



Ordinary Meeting of Council

Agenda

16 October 2025

Shire of Yilgarn NOTICE OF MEETING



Councillors:

Please be advised that the

October 2025

Ordinary Meeting of Council

Will be held at the Council Chambers on

Thursday, 16 October 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

13/10/2025

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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 organisation. **Government records** are those records created or received by a government organisation, or by an employee or contractor in the course of their work for that organisation.

2 Why do I need to keep records?

Records provide evidence of what an organisation has done, and why. Keeping records of business activity enables an organisation 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
Communications, such as: • complaints and compliments • correspondence concerning corporate matters • submissions, petitions and lobbying • information for Council's interest relating to local government business activity and functions
Lobbying – correspondence or petitions, relating to lobbying matters
Telephone, meetings and other verbal conversations – regarding local government projects or business activities
Social Media – where the posts: • 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
Work diaries / Appointment books – containing information that may be significant to the conduct of the elected member on behalf of the local government
Allowances, benefits and gifts records
Addresses / Speeches / Presentations – delivered as part of an elected member's official duties

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: • 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
Cr D Newbury

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

Apologies:

Observers:

Leave of Absence:

4. DECLARATION OF INTEREST

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the September 2025 Ordinary Meeting of Council, the following questions were posed by Kelvin Kent and taken on notice, a response was provided on 10 October 2025 as follows:

I looked at some of the road counts and it still looked high compared to some of the other roads (South Bodallin Road). When you talk about the daily counts on the harvest period/non harvest period. It seemed interesting, it was all budgeted for and that last 3km's won't be finished?

Response:

The Shire acknowledges the question regarding the completion of Bodallin South Road. The remaining unsealed section was previously reviewed and advice at the time suggested that

extending the seal further south was not a priority or cost-effective investment.

Ultimately, whether to proceed with sealing the remaining section to Kent Road (2km) is a Council decision. If Council wishes to see it completed, the project can be prioritised and inclusion in the 10-year capital road program.

The arterial roads/gravel roads that feed the bins, is there any chance that during the peak time of harvest they can look at a bit more as in graded a little bit more often before they deteriorated. Just the main feed ones, they just seem to get a bit far gone before they see a grader.

Response:

The Shire acknowledges that gravel roads across the whole network experience significantly higher traffic during harvest. The unsealed road network extends approximately 2,330 km and requires around 3,600 hours for one full grading cycle. Based on actual productivity (average 1.53 hours per kilometre), it would take around eight graders working full time over a three-month harvest period to complete the full network.

With only four Shire graders available, an additional four contract graders would be required at about \$220 per hour, alongside the Shire's internal rate of \$180 per hour. The total estimated cost to complete one full network grade within that timeframe is approximately \$832,000.

Grading is prioritised across the entire unsealed network, taking into account road condition, safety and traffic volumes to maintain safe and trafficable conditions throughout the harvest period.

5.1. PUBLIC QUESTION TIME

6. CONFIRMATION OF MINUTES

- 6.1 Ordinary Meeting of Council Minutes, Thursday, 18 September 2025 - (Minutes Attached)

Recommendation

That the minutes from the Ordinary Council Meeting held on the 18th September 2025 be confirmed as a true record of proceedings.

Voting Requirements: Simple Majority

- 6.2 Wheatbelt North-East SRRG Meeting Minutes, Friday 19th September 2025 - (Minutes Attached)

Recommendation

That the minutes from the Wheatbelt North-East SRRG Meeting held on the 19th September 2025 be received.

Voting Requirements: Simple Majority

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

Win Metals representatives Steve Norregaard (Managing Director), Mark Eccleston and Will Stewart (Geology Manager) will attend Council and provide a presentation.

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		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 note the Council Decision Status Report 2025.

9.1 Officers Report - Chief Executive Officer

9.1.2 Strategic Community Plan 2024-2034 – Quarterly Report July to September 2025

File Reference	1.1.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Strategic Community Plan 2024-2034 – Quarterly Report July to September 2025

Purpose of Report

Council to note the Strategic Community Plan 2024-2034 – Quarterly Report July to September 2025.

Background

The Strategy Community Plan, which underwent a major review in 2024, is the highest level planning document in the Integrated Planning and reporting process. This Plan is designed to be a “living” document that guides the development of the Shire of Yilgarn community for the next ten (10) years.

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

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

Comment

This Quarterly report aims to inform Councillors and the community as to the Shire’s progress against the outcomes listed in the Plan.

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 Strategic Community Plan 2024-2034 – Quarterly Report July to September 2025.

9.1 Officers Report – Chief Executive Officer

9.1.3 Disposal of Council Assets – 71 Antares St Southern Cross

File Reference	10.4.1.13 & A4250
Disclosure of Interest	None
Voting Requirements	Simple Majority
Author	Nic Warren – Chief Executive Officer
Attachments	Market Appraisal - 71 Antares St Southern Cross

Purpose of Report

To submit to Council for consideration, a proposal by Mr Gilbert Foster to purchase the Council residence located at 71 Antares St, Southern Cross.

Background

Mr Foster, who is a long-term employee of Council, has expressed an interest in purchasing the Council owned residence he is currently tenanting, this residence is located at 71 Antares Street, Southern Cross.

The matter was tabled previously at the November 2023 Council meeting, with the following motion carried:

183/2023

Moved Cr Rose/Seconded Cr Guerini

That Council authorises the Chief Executive Officer to undertake the following in respect to the proposed disposal of the property located at 71 Antares Street, Southern Cross:-

- 1. give local public notice of the proposed disposal of the property in accordance with section 3.58 (3) (a) and (b) of the Local Government Act 1995; and***
- 2. subject to NO submissions being received, commence negotiations with Mr Foster for a fair purchase price in accordance with the valuation provided.***

CARRIED (7/0)

Despite the resolution of Council, the sale of the property did not eventuate.

Mr Foster has again approached Council, seeking to purchase the property.

Comment

In the recently adopted Building Asset Management Plan, the subject property is identified as high risk with poor condition rating and/or no useful life remaining and has a planned disposal in 2025/2026.

A Real Estate Sales Specialist has provided the attached market appraisal, and has estimated the value of the property as \$150,000 to - \$160,000.

The previous agenda item in November 2023 sought that after the required advertising and consultation periods, it will be proposed that Council offer 71 Antares St to Mr Foster at a negotiated price lower than the indicated listing price due to Mr Foster being the long-term resident of the premises.

Mr Foster has since advised he would be willing to pay \$80,000 for the property.

The Shire's building portfolio sets the 10 Year maintenance plan for the property at \$352,246.00, indicating a number of remedial works are required to the property.

Should Council endorse the recommendation the proposed disposal will be advertised as required returned to Council for a decision after the relevant advertising period, so Council can consider submissions, if any.

Statutory Environment

Local Government Act 1995

3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the

reasons for it are recorded in the minutes of the meeting at which the decision was made.

- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended: No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

It will be proposed that any proceeds from the sale of 71 Antares St & 80 Spica St, Southern Cross be transferred to the Building Reserve for the use in suitable future projects.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with the Local Government Act and Council Policies.	Low (4)	Ensure disposals comply with legislation.
Reputational	Nil	Nil	Nil
Property	Lack of housing stock if needed	Moderate (6)	Replace with new housing stock in a timely manner.
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:

1. Authorises the Chief Executive Officer to commence the public advertising, as per section 3.58 of the Local Government Act 1995, for the disposal of 71 Antares Street, Southern Cross to Mr Gilbert Foster for the sale price of \$80,000.
2. Notes the matter will be returned to Council for a decision after the advertising period.

9.2 Reporting Officer - Executive Manager Corporate Services

9.2.1 Financial Reports – September 2025

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

Purpose of Report

To consider the Financial Reports

Background

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

The following reports are attached and have been prepared as at the 30 September 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 30 September 2025.

9.2 Reporting Officer - Executive Manager Corporate Services

9.2.2 Accounts for Payment - September 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 – Cheque 41344 to 41349 totalling \$7,332.99
- Municipal Fund - EFT 17006 to 17126 totalling \$1,157,783.90
- Municipal Fund – Cheques 2695 to 2713 totalling \$338,945.90
- Municipal Fund - Direct Debit Numbers:
 - 20011.1 to 20011.16 totalling \$27,932.76
 - 20062.1 to 20062.16 totalling \$33,060.20

The above are presented for endorsement as per the submitted list

Comment

Nil.

Statutory Environment

Local Government Act 1995

5.42. Delegation of some powers and duties to CEO

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

* Absolute majority required.

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

Local Government (Financial Management) Regulations 1996

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

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

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

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

Strategic Implications

Nil.

Policy Implications

Council Policy 3.11 – Timely Payment of Suppliers

Financial Implications

Drawdown of Bank funds.

Risk Implications

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

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

Officer Recommendation

- *Municipal Fund - Cheque 41344 to 41349 totalling \$7,332.99*
- *Municipal Fund - EFT 17006 to 17126 totalling \$1,157,783.90*
- *Municipal Fund - Cheques 2695 to 2713 totalling \$338,945.90*
- *Municipal Fund - Direct Debit Numbers:*
 - *20011.1 to 20011.16 totalling \$27,932.76*
 - *20062.1 to 20062.16 totalling \$33,060.20*

The above are presented for endorsement as per the submitted list

9.2 Reporting Officer – Executive Manager Corporate Services

9.2.3 2024/2025 Audit & Management Report

File Reference	8.2.3.3
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Fadzai Mudau – Finance Manager
Attachments	Attachment 1 – Shire President’s report Attachment 2 – CEO’s Report Attachment 3 - 2024/2025 Annual Financial Report incorporating the Independent Auditor’s Report.

Purpose of Report

Council is requested to accept the Annual Report incorporating the Annual Financial Report and Independent Auditor’s Report for the year ending 2024/2025.

Background

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

Comment

The Annual Report for the financial year ending 30 June 2025 has been provided to Councillors for their consideration and acceptance.

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

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

Statutory Environment

Local Government Act 1995 –

5.53. Annual reports

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

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

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

5.54. Acceptance of annual reports

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

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

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

5.55. Notice of annual reports

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

5.55A. Publication of annual reports

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

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

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

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

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with the relevant section of the Local Government Act 1995 and associated Regulations	Moderate (9)	Where ever possible and within the control of Council, ensure compliance with the Local Government Act and associated Regulations
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		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)

Policy Implications

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

Financial Implications

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

Committee Recommendation

That Council:

- 1. Accepts the draft Annual Report for 2024/2025 comprising the Shire Presidents Report, Chief Executive Officers Report and the Annual Financial Report including Auditor's Report for period ended 30 June 2025;***
- 2. Approves the advertising of the availability of the Annual Report in accordance with Section 5.55 of the Local Government Act 1995; and***
- 3. Conducts the 2024/25 Annual Meeting of Electors on Thursday 20th November 2025 commencing at 6.00 pm in the Shire of Yilgarn Council Chambers, in accordance with Section 5.27 of the Local Government Act 1995.***

Note:

This draft report will be formatted (including structurally) and graphically designed following acceptance before it is made available

9.2 Reporting Officer – Executive Manager Corporate Services

9.2.4 Review - Audit, Risk & Improvement Committee Terms of Reference

File Reference	8.2.5.3
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Cameron Watson - Executive Manager Corporate Service
Attachments	Attachment - Audit, Risk & Improvement Committee Terms of Reference

Purpose of Report

This report seeks Council's endorsement of the presented Audit, Risk & Improvement Committee Terms of Reference.

Background

The requirement for Council to have an Audit, Risk & Improvement committees is mandated by s. 7.1A of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996

Comment

The requirement to review the Audit, Risk & Improvement Committee is not regulated but is a best practice recommendation. It is recommended that this review should be undertaken at least once every two years in conjunction with Councillor elections.

The only real change to the Terms of Reference in this review is the updating of the name of the Committee from Audit & Risk Committee to the Audit, Risk & improvement Committee

Statutory Environment

Local Government Act 1995

7.1A. Audit committee

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

* Absolute majority required.

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

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

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

Risk Implications

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

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 endorses the Audit, Risk & Improvement Committee Terms of Reference as presented.

9.2 Reporting Officer – Executive Manager Corporate Services

9.2.5 Waiver of Interest – Marvel Loch Assessment A8460

File Reference	???
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Author	Fadzai Mudau – Finance Manager
Attachments	Nil

Purpose of Report

Requests Council's consideration of a ratepayer request to waive accrued overdue rates interest and legal fees on Marvel Loch Assessment A8460.

Background

Assessment A8460 is owned by the ratepayer who took ownership of the property in 2016. The rates account has a history of irregular repayments, with the last time the balance was cleared to \$0.00 being in 2018.

No payments were received during the 2018/2019 or 2019/2020 financial years. In 2021/2022, the assessment was referred to AMPAC for debt recovery, after which the rate payer commenced sporadic payments totalling \$2,100.00. In 2022/2023 a further \$4,360.22 was paid, reducing the debt to \$670.69. However, no payments were received in 2023/2024.

Debt recovery action was again referred to AMPAC in late 2024, with only one payment of \$50.00 received in June 2025. In 2025/2026, Council has received \$1,400.00 to date.

On 30 September 2025, the outstanding balance was \$5,412.58, of which \$2,052.86 comprised accrued interest and legal fees. The ratepayer has written to Council requesting that the interest and legal fees be waived, citing financial hardship, property vacancy, and recent cashflow difficulties. She has also proposed a payment arrangement of \$200.00 per month.

Comment

Council's policy and precedent are to only waive interest or legal charges in limited circumstances, usually where an administrative error by the Shire has occurred or in cases of demonstrated severe hardship.

In this case, the Ratepayer has acknowledged financial difficulties and has made recent payments towards the account. However, her repayment history since 2018 has been inconsistent, with extended periods of non-payment and multiple referrals to AMPAC for debt recovery. The proposed payment arrangement of \$200.00 per month would not clear the debt by 30 June 2026, even if interest and legal

costs were waived in full. A more sustainable option would be \$200.00 every three weeks, which would accelerate repayment and reduce the risk of further debt escalation.

Waiving legal fees, which reflect external recovery costs already incurred by the Shire, may set a precedent that Council would be reluctant to establish. A partial waiver of accrued interest could be considered as a gesture of goodwill, provided the rate payer adheres to a structured repayment arrangement monitored by the Shire.

Image of Ratepayer's Financial Summary as at 02/10/2025:

Financial Summary				
Levies	Receipts	Balance	C/A	Description
600.00	0.00	600.00	C	Rates
1700.00	500.00	1200.00	A	Rates
606.73	585.21	21.52	C	Interest
1436.50	0.00	1436.50	C	Legal Charges
340.00	0.00	340.00	C	DOMESTIC - RUBBISH
725.50	45.50	680.00	A	DOMESTIC - RUBBISH
7.59	5.76	1.83	C	ESL PENALTY
4.41	4.41	0.00	A	ESL PENALTY
108.00	0.00	108.00	C	EMERGENCY SERVICE LEVY
294.00	93.00	201.00	A	EMERGENCY SERVICE LEVY
346.11	0.00	346.11	C	M/L EFFLUENT MAINT - RESIDENTIAL
646.11	166.12	479.99	A	M/L EFFLUENT MAINT - RESIDENTIAL
=====				
6814.95	1400.00	5414.95		*** TOTALS ***

Statutory Environment

Local Government Act 1995

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

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

** Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

[Section 6.12 amended: No. 64 of 1998 s. 39.]

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

Council Policy

3.9 - Rates and Charges Recovery Policy (Including Sewerage Charges Financial Hardship Policy)

Financial Implications

Interest and legal fees requested to be waived is \$2,052.86. If interest only is waived, the impact would be approximately \$616.36.

Waiving legal fees would result in a direct budget impact, as these reflect actual recovery costs already incurred.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Ongoing cost to Council of not collecting rates for assessments.	High (15)	Seize assessments and sell to new ratepayer/s
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Reputation for inefficient collection of outstanding rates	High (15)	Demonstration of good financial management in the efficient collection of outstanding rates
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:

- 1. Declines the request to waive legal fees of \$1,436.50 incurred on assessment A8460, Marvel Loch;*
- 2. Approves the waiver of fifty percent (50%) of accrued interest \$616.36 being \$308.18, on the basis of financial hardship and as a goodwill measure; and*

Requires the ratepayer to enter into a structured repayment arrangement of \$200.00 every three weeks, with adherence monitored by the Shire.

9.3 Reporting Officer - Executive Manager Infrastructure

9.3.1 House Construction 10 Leo Street

File Reference	
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Attachments	House Plans

Purpose of Report

To present Council with the tender results for the construction of one new 3×2 staff house at 10 Leo Street, Southern Cross and to seek approval to award a preferred tender or determine an alternative delivery approach.

Background

At the September 2025 Ordinary Council Meeting, the following motion was carried:

122/2025

Moved Cr Granich/Seconded Cr Rose

That Council, by Absolute Majority:

- 1. In accordance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996, approves the construction of one new staff house at 10 Leo Street, Southern Cross, for an estimated cost of \$524,450 (GST exclusive).**
- 2. Council endorses the funding of the new house from the Building Reserve, noting the budgeted 2025/2026 closing Building Reserve balance of \$2,271,588.**
- 3. Notes all works are to be primarily completed by Council staff and pre-qualified panel contractors, with additional trades sourced as required, in compliance with the Shires Purchasing and Tendering Policy and Local Government (Functions and General) Regulations 1996 .**
- 4. Notes construction is anticipated to commence in the fourth quarter of the 2025/26 financial year.**

CARRIED (5/1)

Cr's For: Della Bosca, Guerini, Newbury, Rose, Granich

Cr's Against: Bradford

To test the market a WALGA Preferred Supplier Vendor Panel Request (VP477185) was issued on 4 September 2025 to seven builders under WALGA Preferred Supplier Panel (PSP012 - Construction and Building Environments).

Invited suppliers (7):

- A E Hoskins Building Services
- AUSCO Modular Pty Ltd
- Evoke Living Homes (WBS Modular Pty Ltd)
- Fleetwood WA & SA Pty Ltd
- Form Homes (Aus) Pty Ltd
- Modular WA Pty Ltd
- Pique Mod Pty Ltd

Tender closed: 25 September 2025 at 3:00 pm.

Responses received: (2) Evoke Living Homes and Modular WA.

Copies of tendered House Plans are attached.

Tender Scope

- Fully constructed 3×2 staff-style house on Lot 10 Leo Street (land size 727 m², 18.7 × 39 m).
- Living area 140 to 160 m² plus carport or garage and veranda to protect western aspect.
- Complete internal fit out including painting, floor coverings, window treatments, ducted heating and refrigerated air-conditioning.
- Builder to supply engineering certifications, arrange planning and building permits, and connect to existing power, water and sewer.
- Landscaping, paving and fencing to be completed separately by the Shire.

Tender Responses

Item	Evoke Living Homes	Modular WA
Construction type	Steel framed modular transportable	Modular prefabricated timber frame, 3 modules
Living area	150 m ²	163 m ² + veranda 7 m ² + carport 36 m ² = 206 m ² total under roof
Design features	3 bed, 2 bath, open plan living, veranda & carport; fit out per Selections Guide (standard Colorbond roof, Jason windows, semi-frameless showers)	3×2 plus office and theatre; modular slab on concrete piles; open carport with option for garage
Included in price	Full turn-key internal fit-out (standard selections package), painting, floor coverings, window treatments	Full fit-out with mid-tier finishes (durable vinyl flooring, reverse cycle split systems to each room, 5 kW solar + electric heat pump HWS)
Excluded from price	Landfill and site formation (by Shire); landscaping, paving and fencing (by Shire)	Landscaping, paving, fencing (by Shire); site earthworks provisional sum only – clean site assumed

Engineering / Certification	Structural engineering to AS standards per tender requirement	Includes Soil Classification (M-Class) & BAL assessment (assumed BAL-Low)
Power & services	Solar hot-water system; builder to connect to existing services	5 kW solar PV and electric heat-pump HWS integrated system
Air-conditioning	Fully ducted refrigerated system	Split-system reverse-cycle units to each room
Warranty / compliance	Standard WALGA contract terms & Builder registration BC14386	Builder registration #101630; 10-year structural warranty
Tender price (ex GST)	Within budget range \$300 to 500k (dependent on options selected)	Within budget range \$300 to 500k (dependent on options selected)
Compliance	Compliant - responded in full with Selection Guide and spec documents	Compliant - full plans and spec submitted; minor options listed

Comment

The construction of a new staff house at 10 Leo Street aligns with the Shire's long-term infrastructure and asset management objectives by expanding and modernising the housing stock to provide contemporary, low-maintenance accommodation for staff.

The Building Asset Management Plan identifies a progressive reduction in annual building maintenance expenditure over the coming years as modern, low maintenance accommodation replaces older housing stock. While this trend provides operational efficiencies, it also results in a decrease in reactive and scheduled maintenance workload for the Shire's internal building team.

Delivery of fully established housing through modular or kit, based construction further reduces ongoing maintenance demands and site based activity. As a result, there is potential for a shortfall in available construction and maintenance hours required to maintain two full time builders and one apprentice during the 2026/2027 financial year.

This impact can be managed through careful forward programming of small scale building renewals, minor capital works and facility upgrades to ensure productive utilisation of staff resources.

Both Evoke Living Homes and Modular WA submitted conforming tenders that met the project specifications. The Modular WA design offers a larger total floor area (approximately 163 m² of living space plus an office and theatre) with integrated solar technology, making it technically superior for long-term staff housing use.

The Evoke Living Homes submission provides a more compact layout and simpler internal fit out, but remains cost competitive and consistent with standard Government Regional Officers' Housing (GROH) specifications.

Item	Evoke Living Homes	Modular WA
Base Construction (incl. site works & services)	\$501,692.36 (ex gst)	\$478,101.82 (ex gst)
Landscaping, fencing, driveway (by Shire)	\$35,000 allowance	\$35,000 allowance
Estimated Total Project (ex GST)	\$536,692.36	513,310.82

Item (Council built in-house)	Estimated Cost (ex GST)	Notes
Kit Home + Full Internal Finishing Kit (160 m ² , 3×2 + garage)	\$215,000	Includes linings, cabinetry, fixtures, fittings
Site Earthworks & Preparation	\$12,000	Includes clearing, levelling, compaction
Concrete Driveway & Pathways	\$12,500	Includes crossover, reinforced slab, and additional footpath to rear
Lock-up Garage (attached)	Included	Will be part of kit home
Small Storage Shed (supply + erection + concrete slab)	\$10,500	Based on previous shed cost and install
Fencing (side boundaries and rear)	\$11,000	Part perimeter
Landscaping (basic turf, garden beds, finish)	\$14,000	Includes extra planting and finish
Utility Connections (water, power, sewer)	\$17,000	Includes water meter (\$5,500) and trenching
Internal Labour – Council Staff (2,200 hrs @ \$47/hr + 100% overheads)	\$206,800	Includes builders time
Project Contingency (5%)	\$25,650	Covers minor overruns and scope changes
Total Estimated Cost	\$524,450	Fully supplied, council ready figure

Statutory Environment

- Local Government Act 1995: Section 3.57 (Tenders for Providing Goods and Services)
- Local Government (Functions and General) Regulations 1996: Part 4, Regulation 11(2)(b) (Preferred Supplier Panel).
- Local Government Act 1995: Section 6.8 (Expenditure not included in annual budget).
- Compliance with WALGA Preferred Supplier Panel PSP012: Construction and Building Environments.

Strategic Implications

- Strategic Community Plan: Outcome 1.1 Improve utilisation of Council assets through the development of an asset management plan
- Contributes to long-term financial sustainability by reducing future maintenance demand identified within the Building Asset Management Plan.

- Ensures the Shire maintains the capacity to accommodate staff required to deliver essential community and infrastructure services.

Policy Implications

- Finance Policy 3.5: Purchasing and Tendering; The procurement process complies with the Shire's policy for engagement of contractors through the WALGA Preferred Supplier Panel.
- Building Asset Management Policy: Supports the delivery of modern and sustainable infrastructure consistent with asset renewal and replacement strategies.

Financial Implications

Funding is available through the Building Reserve (\$2.27m). Operational budget impact, Nil (capital project only).

Under local government asset management practices, in-situ constructed dwellings are assigned an estimated useful life of around 60 years, compared to 27 years for modular housing, providing improved asset longevity, reduced annual depreciation, and greater long-term sustainability across the Shire's building portfolio.

Risk Implications

Risk Category	Description	Rating	Mitigation Action
Financial Impact	Final fit-out cost variation	Moderate (6)	Confirm scope and inclusions before award
Service Interruption	Construction delays from factory or transport	Low (3)	Set delivery milestones in contract
Compliance	Procurement audit and contract terms	Low (2)	Use WALGA template contract
Reputational	Staff housing delivery delay	Low (3)	Transparent reporting to Council
Property	Structural issues post-installation	Low (3)	10-year warranty and certified engineer sign-off
Environment	NIL		NIL

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

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)

Officer Recommendation

That Council, by Absolute Majority:

- 1. Rejects all tenders received under Vendor Panel Request VP477185 for the construction of one new 3×2 staff house at 10 Leo Street, Southern Cross.*
- 2. Authorises the Chief Executive Officer to proceed with the construction of the new 3×2 dwelling at 10 Leo Street using Council's internal building team and preferred panel trades, for a total cost not exceeding \$525,000 (GST exclusive).*
- 3. Notes that this approach supports continuity of work, professional development and retention of skilled building staff during the 2026/2027 financial year.*

9.3 Reporting Officer - Executive Manager Infrastructure

9.3.2 Yilgarn Iron Road User Fee Agreement

File Reference

Disclosure of Interest

Nil

Voting Requirements

Simple Majority

Attachments

Nil

Purpose of Report

To seek Council approval to support haulage access for Yilgarn Iron Pty Ltd using Three Boys Road, Cameron Road, and Koolyanobbing Road (a total of approximately 57 kilometres) under a one-off permit arrangement issued through Main Roads WA Heavy Vehicle Services (HVS), pending the finalisation of a formal Road User Agreement (RUA) with the Shire.

Once Mineral Resources Limited (MRL) has finalised its Road User Agreement responsibilities for Emu Fence Road, Yilgarn Iron intends to enter into a corresponding Road User Fee Agreement with the Shire to include Emu Fence Road within its approved haulage network.

Background

Yilgarn Iron Pty Ltd has advised of its intention to recommence iron ore mining operations in late 2025, initially transporting ore to the Koolyanobbing Ore Handling Plant for processing and export.

The company intends to use Parker Range Road, Great Eastern Highway, Three Boys Road and Cameron Road to connect with Koolyanobbing Road, forming a combined distance of approximately 57 kilometres of Shire managed roads before joining the rail facility at Koolyanobbing.

Earlier proposals included the use of Emu Fence Road. This section will not be used until MRL finalises its separate Road User Agreement with the Shire. Once the MRL agreement is finalised, Yilgarn Iron will transition to a formal Road User Fee Agreement aligned with the same contribution framework including Emu Fence Road.

To ensure haulage can commence safely and legally, the Shire is working with Main Roads WA Heavy Vehicle Services (HVS) to issue a one-off permit authorising Yilgarn Iron's operations along the 57 km route.

Comment

The proposed one-off permit arrangement allows Yilgarn Iron Pty Ltd to commence haulage operations lawfully and equitably while the broader Road User Agreement (RUA) framework (inclusion of Emu Fence Road) is being finalised. This approach provides the Shire with effective control over haulage activities, ensures that all operators contribute appropriately to

the upkeep of the road network and prevents road use by parties who have not met agreed contribution and compliance standards.

The long-term Road User Agreement to be developed between the Shire and Yilgarn Iron will formalise the following key components:

- **Approved Routes:** The initial haulage network will comprise Three Boys Road, Cameron Road and Koolyanobbing Road (approximately 57 km). Once Mineral Resources Limited (MRL) has finalised its own Road User Agreement, Emu Fence Road will be incorporated into Yilgarn Iron's approved haulage route under the same cost recovery framework.
- **Contribution Framework:** Contributions will be based on per-tonne or Equivalent Standard Axle (ESA) rates, indexed annually to reflect actual road wear and inflation. This ensures that heavy vehicle operators contribute in direct proportion to their impact on the road network.
- **Asset Protection Measures:** The RUA will require pre and post haulage condition surveys, photographic records, and independent inspection reports. Make good provisions will apply where road damage is directly attributable to haulage and road closure triggers will be implemented during wet weather or unsafe conditions.
- **Safety and Compliance Controls:** Haulage operations will be governed by strict safety management requirements, including school bus time restrictions, reduced speed limits near townsites and intersections and adherence to Main Roads WA PBS/AMMS and fatigue management conditions.
- **Financial and Administrative Safeguards:** The RUA will include monthly invoicing based on certified tonnage, and annual auditing of tonnage and contribution records to ensure transparency and accuracy.

This phased approach allows the Shire to manage road wear and risk responsibly while maintaining fairness among all commercial road users. It also ensures that funds collected through the Heavy Vehicle Road User Fee (HVRUF) can be directly reinvested into road upgrades, especially, the ongoing program to strengthen the final 25 km of Koolyanobbing Road each year.

Statutory Environment

Local Government Act 1995: Provides Council with the general power to control, manage, and maintain local roads (Section 3.1 and 3.25) and to enter into agreements and recover costs associated with damage or extraordinary use (Section 3.27 and 3.28). It also authorises Council to enter into commercial arrangements and to make decisions relating to the efficient and effective management of the Shire's infrastructure and resources.

Local Government (Functions and General) Regulations 1996 (Part 4): Prescribes tendering, quotation, and procurement requirements for any works or services undertaken as part of a Road User Agreement or funded through Heavy Vehicle Road User Fee (HVRUF) contributions.

Road Traffic (Vehicles) Act 2012 and Main Roads WA Heavy Vehicle Services (HVS) Framework: Governs the operation of restricted-access vehicles (RAV) on public roads,

including conditions under the Performance Based Standards (PBS) and Accredited Mass Management Scheme (AMMS) frameworks. The Shire's approval forms part of the CA07 consent process, ensuring local roads are suitable for the proposed configurations and that any additional requirements (e.g., route assessments, signage, or operating conditions) are formally recorded.

Heavy Vehicle National Law (as applied in WA): Provides the overarching regulatory framework for heavy-vehicle safety, mass, dimension, and fatigue management requirements, which the Shire recognises and enforces through the RUA and permit conditions.

Strategic Implications

This proposal directly supports the objectives of the Shire of Yilgarn Strategic Community Plan 2024 to 2034 by advancing the Shire's strategic priority - Pillar 2 – Economy

Statement of Strategic Outcome: A prosperous future for our community

GOAL 6. A safe and efficient transport networks.

Policy Implications

- **Shire of Yilgarn Heavy Vehicle Road User Fee (HVRUF) Policy**
 - The HVRUF Policy provides the framework for calculating, levying, and administering road user contributions from operators of heavy vehicles using local roads. Yilgarn Iron's proposed contribution of approximately \$2 million per annum will be calculated under this policy, ensuring full cost recovery based on Equivalent Standard Axle (ESA) impact and alignment with the Shire's long-term asset renewal funding strategy.
- **Shire of Yilgarn Asset Management Policy**
 - The RUA supports the Asset Management Policy by ensuring maintenance and renewal expenditure for the Three Boys, Cameron, Koolyanobbing route is funded from dedicated HVRUF revenue, reducing reliance on general rates and ensuring the road remains fit for purpose throughout the haulage program.
- **Main Roads WA Accredited Mass Management Scheme (AMMS) Policy**
 - Access for heavy vehicles will remain conditional upon compliance with the AMMS and Performance Based Standards (PBS) frameworks administered by Main Roads WA Heavy Vehicle Services (HVS). These conditions define allowable axle loads, vehicle configurations, and fatigue management standards. The Shire's RUA will complement, not duplicate, these statutory permit requirements ensuring that both asset preservation and road safety are maintained.

Financial Implications

Yilgarn Iron Pty Ltd anticipates transporting approximately 2 million tonnes of ore per annum along the Three Boys Road, Cameron Road, Koolyanobbing Road route, totalling around 57 kilometres of Shire managed roads.

Based on current modelling, this haulage volume is expected to generate approximately \$2 million per annum in Heavy Vehicle Road User Fee (HVRUF) contributions, representing a fully cost, recovered ESA based framework consistent with the Shire's long-term asset management objectives.

The HVRUF revenue will be reinvested into the local road network, enabling the progressive upgrade of the final 25 kilometres of Koolyanobbing Road each year, thereby improving freight efficiency, pavement strength, and long-term sustainability of the transport corridor.

This arrangement ensures:

- Full cost recovery for the Shire over the life of the haulage program;
- No net impact to ratepayers or other funding streams; and
- Strategic investment into asset renewal consistent with the Shire's Infrastructure and Asset Management Plans.

Risk Implications

Risk Category	Description	Rating (C × L)	Mitigation / Management Strategy
Health & Safety	Nil	Nil	Nil
Financial Impact	Potential under recovery of costs if operators other than Yilgarn Iron or MRL do not contribute at the correct ESA-based rate.	High (9)	Restrict access under the one-off permit arrangement; ensure all future Road User Agreements follow the same ESA-based contribution model and enforce security provisions
Service Interruption / Operational	Permit breaches or non-compliance with HVRUF payments or HVS conditions could disrupt haulage continuity.	Low (3)	Maintain close liaison with Main Roads WA Heavy Vehicle Services (HVS); incorporate compliance and suspension clauses within the RUA.
Compliance / Regulatory	Non-adherence to statutory obligations under the Road Traffic (Vehicles) Act 2012 or Local Government Act 1995.	Low (3)	Adhere to all MRWA HVS permit conditions; ensure Council authorisation and CEO delegation align with legislation and internal policies.
Asset / Property Condition	Accelerated wear or structural damage to Threeboys, Cameron, and Koolyanobbing Roads due to 2 Mtpa haulage.	Moderate (6)	Conduct pre, and post, haulage condition surveys, reinvest HVRUF income into progressive road upgrades.

Reputation	Stakeholder concern about fairness, environmental impact, or perceived preference between operators.	Moderate (6)	Maintain transparency by publishing the contribution rationale, providing public updates on road upgrade programs, and ensuring consistent application of policy to all operators.
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Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council:

- Endorses the Road User Agreement as presented for Yilgarn Iron Pty Ltd to operate on Three Boys Road, Cameron Road and Koolyanobbing Road (total approximately 57 km) under a one-off permit issued by Main Roads WA Heavy Vehicle Services (HVS).*
- Note the Road User Agreement covers a period of one year only with an option to extend.*
- Notes that Emu Fence Road will not be used for haulage until Mineral Resources Limited (MRL) has finalised its own Road User Agreement with the Shire, after which Yilgarn Iron will enter a corresponding Road User Fee Agreement aligned with the approved Heavy Vehicle Road User Fee (HVRUF) Policy and Equivalent Standard Axle (ESA) contribution framework.*

- 4. Acknowledges that Yilgarn Iron expects to transport approximately 2 million tonnes per annum, generating an estimated \$2 million per year in HVRUF contributions, which will be reinvested to progressively upgrade the final 25 kilometres of Koolyanobbing Road each year, improving freight efficiency and asset sustainability.***

9.3 Reporting Officer - Executive Manager Infrastructure

9.3.3 Koolyanobbing Road Route Determination

File Reference

Disclosure of Interest

Nil

Voting Requirements

Simple Majority

Attachments

Nil

Purpose of Report

To seek Council's consideration of a request from Main Roads WA Heavy Vehicle Services (HVS) to expand the Restricted Access Vehicle (RAV) and Accredited Mass Management Scheme (AMMS) network across several Shire roads associated with Yilgarn Iron Pty Ltd haulage operations.

Background

Main Roads WA Heavy Vehicle Services (HVS) has received an application from Yilgarn Iron Pty Ltd to include and/or upgrade Restricted Access Vehicle (RAV) and Accredited Mass Management Scheme (AMMS) access on the following roads within the Shire of Yilgarn for Performance-Based Standards (PBS) Configuration 3B.3 vehicles:

Level 3B		≤42.0 m	141.0t	Level 1	PBS TD3B.1
			147.0t	Level 2	PBS TD3B.2
			153.0t	Level 3	PBS TD3B.3

Road	SLK From	SLK To	Current Network	Requested Network	Current AMMS	Requested AMMS
Cameron Road	0.00	2.16	Tri Drive 4.3	PBSTD3B.3	Level 3	Level 3
Emu Fence Road	39.21	75.93	Tri Drive 1.1	PBSTD3B.3	Level 1	Level 3
Koolyanobbing -Southern Cross Road	0.00	51.82	Tri Drive 4.1	PBSTD3B.3	Level 1	Level 3
Parker Range Road	50.05	57.04	Tri Drive 4.3	PBSTD3B.3	Level 3	Level 3
Southern Cross CBH Wheat Bin Road	0.00	0.53	Tri Drive 4.3	PBSTD3B.3	Level 3	Level 3
Threeboys Road	0.00	2.91	Tri Drive 4.3	PBSTD3B.3	Level 3	Level 3
Koolyanobbing Access Road	0.00	2.50	Tri Drive 4.1	PBSTD3B.3	Level 1	Level 3

These roads form part of the principal freight route between Yilgarn Iron's Koolyanobbing operations and the Great Eastern Highway.

Council has considered heavy vehicle movements in this area through the proposed Heavy Vehicle Road User Fee (HVRUF) framework and the development of a Road User Agreement (RUA) between the Shire and Yilgarn Iron,

Comment

Officer level discussions have been held with Yilgarn Iron Pty Ltd and the company's management has been provided with the Shire's Heavy Vehicle Road User Fee (HVRUF) proposal covering the transport of up to 2 million tonnes per annum along the Three Boys Road, Koolyanobbing Road and Cameron Road route.

With the final 25 kilometres of Koolyanobbing Road now beyond its original design life, unrestricted AMMS Level 3 access by multiple operators would significantly accelerate pavement deterioration and expose the Shire to substantial future liabilities. To protect the network and ensure fair cost recovery, the Shire proposes to limit AMMS Level 3 access exclusively to Yilgarn Iron Pty Ltd, which has committed to maintaining the route to a safe and trafficable standard through its ongoing financial contributions.

Progressive upgrades will continue along this corridor over the coming years to improve road condition and capacity in line with increased haulage demand. During this period, some sections may continue to experience deterioration under heavy vehicle loading; however, these will be progressively repaired and maintained using Yilgarn Iron's HVRUF contributions as part of a structured renewal program.

This arrangement recognises Yilgarn Iron's willingness to make a significant annual contribution up to \$2 million per year toward the upgrade, maintenance and preservation of the affected roads. Restricting access to a single operator ensures asset sustainability, equitable cost recovery and a managed transition to higher capacity freight operations consistent with the Shire's Road Asset Management objectives. Allowing additional operators before upgrades are complete would undermine the agreed cost recovery model and compromise the long-term integrity of the corridor.

Emu Fence Road is not supported at this time, as it remains subject to the existing Mineral Resources Limited (MRL) Road User Agreement, which must be finalised before further consideration can occur. Yilgarn Iron has confirmed it is not prepared to assume MRL's liabilities associated with that agreement.

Statutory Environment

Local Government Act 1995

- Establishes the Shire's legal authority to manage roads within its district.
- Empowers local governments to restrict or close roads if deemed unsafe or unsuitable.
- Supports the creation of local laws and policies for infrastructure, safety, and asset management.
- Provides the framework for Council decision making on matters like RAV access, road upgrades, and freight impacts

- Main Roads WA is responsible for approving RAV routes, but must consult with local governments before adding or amending access.
- Local governments can approve, conditionally approve, or reject RAV access based on road suitability.

Strategic Implications

This proposal directly supports the objectives of the Shire of Yilgarn Strategic Community Plan 2024 to 2034 by advancing the Shire's strategic priority - Pillar 2 – Economy

Statement of Strategic Outcome: A prosperous future for our community

GOAL 6. A safe and efficient transport networks

Policy Implications

Main Roads WA RAV Access Policy

Main Roads WA's RAV Access Policy requires the Shire to be consulted before any heavy vehicle route is approved. The Shire has full authority to approve, set conditions, or reject access based on road condition, safety, and future planning. The policy also encourages using conditions and maintenance agreements to help protect local roads from damage.

WALGA Incremental Cost Impact Guidance (2025)

The WALGA Incremental Cost Impact Guidance (2025) makes it clear that basic cost modelling isn't reliable when roads don't match typical designs, are in poor shape, or carry unusually heavy freight. In these situations, like on Koolyanobbing Road, it backs the Shire's position that upgrades or shared funding may be needed before allowing heavy vehicle access.

Shire of Yilgarn RAV and AMMS Policy

Extraordinary loads are heavy vehicle movements that cause early damage to roads. If the actual road condition doesn't match its expected status, the Shire can reassess whether it's suitable. This may include changing its classification or applying user fees to help cover costs and protect local infrastructure.

Heavy Vehicle Road User Fee Policy

The Heavy Vehicle Road User Fee Policy allows the Shire to request contributions from freight operators when roads are used more intensively than they were designed for. It reinforces that decisions should be based on the actual state and strength of the road, not just its classification. The policy also supports WALGA's approach to fair cost recovery where concessional loading causes extra wear and tear.

Financial Implications

Yilgarn Iron Pty Ltd anticipates transporting approximately 2 million tonnes of ore per annum along the Three Boys Road, Cameron Road, Koolyanobbing Road route, totalling around 57 kilometres of Shire managed roads.

Based on current modelling, this haulage volume is expected to generate approximately \$2 million per annum in Heavy Vehicle Road User Fee (HVRUF) contributions, representing a fully cost, recovered ESA based framework consistent with the Shire's long-term asset management objectives.

The HVRUF revenue will be reinvested into the local road network, enabling the progressive upgrade of the final 25 kilometres of Koolyanobbing Road each year, thereby improving freight efficiency, pavement strength, and long-term sustainability of the transport corridor.

Risk Implications

Risk Category	Description	Rating	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Accelerated pavement wear without cost recovery	High	Restrict access under RUA and HVRUF
Service Interruption	Nil	Nil	Nil
Compliance	Failure to align with engineering advice	Moderate	Formal RAV assessment and Council resolution
Reputational	Community perception of inequitable treatment	Low	Transparent communication and Council endorsement
Property	Nil	Nil	N/A

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, by Simple Majority pursuant to the Local Government Act 1995 and Shire of Yilgarn policies:

- 1. Supports the application for AMMS Level 3 access on Three Boys Road, Koolyanobbing Road and Cameron Road, restricted exclusively to Yilgarn Iron Pty Ltd under a formal Road User Agreement and Heavy Vehicle Road User Fee (HVRUF) contribution arrangement, with no other operator authorised to utilise this route at AMMS Level 3.*
- 2. Does not support the inclusion of Emu Fence Road at this time, as it remains subject to the existing MRL Road User Agreement, which must be finalised prior to reconsideration.*

9.3 Reporting Officer - Executive Manager Infrastructure

9.3.4 Purchase of Dedicated Water Truck Via Auction

File Reference

Disclosure of Interest

Nil

Voting Requirements

Absolute Majority

Attachments

Nil

Purpose of Report

To seek Council approval to purchase a dedicated water truck through public auction to meet the Shire's operational requirements during the summer construction season.

Background

The Shire's current water cartage capacity is limited during the warmer months when road construction, maintenance, sealing, and dust-suppression activities occur simultaneously. To maintain productivity and ensure adequate water supply during the construction season, a second dedicated water truck is required.

Council's 2025/2026 Budget makes provision for the purchase of a new water truck under the Plant Replacement Program. The additional unit will improve operational efficiency, reduce downtime, and provide greater flexibility for scheduling roadworks and maintenance across the Shire.

Comment

A purpose-built water truck will provide a more reliable and fit, for purpose solution compared with modifying existing vehicles or relying on external hire. Dedicated water trucks are designed for efficient filling, spray coverage, and dust control, which will enhance the Shire's construction capability and operational safety.

Suitable ex-government or ex-mining specification trucks are regularly available through reputable auction platforms such as Pickles, Grays Online, and Manheim. Vehicles sourced through these auctions typically present excellent value for money, with lower operating hours and well documented service histories compared with equivalent used vehicles offered through commercial dealers.

The estimated purchase range is \$200,000 to \$250,000, consistent with the current budget allocation. Purchasing through public auction provides flexibility to secure a high, quality unit within this range, representing a cost-effective investment for the Shire's plant fleet.

Statutory Environment

- Local Government Act 1995 (WA)

- Local Government (Functions and General) Regulations 1996 - Regulation 11(2)(d) provides that:

“Tenders do not have to be publicly invited according to the requirements of this Division if the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government.”

Strategic Implications

Outcomes 3.1: Enhance and maintain transport and associated infrastructure.

Outcome 4.2: Maintain high standards of governance, accountability, and resource management

Policy Implications

The Shire of Yilgarn Purchasing Policy 3.3, Section 5.8, Public auction purchases are permitted where they represent value for money.

Financial Implications

Provision of \$250,000 has been made in the 2025/2026 Plant Replacement Program for the purchase of a water truck. Based on recent auction data, the total acquisition cost is expected to remain within this allocation.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil		
Financial Impact	Risk of exceeding auction budget or fit-out costs	Moderate (6)	Set purchase limit
Service Interruption	Delay in delivery prior to construction season	Low (2)	Schedule purchase early; confirm delivery before peak works
Compliance	Must comply with LG Regulations 11(2)(d) and internal purchasing policy.	Low (2)	Maintain documentation and CEO delegation approval
Reputational	Nil		
Property	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 by Absolute Majority under the Local Government (Functions and General) Regulations 1996 - Part 4 Regulation 11(2)(d), authorises the Chief Executive Officer to purchase a suitable dedicated water truck through public auction for an amount not exceeding \$250,000 (GST exclusive) inclusive of fees and transport.

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

14 CLOSURE