



Ordinary Meeting of Council

Agenda

19 June 2025

Shire of Yilgarn NOTICE OF MEETING



Councillors:

Please be advised that the

June 2025

Ordinary Meeting of Council

Will be held in the Council Chambers on

Thursday, 19 June 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

13/06/2025

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RECORDS MANAGEMENT

Guidelines for Elected Members

Introduction

Elected members have a unique and pivotal role within the local government and the community. They represent the interests of electors, residents and ratepayers, participate in local government decision making at council and committee meetings, and facilitate communication between the community and the Council.

The State Records Commission policy regarding the records of local government elected members requires the creation and retention of records of the:

"...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."

This policy applies regardless of a record's format or where it was received.

Under the *Local Government Act 1995*, the CEO of a local government is responsible for ensuring that all records of that local government are kept in accordance with relevant legislation. Accurately created and managed records provide reliable, legally verifiable evidence of decisions and actions.

Records created or received by elected members that relate to local government business must be captured as part of the local government's corporate memory in accordance with the local government's Recordkeeping Plan.

1 What is a record?

A **record** can be defined as any record of information, in any medium, including letters, files, emails, word processed documents, databases, photographs, text messages, and social media posts relevant to the business of the organization. **Government records** are those records created or received by a government organization, or by an employee or contractor in the course of their work for that organization.

2 Why do I need to keep records?

Records provide evidence of what an organization has done, and why. Keeping records of business activity enables an organization to account for its actions, meet legislative requirements, and make informed and consistent decisions.

Government records include:

- Correspondence and communications
- File notes made after verbal communications, meetings, phone calls etc.

- Video and audio recordings
- Photographs
- Email
- Social Media posts (e.g. Facebook, Twitter)
- Databases
- Websites
- Messages from Apps (e.g. WhatsApp, Messenger)
- TXT messages

When to create and capture a record:

- Information is related to council business
- An action is required
- A decision or commitment is made
- Business need: for future reference by yourself or others
- Historical: identifies Council activity over time.

3 Which records should be captured?

YES – forward to your local government administration
<p>Communications, such as:</p> <ul style="list-style-type: none"> • complaints and compliments • correspondence concerning corporate matters • submissions, petitions and lobbying • information for Council's interest relating to local government business activity and functions
<p>Lobbying – correspondence or petitions, relating to lobbying matters</p>
<p>Telephone, meetings and other verbal conversations – regarding local government projects or business activities</p>
<p>Social Media – where the posts:</p> <ul style="list-style-type: none"> • create interest from the public or media • communicate decisions or commit the local government to an action • seek feedback • address issues of safety, and/or • relate to sensitive or contentious issues
<p>Work diaries / Appointment books – containing information that may be significant to the conduct of the elected member on behalf of the local government</p>
<p>Allowances, benefits and gifts records</p>
<p>Addresses / Speeches / Presentations – delivered as part of an elected member's official duties</p>

NO – do not need to be forwarded to your local government
Duplicate copies – of Council meeting agenda, minutes and papers
Draft documents or working papers – which are already captured at the local government
Publications – such as newsletters, circulars and journals
Invitations – to community events where an elected member is not representing Council or the local government
Telephone, meetings and other verbal conversations which: <ul style="list-style-type: none"> • convey routine information only; or • do not relate to local government business or functions
Electioneering – or party-political information
Personal records – not related to an elected member's official duties

4 Confidential Documents / Records

Records held within an information management system (IMS) or on hard copy files can be restricted so that only the appropriate officers can access them. If the elected member believes that some of the documentation required for capture into the IMS is of a highly sensitive or confidential nature, the Elected Member should advise the CEO to treat the information as confidential and restrict access to those records.

5 What do I do with records once they are created?

Records of business activity should be entered into Councils official recordkeeping system by forwarding them to Councils Administrative Services Officer (ASO) for processing, confidential records should be forwarded to the CEO.

By doing this, records relating to particular work matters are kept together and are available for all relevant staff to refer to.

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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 B Close
 Cr B Bradford
 Cr G Guerini
 Cr L Granich
 Cr L Rose

Council Officers	N Warren	Chief Executive Officer
	C Watson	Executive Manager Corporate Services
	G Brigg	Executive Manager Infrastructure
	F Mudau	Finance Manager
	K Chrisp	Asset and Projects Manager
	N Beaton	Minute Taker

Apologies:

Observers:

Leave of Absence: Cr D Newbury

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 Minutes, Thursday, 15 May 2025 - (Minutes Attached)

Recommendation

That the minutes from the Ordinary Council Meeting held on the 15 May 2025 be confirmed as a true record of proceedings.

Voting Requirements: Simple Majority

6.2 WEROC Inc. Board Meeting Minutes, Wednesday, 7 May 2025 - (Minutes Attached)

Recommendation

That the minutes from the WEROC Inc. Board Meeting held on the 7 May 2025 be received.

Voting Requirements: Simple Majority

6.3 CEACA Committee Meeting Minutes, Monday, 19 May 2025 - (Minutes Attached)

Recommendation

That the minutes from the CEACA Committee meeting held on the 19 May 2025 be received.

Voting Requirements: Simple Majority

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

John Zimmerman from Cygnet Gold will attend Council and provide an update on Cygnet's mining proposals within the Yilgarn Shire.

8. DELEGATES' REPORTS

9.1 Officers Report - Chief Executive Officer

9.1.1 Council Decision Status Report 2025

File Reference	2.1.2.4
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Council Decision Status Report 2025

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)

Recommendation

That Council note the Council Decision Status Report 2025.

9.1.2 2025 WALGA Annual Convention and AGM

File Reference	1.6.21.12
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	2025 Notice of WALGA Annual General Meeting Guideline for the submission of Member Motions

Purpose of Report

To inform Councillors of the dates and venue for the 2025 Western Australian Local Government Association Convention; advise of the Notice of the 2025 Annual General Meeting and to endorse voting delegates.

Background

WALGA have notified Local Governments of the dates and venue for the 2025 WALGA Local Government Convention.

The convention will run from Monday 22 September 2025 to Wednesday 24 September 2025 and will be held at the Perth Convention Centre.

The Annual General Meeting (AGM) of the Western Australian Local Government Association (WALGA) will be held at the Perth Convention and Exhibition Centre on Tuesday, 23 September 2025 at 2:15pm.

Attendance at the AGM is free for all Elected Members and officers from Member Local Governments. Voting Delegates and Proxies must be registered.

Member motions for the AGM must be endorsed by Council and submitted to WALGA.

Comment

Each WALGA Member Local Government is entitled to be represented by two Voting Delegates at the AGM. A Voting Delegate is entitled to one vote. A Proxy is entitled to vote in the absence of a Voting Delegate. Voting Delegates and Proxies may be Elected Members or officers.

Councils are asked to nominate and register their voting delegates and proxies by 5:00pm on Monday, 8 September 2025.

To allow staff to adequately plan for the 2025/2026 budget, it would be appreciated if Councillors could advise the CEO as early as possible of their intention to attend the 2025 Conference.

Early notification and registration may also provide better access to accommodation close to the venue.

Motions for the AGM are required to be endorsed by Council and submitted to WALGA by 5:00pm on Friday, 8 August 2025.

Attached is the notice of the 2025 Notice of WALGA Annual General Meeting and Guidelines for the submission of Member Motions.

Statutory Environment

Nil

Strategic Implications

Shire of Yilgarn Strategic Community Plan

GOAL 14. Strong leadership and a high standard of governance

14.1 Elected members and staff complete regular training and development opportunities.

Policy Implications

Nil

Financial Implications

Council allocates funds within its Annual Budget to accommodate those Councillors wishing to attend the Convention.

Risk Implications

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

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

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

- Notes the 2025 WALGA Convention will be held from Monday 22 September 2025 to Wednesday 24 September 2025 at the Perth Convention Centre.*
- Notes the Annual General Meeting (AGM) of the Western Australian Local Government Association (WALGA) will be held at the Perth Convention and Exhibition Centre on Tuesday, 23 September 2025 at 2:15pm*
- Authorises the CEO and any willing Councillors to attend the 2025 WALGA Local Government Convention.*
- Nominates Crs _____ and _____ as the Shire of Yilgarn Voting Delegates at the 2025 WALGA Annual General Meeting.*

Nominates Crs _____ and _____ as the Shire of Yilgarn Proxy Voting Delegates at the 2025 WALGA Annual General Meeting, in the event voting delegates are absent.
- Notes the deadline for member motion submissions for the WALGA AGM is 5:00pm on Friday, 8 August 2025.*

Advisory Notes

- Councillors are to advise the CEO of their intention to attend the WALGA conference as soon as practicable.*

9.1.3 Community Enhancement Fund Policy

File Reference	2.3.3.2
Disclosure of Interest	None
Voting Requirements	Absolute Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Community Enhancement Fund Policy and Appendices

Purpose of Report

For Council to consider adopting the draft Community Enhancement Fund Policy; establishing the Community Enhancement Fund Advisory Committee; endorsing the associated Committee Terms of Reference and establishing a Community Enhancement Fund Reserve.

Background

The Shire of Yilgarn has for some time now explored a “Community Enhancement Fund” (CEF) for proponents of large-scale renewable energy and carbon sequestration projects to contribute towards.

Unlike small, local or family businesses in regional communities, large scale developments generally do not return a significant proportion of their profits back into the community within which they were gained.

A CEF ensures that large-scale renewable energy developments, including Wind Energy Facilities (WEFs, Solar Farms and Battery Energy Storage Systems (BESS)), and carbon sequestration developments (tree farms/plantations) deliver lasting positive outcomes for the local community.

The Shire has seen the need for a CEF Policy as a priority, due to these types of developments already starting to establish within the Yilgarn district.

This desire for a CEF policy is shared by the Wheatbelt East Regional Organisation of Councils (WEROC) member Councils, who at the WEROC Board Meeting on Wednesday 7 May 2025 agreed to the following:

“Each Shire to adapt the Narrogin Policy for their own local policy and present to individual Councils for endorsement.”

The Shire of Narrogin has been leading the way in this space, with nearly \$2 billion in renewable energy projects, their need for a CEF Policy is also paramount.

Comment

As per the agreement between WEROC Council's, the Shire of Yilgarn has drafted a CEF Policy using the Narrogin policy as a template however have adapted it to suit the needs of the Shire of Yilgarn.

The most significant change to the Shire of Narrogin's Policy is the inclusion of carbon sequestration projects (tree farms) into the Shire of Yilgarn's policy.

The draft CEF Policy is proposed to apply to all large-scale renewable energy facilities and carbon sequestration facilities within the Shire of Yilgarn, including wind energy facilities (wind farms), utility-scale solar farms, large battery storage projects (BESS), typically those with a nameplate capacity exceeding 5 MW and carbon sequestering tree farms or plantations.

It is intended for use by Shire staff, Council, and developers (proponents) of renewable energy and carbon sequestration projects during project planning, approval, and operational phases.

The Policy sets out the establishment of a Community Enhancement Fund and details the expectations and requirements for proponent contributions towards the fund as a condition of Council support for such projects. Compliance with the Policy will be considered in Council's assessment of development applications and any related agreements with proponents.

In addition to the Policy, the following ancillary documentation has also been drafted to facilitate the CEF Policy:

- Community Enhancement Fund (CEF) Procedural & Operational Guidelines
- Community Enhancement Fund (CEF) Contribution Modelling Examples
- Community Enhancement Fund (CEF) Advisory Committee – Terms of Reference

The proposed CEF Policy and ancillary documentation is attached for Councillors reference.

Community Enhancement Fund Advisory Committee

As detailed in the Policy, if adopted, Council must then endorse the establishment of an advisory committee of which will provide recommendations to Council in relation to the CEF.

As per the *Local Government Act 1995*, where Council forms a committee, it must be endorsed by Absolute Majority.

The proposed terms of reference are provided as an appendix to the CEF Policy, and must also be endorsed by Council.

As per the Terms of Reference, the following governance framework will exist:

Shire of Yilgarn

- Final decision on funding allocation
- Reviews, monitors and reports on project progress
- Answerable to the Community

Community Enhancement Fund Advisory Committee

- Prioritises funding and project recommendations
- Makes recommendations to Council
- Community engagement
- Investment framework assessment
- Reviews proposals and allocation of funding
- Council-appointed Elected Member representatives to be reviewed every 2 years, at a meeting immediately following an ordinary local government election;
- Community representatives appointed by Council every 3 years following an expression of interest process (as outlined above)
- All Developer Agreement proponents can be non-voting observers of the Committee

The CEF Advisory Committee are not delegated any authority to make decisions on behalf of Council, and as such, the Shire of Yilgarn Council will retain authority on decisions relating to the CEF.

Community Enhancement Fund Reserve

As detailed in the CEF Policy, a reserve account will be established for the purpose of holding contributions.

Whilst Council are asked to endorse the establishment of a reserve account, this will be formalised via the 2025/2026 annual budget setting process.

Statutory Environment

Local Government Act 1995

5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council.*

* *Absolute majority required.*

6.11. Reserve accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) Subject to subsection (3), before a local government —*
 - a. changes* the purpose of a reserve account; or*
 - b. uses* the money in a reserve account for another purpose,*

it must give one month's local public notice of the proposed change of purpose or proposed use.

* *Absolute majority required.*

- (3) A local government is not required to give local public notice under subsection (2) —
- where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

Strategic Implications

Strategic Community Plan

GOAL 12. Prepare for renewable energy development in our Shire

12.2 Plan to address increased tree / carbon farming across our Shire

12.3 Plan for renewable energy projects in our Shire and ensure they deliver value to the community

Policy Implications

New Council Policy.

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	Failure of Shire to establish CEF for betterment of Yilgarn community	Moderate (6)	CEF ensures SoY are best placed to provide opportunities for proponents to contribute meaningfully to the SoY community.
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:

- (1) Endorse the Shire of Yilgarn Community Enhancement Fund Policy, as presented.*
- (2) Endorse, by absolute majority, the establishment of the Community Enhancement Fund Advisory Committee.*
- (3) Endorse the Community Enhancement Fund Advisory Committee Terms of Reference, as presented.*
- (4) Endorse the establishment of a Community Enhancement Fund Reserve account via the 2025/2026 annual budget process.*
- (5) Endorse the CEO to undertake minor grammatical or formatting changes to the endorsed documentation if required, on the condition it does not change the intent of the document or its content.*

9.1.4 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 referral from the Department of Planning, Lands and Heritage (DPLH) regarding a request from Westdrill Pty Ltd to seek freehold title of 74 Procyon street, Southern Cross.

Background

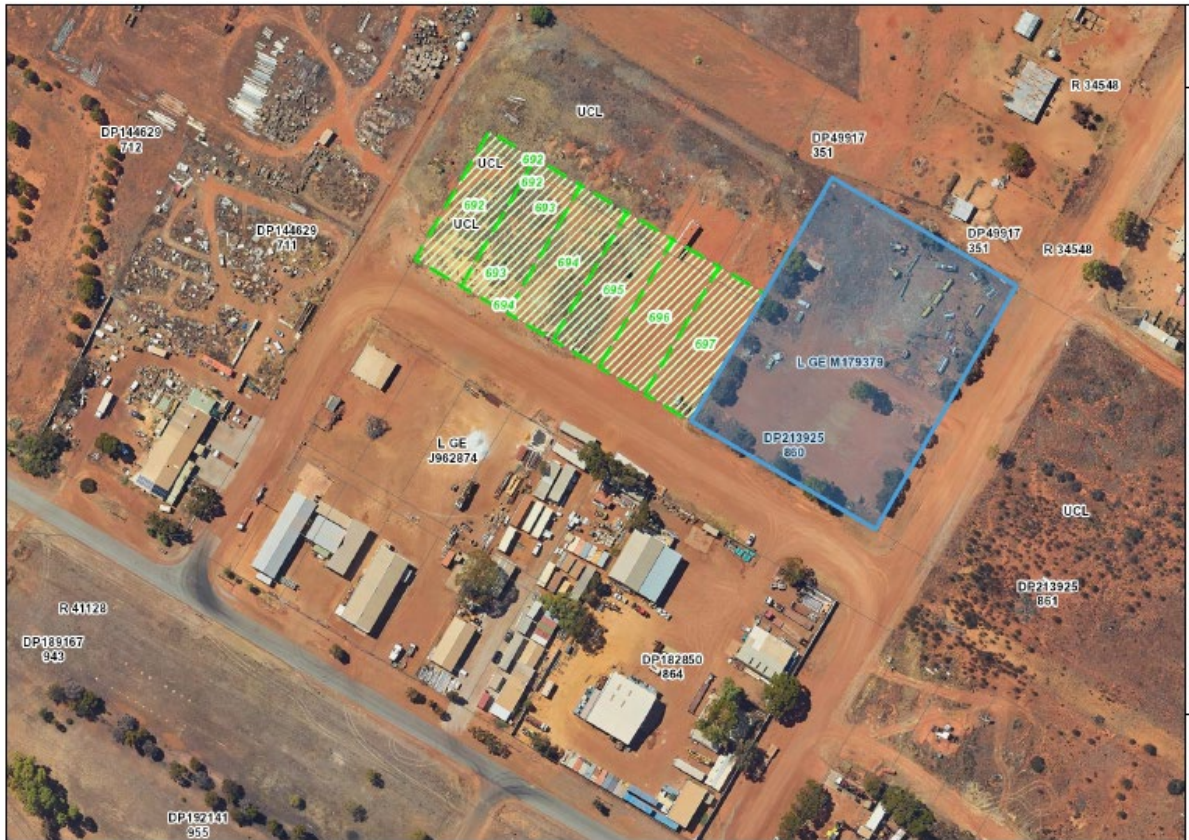
The site is currently subject to a crown lease (M179379) as registered on the title, for 'Light Industry' purposes. However, the lease was not reissued due to breaches. In July 2023, the Land Divestment Team (LDT) investigated the potential divestment of the site, but this was halted due to Native Title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

The Department of Planning, Lands, and Heritage (Department) was exploring a leasehold tenure option, as proposed by Westdrill Pty Ltd for a 5-year period with a 5-year option for the purpose of 'Storage & Laydown.'. The proponent now wishes to proceed with a freehold proposal instead.

The Department has sought the Shire of Yilgarn's comments or objections to a freehold proposal of Lot 860 on Deposited Plan 213925, being 74 Procyon Street, Southern Cross to Westdrill Pty Ltd.

Comment

An aerial map and tenure map is provided as attachments, and an excerpt from the aerial map is provided overpage.



Statutory Environment

Nil

Strategic Implications

Strategic Community Plan

GOAL 7. Essential services and infrastructure enable local economic growth

7.5 Identify the need for light industrial land development and opportunities this can attract

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 Planning, Lands and Heritage:

The Shire of Yilgarn have no objections to Lot 860 on Deposited Plan 213925, known as 74 Procyon Street, Southern Cross being divested as a freehold title.

9.1.5 Request for Comment - Covalent Lithium Works Approval Amendment Application

File Reference

Disclosure of Interest

None

Voting Requirements.

Simple Majority

Author

Kelly Watts – Regulatory Services Officer

Attachments

Application Form

Purpose of Report

For Council to provide comment to the Department of Water and Environmental Regulation regarding an application by Covalent Lithium Pty Ltd to amend their works approval .

Background

The application relates to the Mt Holland Mine, located on mining tenement G77/137, M77/1066 and M77/1080.

The application form is provided as an attachment, however in summary, the proposal is to commence the second stage of raising Tailings Storage Facility 1.

As per the application form:

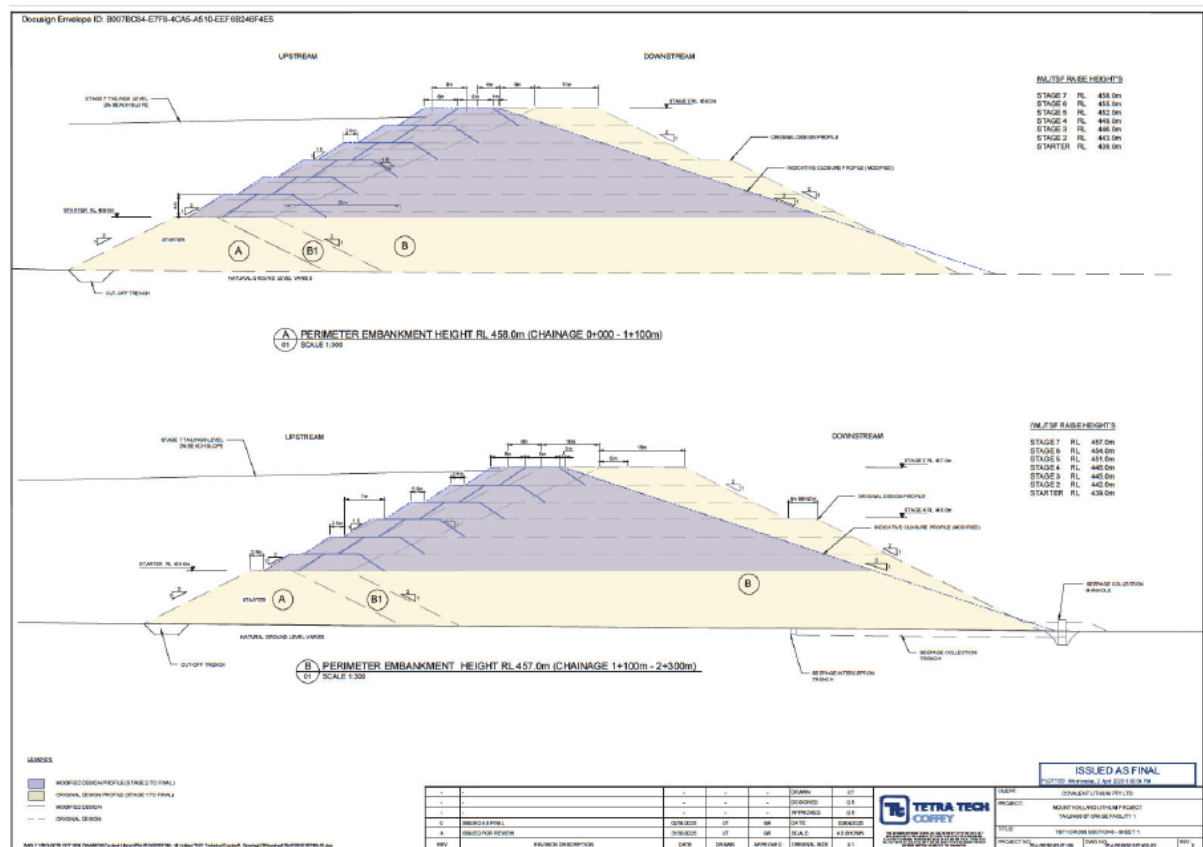
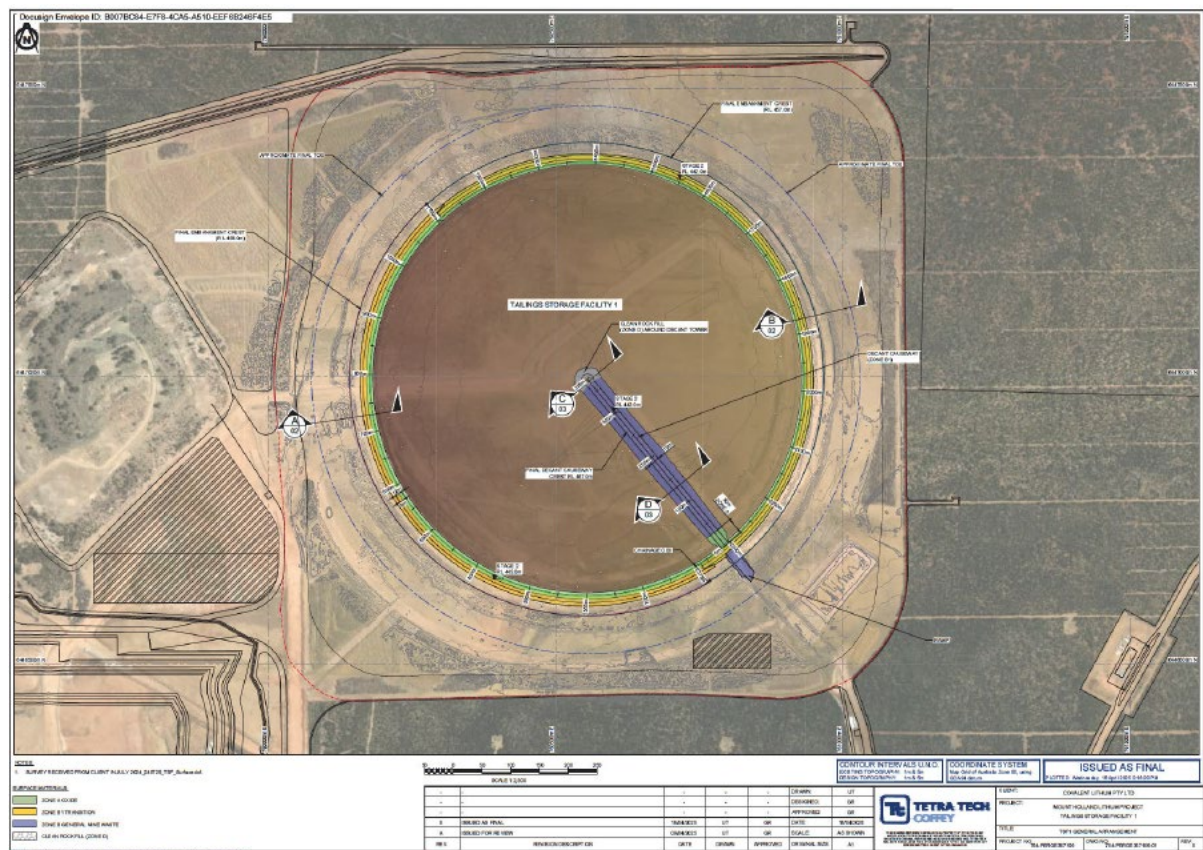
TSF1 was designed as an Integrated Waste Landform (IWL) / TSF, with the design intent to construct progressively with a starter embankment and then to raise progressively in six stages downstream via zoned earthworks construction.

Construction of the starter stage (Stage 1) of the facility was completed in April 2023.

In scoping and construction of the Stage 2 lift several design modifications have been identified. This amendment seeks to modify the infrastructure design and construction requirements as follows:

See over-page for application extracts detailing changes to stage 2 designs and relevant designs and layout plans.

Item	Current	Modified	Justification
2	Height of TSF stage 2 embankment raise to be a maximum of 3 meters (RL 442 m AHD).	Height of TSF stage 2 embankment raise to be a maximum of 4 meters (RL 443 m AHD).	NW to SE embankment raised to RL 443m to include western overtopping bund shown in the design which is 1m higher than the opposite embankment.
3	Height of TSF stage 3 embankment raise to be a maximum of 3 meters (RL 445 m AHD).	Height of TSF stage 3 embankment raise to be a maximum of 3 meters (RL 446 m AHD).	
4	Height of TSF stage 4 embankment raise to be a maximum of 3 meters (RL 448 m AHD).	Height of TSF stage 3 embankment raise to be a maximum of 3 meters (RL 449 m AHD).	
2,3,4	Layout and general arrangement as specified in Figure 4 and Figure 5 of Schedule 1	Reference remains the same. Figures changed to include above maximum RL heights.	
Figure 4	Zone A Stage 1 crest berm 1.5m.	Zone A Stage 1 crest berm 2.5m.	Constructability to retain active tailings line during build.
	Upstream batter slope of Zones A and B1 of 1V:2H.	Upstream batter slope of Zones A and B1 of 1V:1.5H for stages 2 onwards.	Enable Zone A and B1 crest to be maintained with 2.5m berm for constructability.
	Traffic-compacted Zone B1 (minimum crest width of 10 m).	Traffic-compacted Zone B1 – crest width of 6m.	Zone B1 crest width was adjusted to accommodate construction with a smaller fleet. TTC memo (Att 8A) confirm no impact to stability, initial wider design was to accommodate mining fleet.
Figure 5	Stage 2 decant tower rockfill surround 10m wide; causeway crest 8m wide.	Widened to 20m and 15m respectively.	To facilitate continuous decant operation during causeway raising.



Comment

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	Spills & Leaks	Low (4)	Corrective actions to be taken to ensure no escape of water
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Spills & Leaks	Low (4)	Ensure controls are implanted to manage any potential impact to environment, Flora and Fauna, and groundwater.
Property	Nil	Nil	Nil
Environment	Spills & Leaks	Low (4)	Corrective actions to be taken to ensure no escape of water

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 application by Covalent Lithium pertaining to an amendment to works approval W6673/2022/1 under Division 3 Part V of the Environmental Protection Act 1986 at Mt Holland Mine being located on mining tenement G77/137, M77/1066 and M77/1080, the Shire of Yilgarn have no objections.

9.2 Reporting Officer - Executive Manager Corporate Services

9.2.1 Financial Reports - May 2025

File Reference	8.2.3.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Cameron Watson - Executive Manager Corporate Services
Attachments	Financial Reports

Purpose of Report

To consider the Financial Reports

Background

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

The following reports are attached and have been prepared as at the 31 May 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
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	LG (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 31 May 2025.

9.2 Reporting Officer - Executive Manager Corporate Services

9.2.2 Accounts for Payment - May 2025

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 41326 to 41330 totalling \$3,769.11
- Municipal Fund - EFT 16524 to 16683 totalling \$1,262,652.68
- Municipal Fund – Cheques 2615 to 2622, 2624 to 2633 and 2635 totalling \$310,326.30
- Municipal Fund - Direct Debit Numbers:
 - 19731.1 to 19731.16 totalling \$28,615.31
 - 19748.1 to 19748.15 totalling \$29,207.60

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)

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

Officer Recommendation

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

- *Municipal Fund – Cheques 41326 to 41330 totalling \$3,769.11*
- *Municipal Fund - EFT 16524 to 16683 totalling \$1,262,652.68*
- *Municipal Fund – Cheques 2615 to 2622, 2624 to 2633 and 2635 totalling \$310,326.30*
- *Municipal Fund - Direct Debit Numbers:*
 - *19731.1 to 19731.16 totalling \$28,615.31*
 - *19748.1 to 19748.15 totalling \$29,207.60*

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.3 Rate Repayment Proposal – Assessment A1670

File Reference	8.1.1.6 & A1670
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Cameron Watson – Exec Manager Corporate Services
Attachments	A1670 - Proposal Financial Model

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.

Background

At the March 2025 meeting of Council, Council declined to accept a repayment arrangement proposed for the residential property located at 80 Antares Street, which currently has been seized by Council and is awaiting sale by public auction. The original resolution was the following:

31/2025

Moved Cr Close/Seconded Cr Newbury

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.***

CARRIED (7/0)

The reasoning for declining to accept the proposed repayment arrangement was because the proposal would require incurred debt to be written off and its failing to acknowledge that rates and charges would continue to accrue on an annual basis. This proposal did not factor these in and as proposed, would take over a decade to resolve the outstanding rates and charges issues.

Comment

Since the March meeting, Management and staff have been involved in mediation with the owner and his representatives facilitated by the State Administrative Tribunal. The latest round resulted in a revised proposal being received from his legal advisor, Ms Belinda Moharich of Moharich and More, as follows:

Dear Cameron

*Thank you for returning my call. As discussed, the bones of the offer proposed by Mr **** is as follows –*

A request to the local government -

- To waive both the accrued interest and future interest of the amount in arrears;*
- To waive the legal fees which have been incurred to date;*
- To allocate of the amounts paid by Mr **** to date to the current rates;*

*A commitment from Mr **** to make the following payments -*

- A lump sum of \$2000, payable on the day that the Council approves the payment plan;*
- A lump sum of \$3000, payable on 1 August 2025;*
- A fortnightly payment of \$150 until the debt is cleared. I am instructed that this amounts to a period of 3 years for the debt to be cleared.*
- Further, as discussed, Mr **** intended ramping up his 'Containers for Change' work, which will allow him to make regular ad hoc payments to further reduce the outstanding debt as quickly as possible.*

Please let me know if you require any further information

Belinda Moharich
Director

Attached to this item is financial modelling relating to the above proposal. Items that have not been included in the above proposal but are included in the model are:

1. Recognition of the ongoing raising of rates during the timeframe of the proposal; and
2. Waiver of Councils \$10 Rate Instalment Fee per instalment being \$1,580.

As can be seen, the repayment proposal will take 6 years to clear the outstanding amounts and not the three suggested in the email from the ratepayers legal advisor.

While there are several major cons to the proposal, the only pro would be that if Council was to accept the proposal there would not be a requirement to offer the property for sale resulting in a relatively small saving of ~\$2,200 in sale, legal and transfer fees.

The cons against this proposal are:

1. It would set an extremely bad precedent for other ratepayers not to pay what they owe and subsequently, when their property is seized; provide a sound reason to request large write off's / waivers of legitimate income / recovery of costs;
2. Public perception will be that you can ignore legitimate requests to pay what is owed and at the end of the day gain a benefit;

3. It will show that it is acceptable to unreasonably financially burden the community that they have elected to live amongst and would show Council will do nothing; and
4. The proposed repayment schedule will entail 5 and a half years to satisfy the full debt.

As it stands the presented recommendation will be based on two options; option one, to accept OR option two, decline as this decision should be as transparent as possible and be made by Councillors and not via any other form of influence.

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 \$3,336.06 of accrued Interest income & all future Interest income; \$3,678.23 of recoverable expenditure as well as \$1,580 of applicable instalment fees, giving a direct known loss of \$8,594.26

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

OPTION 1:

That Council accepts the following proposal for the repayment of rates and charge due on Assessment A1670, being:

- 1. Waive the outstanding interest amount, being - \$3,336.06;*
- 2. Waive the application of future overdue interest calculations until the debt is fully satisfied;*
- 3. Waive the application of Rate Instalment Fees for all instalments associated with this repayment agreement;*
- 4. Write off the incurred legal expenses, being - \$3,678.23;*
- 5. Accepts a lump sum payment of \$2,000 on or within 48 hours of notification of the acceptance of this repayment agreement;*
- 6. Accepts a lump sum payment of \$3,000 on or before the 1st August 2025;*
- 7. Accept instalments of \$150 per fortnight payable until the current rates and charges debt and any rates and charges debt applied during the repayment agreement are fully satisfied;*
- 8. On any default without prior notice, Council approves staff to recommence the seizure for sale proceedings as of their current standing, without further reference to Council; and*
- 9. Any approved default will be made good over the next two (2) instalments.*

OR

OPTION 2:

That Council declines to accept the proposed repayment agreement for the repayment of rates and charge due on Assessment A1670.

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

13 MEETING CLOSED TO THE PUBLIC - CONFIDENTIAL ITEMS

13.1.1 Social Investment Agreement - Outback Carbon

File Reference	1.3.11
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Social Investment Agreement

Purpose of Report

For Council to endorse execution of a Social Investment Agreement between the Shire of Yilgarn and Outback Carbon, to deliver a Community Grants program.

The matter is deemed confidential due to Outback Carbon's confidentiality clause in the proposed Social Investment Agreement.

Recommendation

That Council endorse the Social Investment Agreement with Outback Carbon as presented and authorise the Chief Executive Officer to execute on behalf of the Shire of Yilgarn.

14 CLOSURE