## **Ordinary Meeting of Council**

Will be held in the Council Chambers on

Thursday, 20 March 2025

Commencing at **5pm**

**Council Meeting will be audio recorded as per Local Government  
Administration Regulations 1996.**

### **COUNCILLORS PLEASE NOTE:**

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

**Nicholas Warren**  
**Chief Executive Officer**

13/03/2025

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## Table of Content

1 Declaration of Opening/Announcement of Visitors.....	3
2 Announcements from the Presiding Member.....	3
3 Attendance.....	3
4 Declaration of Interest.....	3
5 Response to Previous Public Questions Taken on Notice.....	3
5.1 Public Question Time.....	4
6 Confirmation of Minutes.....	4
7 Presentations, Petitions, Deputations.....	5
8 Delegates' Reports.....	5
9 Officers' Reports.....	6
<b>9.1 Chief Executive Officer</b>	
9.1.1 Council Decision Status Report 2025.....	6
9.1.2 2024 Compliance Audit Report.....	8
<b>9.2 Executive Manager Corporate Services</b>	
9.2.1 Financial Reports February 2025.....	11
9.2.2 Accounts for Payment February 2025.....	14
9.2.3 2024/2025 Budget Review.....	18
9.2.4 Rate Repayment Proposal 80 Antares Street, Southern Cross.....	21
10 Application for Leave of Absence.....	27
11 Motions for Which Previous Notice Has Been Given.....	27
12 New Business of an Urgent Nature Introduce by Decision of the Meeting.....	28
12.1 Proposed Meteorological Mast - Lot 1146 (No 235) Nulla Nulla North Road, Bodallin.....	28
12.2 Bush Fire Advisory Committee Appointments.....	40
13 Meeting Closed to the Public-Confidential Items.....	43
14 Closure.....	43

## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

## 3. ATTENDANCE

Members	Cr W Della Bosca Cr B Close Cr B Bradford Cr G Guerini Cr L Granich Cr D Newbury Cr L Rose	
Council Officers	N Warren C Watson G Brigg K Chrisp N Beaton L Della Bosca	Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Asset and Projects Manager Minute Taker Minute Taker
Apologies:	F Mudau	Finance Manager
Observers:		
Leave of Absence:		

## 4. DECLARATION OF INTEREST

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

At the February 2025 Ordinary meeting of Council, the following questions were posed by Kaye Crafter, a response was provided on the 11 March 2025 as follows:

- 1. Main streets look fabulous, sort of like a mushroom all shiny on top and a bit mucky underneath, because all the laneways are full of... lot of weeds, lot of calthrop, obviously hasn't been any spraying through the summer... looking pretty ordinary.**

*Whilst not a question, it is noted there are some areas of improvement required with regards to weed management. It is hoped with a full contingent of staff in the parks and gardens crew the Shire can better address these areas.*

2. **Went out to cemetery and same things out there, lots of weeds and things, needs a good cleanup, only in one place.**

*Whilst not a question, it is noted there are some areas of improvement required with regards to weed management. It is hoped with a full contingent of staff in the parks and gardens crew the Shire can better address these areas.*

3. **Do we still have a getting rid of river gum trees...itinerary...? The more wind we get the more limbs drop down and they are becoming a problem.**

*The Shire does not have a policy regarding removal of river gums.*

4. **A few years ago, we had some money from state government / federal funding to put pathways in Southern Cross, we did Antares Street I think we need to do some other streets as well, can we get some money for that?**

*The Shire has a current budget provision for footpaths and will continue to look for funding opportunities for footpath upgrades*

5. **What's happening to the labyrinth, everything is falling down over there looks like no-one loves it, that needs to be fixed up.**

*There are plans and a current budget provision to improve the labyrinth using pebble rocks and resin mix. Contractors are actively being sought to undertake.*

6. **On a positive note I'm really glad the nets have been put up at the cricket club, at the end of the season, but that's alright, it will be OK for next season.**

*Noted.*

## **5.1. PUBLIC QUESTION TIME**

## 6. CONFIRMATION OF MINUTES

### 6.1 Ordinary Meeting of Council, Thursday, 20 February 2025 - (Minutes Attached)

#### Recommendation

*That the minutes from the Ordinary Council Meeting held on the 20 February 2025 be confirmed as a true record of proceedings.*

**Voting Requirements:** Simple Majority

### 6.2 Great Eastern Country Zone Meeting (GECZ), Thursday, 13 February 2025 - (Minutes Attached)

#### Recommendation

*That the minutes from the Great Eastern Country Zone meeting held on the 13 February 2025 be received.*

**Voting Requirements:** Simple Majority

### 6.3 Wheatbelt North East Sub Regional Road Group Meeting (SRRG), Tuesday, 18 February 2025 - (Minutes Attached)

#### Recommendation

*That the minutes from the Wheatbelt North East SRRG meeting held on the 18 February 2025 be received.*

**Voting Requirements:** Simple Majority

### 6.4 Westonia/Yilgarn Local Emergency Management Committee Meeting (LEMC), Thursday, 27 February 2025 - (Minutes Attached)

#### Recommendation

*That the minutes from the Westonia/Yilgarn LEMC meeting held on the 27 February 2025 be received.*

**Voting Requirements:** Simple Majority

## 7. PRESENTATIONS, PETITIONS, DEPUTATIONS

## 8. DELEGATES' REPORTS

## 9.1 Officers Report – Chief Executive Officer

### 9.1.1 Council Decision Status Report 2025

<b>File Reference</b>	<b>2.1.2.4</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Nicholas Warren – Chief Executive Officer</b>
<b>Attachments</b>	<b>Council Decision Status Report 2025</b>

#### Purpose of Report

Council to note the Council Decision Status Report 2025.

#### Background

A Council Decision Status Report details the decisions of Council and provides a status as to whether the decisions have been completed or if they are still pending, an update as to their progress or reasoning as to why there is delays.

#### Comment

The Council Decision Status Report does not include decisions that do not require staff and/or Council actions, including:

- Confirmation of minutes
- Financial Reports
- Accounts for Payment
- Applications for Leave of Absence
- Decisions to close meetings to the public and to reopen meetings to the public

Confidential decisions or certain details may also be excluded to maintain confidentiality.

#### 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 note the Council Decision Status Report 2025.*



## 9.1 Officers Report – Chief Executive Officer

### 9.1.2 2024 Compliance Audit Report

<b>File Reference</b>	<b>1.6.6.4</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Author</b>	<b>Nicholas Warren</b>
<b>Attachments</b>	<b>Attachment 1 - 2024 Compliance Audit Report</b>

### Purpose of Report

To present to Council the 2024 Annual Compliance Audit Return (CAR) for adoption and submission to the Department of Local Government, Sport and Cultural Industries.

### Background

Council is required by section 14 of the *Local Government (Audit) Regulations 1996* to complete a CAR each year covering the period 1 January to 31 December. The CAR is to be:-

1. Presented to Council at a meeting of the Council;
2. Adopted by the Council;
3. The adoption recorded in the minutes of the meeting at which it is adopted;
4. Signed by the Shire President and Chief Executive Officer and returned to the Department with a copy of the Council minutes of the meeting at which it was received; and
5. Submitted to the Department of Local Government by 31 March each year.

*The CAR must also be reviewed by the Shire of Yilgarn Audit Committee prior to its adoption by Council.*

### Comment

The 2024 is attached for Councillors review.

The CAR has been tabled at the *Shire of Yilgarn Audit Committee* meeting on 20 March 2025.

### Statutory Environment

*Local Government (Audit) Regulations 1996*

#### 14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
- (a) presented to the council at a meeting of the council; and
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted.

### Strategic Implications

Nil.

### Policy Implications

Nil.

### Financial Implications

Nil.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
<b>Health/People</b>	Internal review by senior management to Audit Committee and Council on an annual basis	Moderate (6)	Internal CAR review ensures Council and staff are meeting statutory requirements
<b>Financial Impact</b>	Nil	Nil	Nil
<b>Service Interruption</b>	Nil	Nil	Nil
<b>Compliance</b>	Section 14 of the <i>Local Government (Audit) Regulations 1996</i>	Moderate (6)	Annual Compliance Audit Return
<b>Reputational</b>	Not meeting statutory obligations could give rise to adverse response from DLGSC	High (15)	Annual review and Reporting process to DLGSC
<b>Property</b>	Nil	Nil	Nil
<b>Environment</b>	Nil	Nil	Nil

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

#### Committee Recommendation

*That Council adopts the 2024 Local Government Compliance Audit Return for the Shire of Yilgarn for the period 1 January 2024 to 31 December 2024.*

*and*

*That Council in accepting the Compliance Audit Return, authorises the Shire President and Chief Executive Officer to sign and submit the same to the Department of Local Government, Sport and Cultural Industries as required.*

## 9.2 Reporting Officer – Executive Manager Corporate Services

### 9.2.1 Financial Reports – February 2025

<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>Cameron Watson – Executive Manager Corporate Services</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 28 February 2025.

- 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
<b>Health/People</b>	Nil	Nil	Nil
<b>Financial Impact</b>	Monthly snapshot of Councils financial position	Moderate (6)	Ongoing review of Councils operations
<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>	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

*That Council endorse the various Financial Reports as presented for the period ending 28 February 2025.*

## 9.2 Reporting Officer – Executive Manager Corporate Services

### 9.2.2 Accounts for Payment – February 2025

<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

That Council endorse the following accounts for payments, as per the submitted lists:

- Municipal Fund – Cheques 41314 to 41319 totalling \$5021.18
- Municipal Fund - EFT 16193 to 16289 totalling \$1,870,218.70
- Municipal Fund – Cheques 2558 to 2576 totalling \$260,530.82
- Municipal Fund - Direct Debit Numbers:
  - 19519.1 to 19519.14 totalling \$24,357.55
  - 19569.1 to 19569.12 totalling \$24,461.55

#### Comment

Nil

#### Statutory Environment

Local Government Act 1995

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

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

\* Absolute majority required.

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

*Local Government (Financial Management) Regulations 1996*

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

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

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

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



### Strategic Implications

Nil

### Policy Implications

Council Policy 3.11 – Timely Payment of Suppliers

### Financial Implications

Drawdown of Bank funds

### Risk Implications

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

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
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 accounts for payments, as per the submitted lists:*

- *Municipal Fund – Cheques 41314 to 41319 totalling \$5021.18*
- *Municipal Fund - EFT 16193 to 16289 totalling \$1,870,218.70*
- *Municipal Fund – Cheques 2558 to 2576 totalling \$260,530.82*
- *Municipal Fund - Direct Debit Numbers:*
  - *19519.1 to 19519.14 totalling \$24,357.55*
  - *19569.1 to 19569.12 totalling \$24,461.55*

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.3 2024/2025 Budget Review

<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 Services</b>
<b>Attachments</b>	<b>2024/2025 Budget Review</b>

#### Purpose of Report

Council is requested to adopt the 2024/2025 Budget Review as presented.

#### Background

Financial Management Regulation 33A – Review of Budget, requires a Local Government to review its annual budget between the 1<sup>st</sup> of January and the last day of February in any given financial year. The outcome of this review is to be submitted to Council for its adoption no later than the 31<sup>st</sup> March.

#### Comment

The budget review document, including budget amendment recommendations, for the 2024/2025 financial year is attached for Council's consideration.

#### Statutory Environment

##### Local Government (Financial Management) Regulations 1996

#### 33A. Review of budget

- (1) Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
  - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  - (b) consider the local government's financial position as at the date of the review; and
  - (c) review the outcomes for the end of that financial year that are forecast in the budget; and
  - (d) include the following —
    - (i) the annual budget adopted by the local government;
    - (ii) an update of each of the estimates included in the annual budget;

- (iii) the actual amounts of expenditure, revenue and income as at the date of the review;
  - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.
- (2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
- \*Absolute majority required.
- (4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

### Strategic Implications

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

### Policy Implications

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

### Financial Implications

The presented review includes several budget amendments.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Review of Councils Annual Budget	Moderate (6)	Ongoing monitoring
Service Interruption	Nil	Nil	Nil
Compliance	Local Government (Financial Management) Regulations 1996	Low (3)	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)

#### Audit Committee Recommendation

*That Council adopts the budget review for the period 1st June 2024 to 31st January 2025 inclusive of the recommended budget amendments as indicated in Note 4 of the report.*

## 9.2 Reporting Officer - Executive Manager Corporate Services

### 9.2.4 Rate Repayment Proposal - 80 Antares St, Southern Cross

<b>File Reference</b>	<b>8.1.1.6 &amp; A1670</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Cameron Watson - Executive Manager Corporate Services</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

Council is requested to consider a Rate Repayment Proposal relating to the outstanding Rates and Charges that have accrued against Assessment A1670 – 80 Antares St, Southern Cross.

#### Background

At the April 2024 meeting of Council, Council approved the commencement of the seizure for sale for unpaid rates process, as stipulated in section 6.64 (1)(b) of the Local Government Act 1995, for the property located at 80 Antares St, Southern Cross.

In October 2024, the Form 4 requiring payment of all outstanding amounts was issued, this form gave the ratepayer a 3-month period to pay and advised that if payment was not received the land would be offered for sale by public auction. At the completion of this 3-month period no payments or requests for other arrangements had been received.

In late January 2025 a Form 2 was issued notifying the Ratepayer that Council had seized the property and intended to sell it to recover the outstanding rates and charges. It was only at this time that a representative of the Ratepayer contacted Council to discuss repayment of the outstanding amounts.

#### Comment

As at the time of writing this report, Assessment A1670 has the following amounts outstanding:

Levies	Receipts	Balance	C/A	Description
658.33	0.00	658.33	C	Rates
7265.89	0.00	7265.89	A	Rates
3064.20	620.63	2443.57	C	Interest
3678.23	0.00	3678.23	C	Legal Charges
340.00	0.00	340.00	C	DOMESTIC - RUBBISH
3226.00	0.00	3226.00	A	DOMESTIC - RUBBISH
25.48	25.25	0.23	C	ESL PENALTY
104.12	104.12	0.00	A	ESL PENALTY
103.00	0.00	103.00	C	EMERGENCY SERVICE LEVY
888.50	0.00	888.50	A	EMERGENCY SERVICE LEVY
531.44	0.00	531.44	C	SX SEWERAGE RES
4503.79	0.00	4503.79	A	SX SEWERAGE RES
=====				
24388.98	750.00	23638.98		*** TOTALS ***

As can be seen from the above table, the ratepayer has commenced periodic payments of \$50 per fortnight but this is barely enough to cover the accruing interest. Initial discussions with the Ratepayers representative required a significantly larger repayment amount of at least \$500 per fortnight to clear the outstanding amounts levied in a timely manner and halt seizure action but the Ratepayer elected to only make the very minor amount shown.

The Ratepayer has owned the property since early 2007 and was a pensioner for rate purposes from this time until November 2020. During this period, the Ratepayer elected to defer the payment of his Rates/Sewerage levies totalling \$8,557 and ESL levies totalling \$609.

The Ratepayers representative has made the following proposal:

1. Waive the outstanding interest amount, being - \$2,443.57
2. Write off the incurred legal expenses. being - \$3,678.23
3. Make periodic payments to clear \$7,826.77 of non-deferred rates prior to 30 June.
4. Leave the amount of \$9,166.57 as deferred with an indeterminate payment date.

As can be seen, this proposal would entail a significant amount of incurred but unrecovered expenditure and interest income being waived/written off and a significant amount of rates that would remain unpaid.

It should also be noted that the Ratepayer was sent numerous registered and unregistered items of correspondence by mail notifying him of his requirement to pay these rates, the Ratepayer elected to ignore these notices. In addition, Shire Senior Managers held several meetings on site with the Ratepayer regarding his outstanding rates and other matters and he chose to ignore these warnings as well.

With the issuing of the Form 2, Notice of Seizure, the Ratepayer has ceased to be the person entitled to the land.

## Statutory Environment

### Local Government Act 1995

#### **6.64. Actions to be taken**

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
  - (a) from time to time lease the land; or
  - (b) sell the land; or
  - (c) cause the land to be transferred to the Crown; or
  - (d) cause the land to be transferred to itself.
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

### Local Government (Financial Management) Regulations 1996

#### **72. Notification prescribed (Act s. 6.64(2))**

For the purposes of section 6.64(2) the notification to be given by a local government on taking possession of land under that section is to be in the form of Form 2.

### Rates and Charges (Rebates and Deferments) Act 1992

#### **44. Deferred payment of rates by eligible pensioner**

- (1) Where an eligible pensioner who is a registered person does not pay, or does not wholly pay, the rebated amount of any charge by the day determined in accordance with subsection (2A) that person —
  - (a) remains liable for the payment of the full amount of the charge, without rebate; and
  - (b) ceases to be authorised to satisfy the liability for the payment of the charge by the payment only of a rebated amount,

but the administrative authority shall not seek to recover the amount, or the balance of the amount owing, from that person, and the liability of that person to pay that amount or that balance may be deferred until such time as it becomes payable in accordance with subsection (2).



- (2A) For the purposes of subsection (1) the day is —
- (a) if paragraphs (b) or (c) do not apply —
    - (i) if the charge is a Water Corporation charge — the final payment day;  
or
    - (ii) if the charge is not a Water Corporation charge — the last day of the charged period;
  - or
  - (b) if the person has been allowed an extended period under section 40(3A) — the last day of that period; or
  - (c) if a period has been specified under section 42(2) — the last day of that period.
- (2) Prescribed charges, liability for the payment of which is deferred under this Act, become payable and may be recovered by the administrative authority if the person liable for the payment —
- (a) dies, unless section 45(1) applies; or
  - (b) ceases to be a person entitled to the land; or**
  - (c) ceases to occupy the land as their ordinary place of residence, unless —
    - (i) a person to whom section 31(1) applies continues to reside there; or
    - (ii) residence there by that person ceased by reason of ill-health, frailty or other cause not within the control of that person; or
    - (iii) residence there by that person ceased upon that person ceasing to live together with a spouse or de facto partner there, but that spouse or de facto partner remains there, and section 45(2) applies;
  - or
  - (d) being a person to whom section 19 applies, is notified in writing that under section 21 the administrative authority has determined that the allowing of deferment can no longer be justified,
- whichever happens first.
- (3) Where the liability for the payment of prescribed charges is deferred as regards any land to which several persons are entitled, being owners as tenants in common of undivided shares in the land, then notwithstanding the provisions of any other Act the liability for the payment of the charges to which the deferral relates attaches only to —
- (a) the specific part of that land to which an assessment of the kind referred to in section 43(3) related; and
  - (b) the charge on that part of the land in so far as it remains unpaid.

*[Section 44 amended: No. 28 of 2003 s. 172; No. 13 of 2007 s. 12; No. 4 of 2013 s. 13.]*

The recommendation that follows is consistent with the legislative requirements.

### Strategic Implications

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

### Policy Implications

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

### Financial Implications

If the proposed repayment agreement is accepted then there would be a loss of \$2,443.57 of Interest income and \$3,678.23 of recoverable expenditure.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Loss of interest income and recoverable expenditure	High (15)	Decline accepting proposal
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Significant precedent set for Ratepayers to decline to pay	High (12)	Decline accepting proposal
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 declines to accept the following proposal for the repayment of rates and charge due on Assessment A1670:*

- 1. Waive the outstanding interest amount, being - \$2,443.57*
- 2. Write off the incurred legal expenses. being - \$3,678.23*
- 3. Make periodic payments to clear \$7,826.77 of non-deferred rates prior to 30 June 2025.*
- 4. Leave the amount of \$9,166.57 as deferred with an indeterminate payment date.*

**10 APPLICATIONS FOR LEAVE OF ABSENCE**

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

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

### Recommendation

That the new business of an urgent nature be accepted by Council for consideration.

### 12.1 Proposed Meteorological Mast – Lot 1146 (No 235) Nulla Nulla North Road, Bodallin

<b>File Reference</b>	<b>3.1.1.2</b>
<b>Author</b>	<b>Liz Bushby, Town Planning Innovations</b>
<b>Disclosure of Interest</b>	<b>Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i></b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	<b>1. Site Plan and Elevation</b>

### Purpose of Report

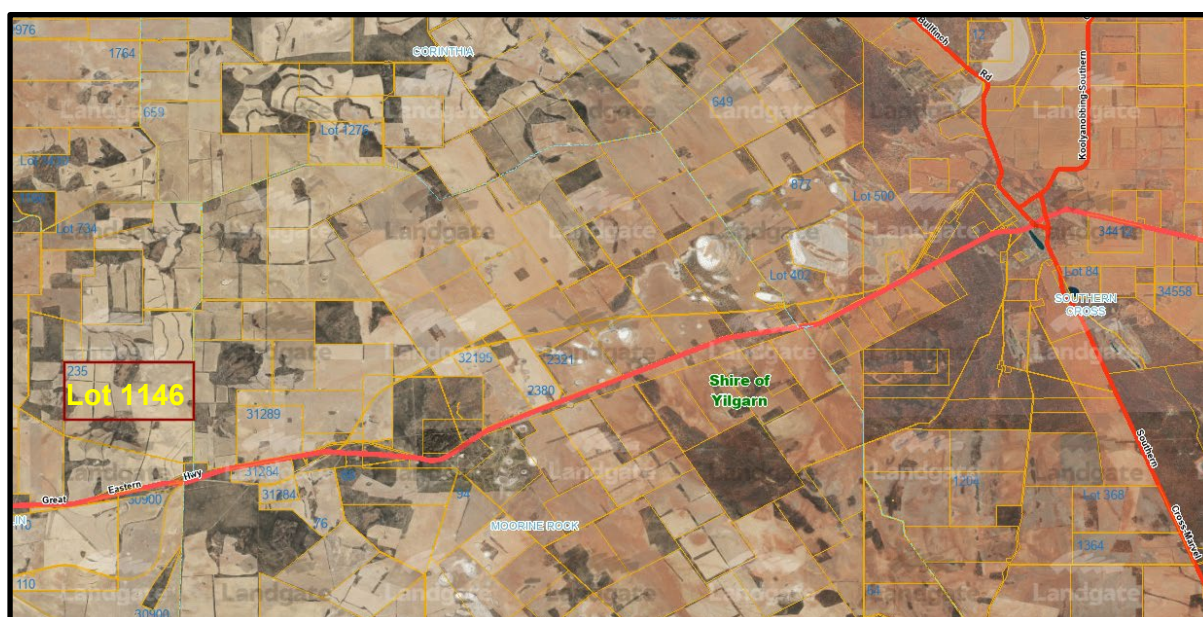
Council is to consider a planning application for a Meteorological Mast on Lot 1146.

### Background

- Location and Existing Development**

Lot 1146 has an area of approximately 975 hectares and is located 27 kilometres to the south west of the Southern Cross townsite.

A location plan is included below for convenience.



*Above: Location Plan*

## Comment

- **Description of Application**

The Shire is in receipt of a Development Application seeking approval for a Meteorological Mast (Met Mast) on Lot 1146.

The proposed Met Mast will be 160 metres in height and will be supported by guy wires. The Met Mast will be a temporary structure and will collect meteorological data (mainly wind speed and direction, air temperature and barometric pressure) over an initial two year period which will further inform the feasibility of establishing a future renewable energy facility site.

A site plan and elevation is included as Attachment 1.

Any potential development of a wind farm is dependent on the outcome of a separate future Development Application.

- **Zoning and Scheme requirements**

Lot 1146 is zoned 'Rural/Mining' under the Shire of Yilgarn Town Planning Scheme No 2 (the Scheme).

Clause 16 of the Scheme states that *'The Rural/Mining Zone is to be used for agricultural, residential, and public recreation uses. Extractive industry (mining) occurs widespread in the rural area of the Shire but, owing to its high impact, needs to be approved by Council after satisfactory advertisement'*.

Although the rural/mining zone objective is to be used for agricultural, residential, and public recreation, Council has discretion to consider other land uses in accordance with 'Table 1 – Zoning Table' and / or Clause 18 of the Scheme.

Under the Scheme, Table 1 lists land uses in a table format with different symbols listed under different zones.

Each symbol has a different meaning and determines whether Council has discretion to consider a land use in the corresponding zone (ie if the land use is permitted, not permitted, discretionary or requires advertising).

Part of the planning assessment involves determining which land use definition from the Scheme 'best fits' the proposal.

There is no specific definition for Meteorological Mast in the Scheme.

Where a land use is not defined in the Scheme, and is not listed in Table 1, it is processed as what is referred to as a 'Use Not Listed'.

Under Clause 18(4) of the Scheme Council has three options for dealing with a 'Use Not Listed' as follows:

Option 1 - Determine that the use is consistent with the objectives of the Rural/Mining zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government.

Option 1 is not recommended as it would set a precedent for future Met Masts to be dealt with as being 'permitted' in the zone.

Option 2 - Determine that the proposed use may be consistent with the objectives of the Rural/Mining zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land.

Option 2 is recommended to allow for consultation.

Option 3 - Determine that the use is not consistent with the objectives of the Rural/Mining zone and is therefore not permitted.

Option 3 is not recommended as the proposal will not impact on the zone. The lot can continue to be used for agricultural activities.

- **Advertising**

The application is being advertised for public comment by Shire Administration for 28 days. The Shire has written to nearby and surrounding landowners inviting comments on the proposal.

- **Aviation Assessment**

The applicant lodged an Aviation Assessment which doesn't identify any impact on the Southern Cross aerodrome. Initially the applicant looked at two potential locations for the MetMast, and has chosen the location which will not have any aviation impact.

The Shire referred the Aviation Assessment to the Civil Aviation Safety Authority (CASA) and Air Services Australia (ASA) prior to formal lodgement. The applicant liaised with the Department of Defence.

Comments are summarised in the table below.

Comments	TPI Comment
1. Air Services Australia  Scenario 1: With respect to procedures designed by Airservices in accordance with ICAO PANS-OPS and Document 9905, at a maximum height of 610m (2002ft) AHD the wind monitor	Noted. Air Services Australia have no objections to the application, however have commented on the two proposed options for the location.



tower will affect the 25nm MSA at Southern Cross aerodrome.

The 25nm MSA at Southern Cross aerodrome will need to be raised by 100ft from 2900ft to 3000ft.

The maximum height of the wind monitor tower without affecting any procedures at Southern Cross aerodrome is 583.9 (1916ft) AHD.

**Scenario 2:**

With respect to procedures designed by Airservices in accordance with ICAO PANS-OPS and Doc 9905, at a height of 576m (1890ft) AHD the wind monitor tower will not affect any sector or circling altitude, nor any instrument approach or departure procedure at Southern Cross aerodrome or any air routes.

Note: Procedures not designed by Airservices at Southern Cross aerodrome were not considered in this assessment.

**Communications/Navigation/Surveillance (CNS) Facilities**

We have assessed the proposed activity to the above specified height for any impacts to Airservices Precision/Non-Precision Navigation Aids, Anemometers, HF/VHF/UHF Communications, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links and have no objections to it proceeding.

Note: Meteorological instruments not owned by Airservices were not considered in this assessment. Please consult with the Bureau of Meteorology to ensure that the proposed activity does not adversely impact their equipment.

**Air Traffic Control (ATC) Operations**

There are no additional instructions or concerns from ATC.

The applicant is proceeding with scenario 2 which will not have any aviation impact.

**2. CASA**

The nearest proposed WMT location being considered for this project is approximately 30nm (or approximately 55.6km) Southern Cross Aerodrome (YSCR) the aerodrome reference point.

CASA is not aware of any civil certified aerodrome in the vicinity of the proposed meteorological mast for which there would be an Obstacle Limitation Surface (OLS) that would require protection; therefore, it is outside CASA's formal regulatory framework for aerodromes. In addition, CASA is

Noted. CASA has no objections to the application. Safety requirements can be included as conditions of approval.



also unaware of any unregulated aerodrome such as an 'Aeroplane Landing Area' (ALA) which is not published in the *Aeronautical Information Publications (AIP)* being within 2.5km of the proposed meteorological mast site.

CASA notes you have consulted the local shire Aerodrome Management Services (aerodrome manager for the Shire) who has not raised any concern over the proposal, subject to the proponent being responsible for all costs associated with amending the 25NM MSA, Grid LSALT and air route LSALT.

Additionally, should there be an unregulated aerodrome within 2.5km of the proposed meteorological mast site, the *CASA Advisory Circular 91-02 Guidelines for aeroplanes with MTOW not exceeding 5 700 kg - suitable places to take off and land* enclosed, makes recommendations with regard to enabling the safe take-off and landing of aircraft.

As indicated from the attachment included with your email, the proposed meteorological mast is a guyed mast structure with alternating marking for the top third of the mast, and have marker balls or high visibility flags/sleeves being placed on the upper third of the outside guy wires to assist with its visibility to aircraft, and Guy wire ground attachment points in contrasting colours to the surrounding ground/vegetation.

Given the meteorological mast will be approximately 160m Above Ground Level (AGL), CASA would recommend the installation and operation of at least a low intensity red obstacle/hazard light during poor light or the hours of darkness due to the potential for low level aerial agricultural flying or other flying in the area. Obstacle marking and lighting information can be found in chapter 8, section 8.110 and chapter 9, division 4 of *Part 139 (Aerodromes) - Manual of Standards*. A copy of these *Manual of Standards* is available from the following link: [Part 139 \(Aerodromes\) Manual of Standards 2019 \(legislation.gov.au\)](https://www.legislation.gov.au/Part139AerodromesManualofStandards2019).

In support of Subpart 175.E of the Civil Aviation Safety Regulations 1998, CASA recommends that all permanent obstacles 100m or more above ground level or that penetrate the obstacle limitation surface are reported to the Aeronautical Information Service (AIS) provider, Airservices Australia (VOD@airservicesaustralia.com or 02 6268 5622).

3. Department of Defence

Noted.

The Department of Defence (Defence) has conducted an assessment of the proposed Yilgarn WMT for potential impacts on the safety of military low flying operations as well as possible interference to Defence communications and radar.

As the proposed wind farm meets the requirement for reporting tall structures, Defence requests that you provide Air Services Australia (AsA) with vertical obstacle notification.

Marking tall structures on aeronautical charts assists pilot navigation and enhances flight safety. Airservices Australia (ASA) is responsible for recording the location and height of tall structures. The information is held in a central database managed by ASA and relates to the erection, extension, or dismantling of tall structures, the top of which is above:

a. 30 metres AGL, that are within 30 kilometres of an aerodrome; and b. 45 metres AGL elsewhere for RAAF.

Defence therefore requests that the following processes to be followed:

1. Complete the Vertical Obstacle Notification Form: ATS-FORM-
2. Submit completed form to: [VOD@airservicesaustralia.com](mailto:VOD@airservicesaustralia.com) as soon as the development reaches the maximum height.

The Shire also consulted with it's own aerodrome manager, being Aerodrome Management Services (AMS) who had no concerns over the final location.

- **Vegetation and Flora**

Portions of the lot may contain Threatened Ecological Communities (TEC's) so the applicant liaised with the Department of Biodiversity, Conservation and Attractions (DBCA). DBCA advised that:

*'Currently this community is not listed as threatened under the Biodiversity and Conservation Act 2016 (BC Act), it is considered a Priority 3 ecological community (PEC). Whilst there are no specific legislative requirements under the BC Act for PECs, best practice should be followed. Last week you mentioned that you will not be clearing any vegetation. If the area where you are intending to place the wind monitoring tower is unlikely to result in the modification of the PEC (i.e. no clearing of vegetation, changes to hydrology, introduction of weeds or disease), then the activity is likely to be low risk to the PEC. No further approvals would be required from DBCA for the PEC.'*

DBCA also advised that the community occurrences are the Eucalypt woodlands of the Western Australian Wheatbelt. This community is listed as a threatened ecological community under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

DBCA advised the applicant to check the Matters of National Environmental Significance Guidelines to determine if the proposal is considered a significant impact under the EPBC Act.

DBCA is not responsible for administering the EPBC Act.

- **Assessment**

In the absence of any specific scheme requirements, the main considerations are aviation safety and whether there will be any significant negative impact on neighbouring lots.

It is important to note that by their very nature, any Met Mast will likely be visible from surrounding areas simply due to the height. From a practical perspective, height is an essential attribute of Met Masts and is integral to the development being able to monitor wind.

The design of the tower combined with the setback to the street minimises adverse visual impacts.

## Statutory Environment

*Planning and Development (Local Planning Schemes) Regulations 2015* - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include ‘Deemed Provisions’ that automatically apply and override parts of the Shire of Yilgarn Town Planning Scheme No 3.

Clause 67 outlines ‘matters to be considered by Council’ including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, a local planning strategy, a local planning policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic, and any submissions received on a proposal.

As the application is being processed as a ‘Use Not Listed’, it is classified as a ‘complex application’ under the Regulations. Public advertising must be for a minimum of 28 days.

*Shire of Yilgarn Town Planning Scheme No 2* – explained in the body of this report.

## Strategic Implications

Nil.

## Policy Implications

There is no Council policy applicable to this report.

## Financial Implications

The Shire pays consultancy fees to Town Planning Innovations.

## Risk Implications

There are no known risks associated with the proposed development.

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:*

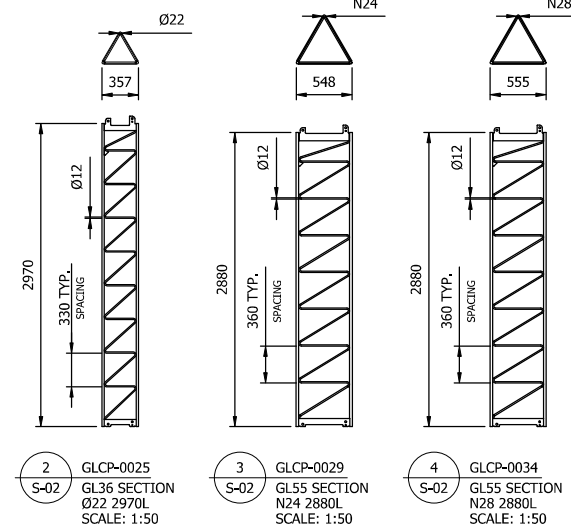
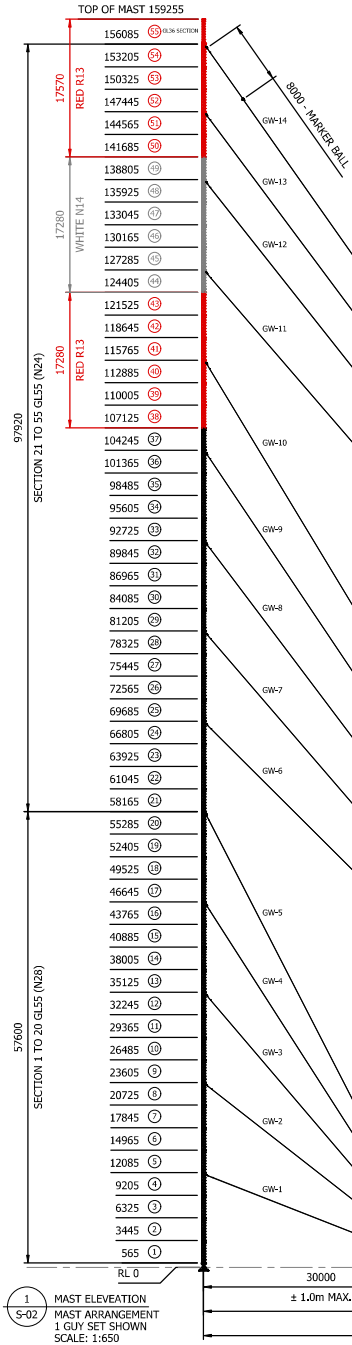
- A. Determine that the proposed use may be consistent with the objectives of the Rural/Mining zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land.*
- B. Note the application is being advertised for public comment and the consultation period ceases on the 15 April 2025.*
- C. Pursuant to Clause 82(1) and 82(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 grant (by Absolute Majority) delegate authority to the Chief Executive Officer to determine the application for a Met Mast Lot 1146 (no 235) Nulla Nulla North Road, Bodallin.*





GUY WIRE SCHEDULE (RIGGING EQUIPMENT TO AS 1138. AS 2319. AS 2714. AS 2759. AS 4991.)

GUY WIRE SCHEDULE (RIGGING EQUIPMENT TO AS 1138. AS 2319. AS 2714. AS 2759. AS 4991.)										
MARK	DESCRIPTION	HEIGHT	LENGTH	RADIUS	SIZE	PRE-TENSION	BOW & 'D' SHACKLE GALV. (GRADE S)	FAN-WRAP GALV. (GRADE GFG 083)	THIMBLE GALV. (GRADE 3025)	TURNBUCKL GALV. (GRADE P)
GW-1	GUY WIRE 1 - Ø8.25 (7/2.75) G1320	11820	39000	30000	Ø8.25	3.5kN	19mm	8.25mm	11mm	5/8"
GW-2	GUY WIRE 2 - Ø8.25 (7/2.75) G1320	23340	45000							
GW-3	GUY WIRE 3 - Ø8.25 (7/2.75) G1320	34860	54000							
GW-4	GUY WIRE 4 - Ø8.25 (7/2.75) G1320	46380	63000							
GW-5	GUY WIRE 5 - Ø8.25 (7/2.75) G1320	57900	73000							
GW-6	GUY WIRE 6 - Ø8.25 (7/2.75) G1320	69420	108000	70000			16mm			
GW-7	GUY WIRE 7 - Ø8.25 (7/2.75) G1320	80940	117000							
GW-8	GUY WIRE 8 - Ø8.25 (7/2.75) G1320	92460	126000							
GW-9	GUY WIRE 9 - Ø8.25 (7/2.75) G1320	103980	136000							
GW-10	GUY WIRE 10 - Ø8.25 (7/2.75) G1320	115500	146000							
GW-11	GUY WIRE 11 - Ø8.25 (7/2.75) G1320	127020	178000	110000						
GW-12	GUY WIRE 12 - Ø8.25 (7/2.75) G1320	138540	187000							
GW-13	GUY WIRE 13 - Ø8.25 (7/2.75) G1320	147180	194000							
GW-14	GUY WIRE 14 - Ø8.25 (7/2.75) G1320	155820	201000							



NOTES:

00	ISSUED FOR CONSTRUCTION	08 DEC. 2023
REV	DESCRIPTION	DATE

CONSULTING ENGINEERS

GEOTECHNICAL ENGINEERS

**ART GROUP**

119-125 QUARRY ROAD  
MURWILLUMBAH NSW 2484  
(02) 6672 6200  
admin@arttowers.com.au  
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PROJ. | PROD.  
GL - GUYED LATTICE  
SITE NAME

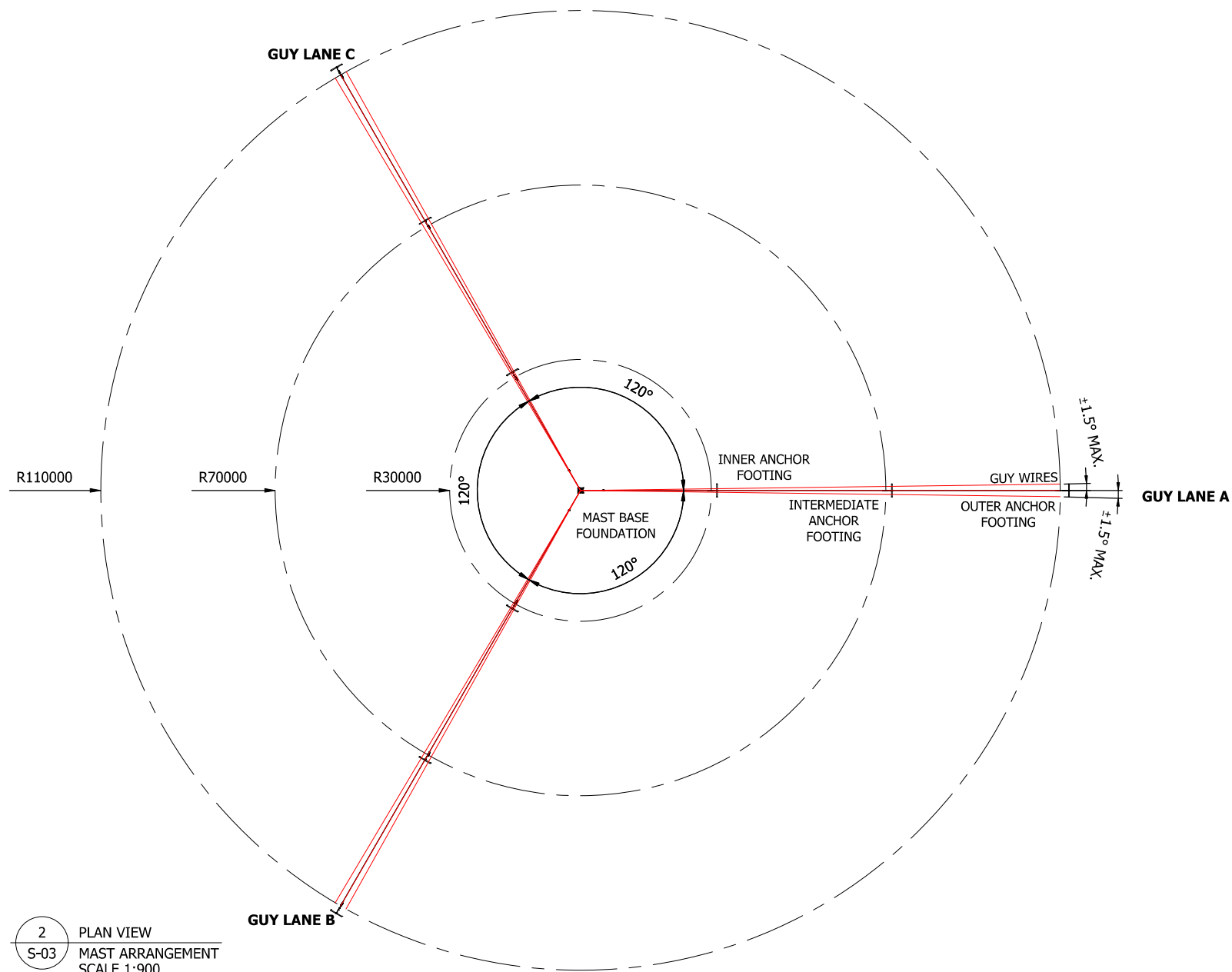
DRAWING TITLE  
G.A. GUYED LATTICE MAST TYPE 55-36  
HEIGHT 159m  
LAYOUT 010

STATUS  
**FOR CONSTRUCTION**



SCALE: (PLOTTED AT A3)  
AS SHOWN @ A3

THIRD ANGLE  
PROJECTION

DRAWN CG	CHECKED HY	APPROVED PG	CO-ORDINATED PG
DRAWING NUMBER: AEDGA-GLA53-0159-010			ISSUE: SHT./SHTS 00 2/4



2  
S-03 PLAN VIEW  
MAST ARRANGEMENT  
SCALE 1:900

NOTES:		
00	ISSUED FOR CONSTRUCTION	08 DEC. 2023
REV	DESCRIPTION	DATE
CONSULTING ENGINEERS		
GEOTECHNICAL ENGINEERS		
 <div> 119-125 QUARRY ROAD  MURWILLUMBAH NSW 2484  (02) 6672 6200  admin@arttowers.com.au  australianradiotowers.com.au </div>		
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CLIENT		
CLIENT DOC. REF.		
PROJ.   PROD. GL - GUYED LATTICE		
SITE NAME		
DRAWING TITLE G.A. GUYED LATTICE MAST TYPE 55-36 HEIGHT 159m LAYOUT 010		
STATUS FOR CONSTRUCTION		
SCALE: (PLOTTED AT A3) AS SHOWN @ A3		
THIRD ANGLE PROJECTION 		
DRAWN CG	CHECKED HY	APPROVED PG
CO-ORDINATED PG		
DRAWING NUMBER: AEDGA-GLA53-0159-010		ISSUE: SHT./SHTS 00 3/4



## 12.2 Bush Fire Advisory Committee Appointments

<b>File Reference</b>	<b>5.1.1.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Author</b>	<b>Kelly Watts - Regulatory Services Officer</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

### Purpose of Report

To endorse appointments made by the Bush Fire Advisory Committee at their meeting held on the 13<sup>th</sup> of March 2025.

### Background

At the Bush Fire Advisory Committee (BFAC) meeting held on the 13<sup>th</sup> of March 2025, the Chief and Deputy Chief Fire Control Officer positions were declared vacant, with returning officer Nic Warren, Chief Executive Officer declaring all seats vacant. The following nominations and appointments were made:

#### Chief Bushfire Control Officer

##### Nominations:

- Leigh Dal Busco (Nominated Ron Burro)
- L Dal Busco accepted nomination.

**No other nominations.**

#### Appointed Chief Bush Fire Control Officer: Leigh Dal Busco

#### Deputy Chief Bush Fire Control Officer North

##### Nominations:

- John Roberts (Nominated Ron Burro)
- J Roberts accepted nomination

**No other nominations.**

#### Appointed Deputy Chief Bush Fire Control Officer North: John Roberts

#### Deputy Chief Bush Fire Control Officer South

##### Nominations:

- Alan Nicholson (Nominated Kelvin Kent)
- A. Nicholson declined nomination

- Corey Hilder (Nominated Joey Dal Buso)
- C.Hilder accepted nomination

**No Other Nominations**

#### Appointed Deputy Chief Bush Fire Control Officer South: Corey Hilder

### Comment

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

### Statutory Environment

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

*38. Local government may appoint bush fire control officer*

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

### Strategic Implications

**Goal:**

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

**Outcome:**

Maintain a liveable, safe, and secure community

**Strategy:**

Continue to support our volunteer fire fighters

### Policy Implications

Nil

### Financial Implications

Nil

## Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Bush Fires Act 1954	Low 4	Shire may appoint Chief bush fire control officer and deputy bush fire control officers.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

## Officer Recommendation

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

*Chief Bush Fire Control Officer:  
Deputy Chief Bush Fire Control Officer North:  
Deputy Chief Bush Fire Control Officer South:*

*Leigh Dal Busco  
John Roberts  
Corey Hilder*

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

**14 CLOSURE**