Minutes

Ordinary Meeting of Council

20 November 2025

DISCLAIMER

Any Plans or documents in agendas or minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material, as per the Copyright Act 1968.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including the resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Yilgarn must obtain, and should rely on, written notice of the Shire of Yilgarn's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done in a Council meeting.

Any advice provided by an employee of the Shire of Yilgarn on the operation of a written law, or the performance of a function by the Shire of Yilgarn, is provided in the capacity of an employee, and to the best of the persons knowledge and ability. It does not constitute, and should not be relied upon, as legal advice or representation by the Shire of Yilgarn. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Yilgarn should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

Table of Content

1 Declaration of Opening/Announcement of Visitors 1
2 Announcements from the Presiding Member 1
3 Attendance 1
4 Declaration of Interest 2
5 Response to Previous Public Questions Taken on Notice 2
5.1 Public Question Time 3
6 Confirmation of Minutes 4
7 Presentations, Petitions, Deputations 6
8 Delegates' Reports 6
9 Officers' Reports 7
9.1 Chief Executive Officer
9.1.1 Council Decision Status Report 2025 7
9.1.2 2025-2026 Christmas - New Year Closure 9
9.1.3 Council Meeting Dates 12
9.1.4 2025/2026 Community Funding Program 15
9.1.5 Disposal of Council Assets - 71 Antares St Southern Cross 20
9.1.6 Appointment of CEO Selection Panel, Independent Member and Consultancy Support 25
9.1.7 Proposed Amendment Local Law 29
9.1.8 Purchase of Lots 10 and 12, 50 Antares Street, Southern Cross 39
9.1.9 Central East Accommodation and Care Alliance - Housing Development 43
9.2 Executive Manager Corporate Services
9.2.1 Financial Reports - October 2025 48
9.2.2 Accounts for Payment - October 2025 52
9.2.3 Request for Refund - Interest Paid on Overdue Rates 56
9.3 Executive Manager of Infrastructure
9.3.1 Out of Budget Purchase Portable Traffic Lights for Shire Projects 61
9.3.2 Shovel Ready Projects - 2025/26 RRG Program 64
10 Application for Leave of Absence 67
11 Motions for Which Previous Notice Has Been Given 67
12 New Business of an Urgent Nature Introduce by Decision of the Meeting 67
13 Meeting Closed to the Public - Confidential Items 67
13.1 Premier's Australia Day Active Citizenship Awards 2026 68
14 Closure 70

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 5:00pm.

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

3. ATTENDANCE

Members	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
	G Brigg	Executive Manager Infrastructure
	K Chrisp	Asset and Projects Manager
	T Beaton	Executive Assistant
Apologies:		
Observers:	Kaye Crafter	
	Joel Kent	
	Travis Prue	
Leave of Absence:		

4. DECLARATION OF INTEREST

Cr Close declared an impartiality pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulation 2021 in relation to agenda item 9.1.4 2025/2026 Community Funding Program due to their position as a Committee Member of AWE.

Cr Guerini declared an impartiality pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulation 2021 in relation to agenda item 9.1.4 2025/2026 Community Funding Program due to their position as President of the Southern Cross Motorcycle Club.

Cr Bradford declared an impartiality pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulation 2021 in relation to agenda item 9.1.4 2025/2026 Community Funding Program due to their partners position as President of the Bullfinch Shooting Club and being a member of AWE and the Yilgarn Netball Association.

Cr Rose declared an impartiality pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulation 2021 in relation to agenda item 9.1.4 2025/2026 Community Funding Program due to being a committee member of AWE and Treasurer of the Bullfinch Shooting Club.

Cr Newbury declared an impartiality pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulation 2021 in relation to agenda item 9.1.4 2025/2026 Community Funding Program due to being a committee member of AWE, the Yilgarn Community Support Group and the Southern Cross Golf Club.

Cr Granich declared an impartiality pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulation 2021 in relation to agenda item 9.1.4 2025/2026 Community Funding Program due to being the Secretary of AWE, Council Representative of the Yilgarn Community Support Group and Treasurer of the Southern Cross Catholic Parish.

CEO Nic Warren declared an impartiality pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulation 2021 in relation to agenda item 9.1.4 2025/2026 Community Funding Program due to being a Committee Member of the Yilgarn Bowling Club and their partner is a member of CWA Southern Cross.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.1. PUBLIC QUESTION TIME

Kaye Crafter attended Public Question Time and posed the following questions:

Yellowdine

Can the Shire request the Main Roads for a re-calibration for the speed through Yellowdine. At present it is 90km without residents and is stupid when Burracoppin is 110km with residents. The building at Yellowdine is an eyesore. Can the Shire talk to the owners to get the building demolished and the site cleaned up. The two dams, the rock and siding sites could be used as a rest area for motorists, tourists, fatigue management etc and interpretation signage installed there for another touristy place along the Highway.

The CEO responded, we certainly can contact Main Roads we then we can contact the owners and relevant individuals.

Road Closures

Is it possible to place cameras at the ROAD CLOSED SIGNS on our gravel roads so we can see who it is driving down the roads and wrecking them, usually heavy trucks that ignore the signs. It is expensive to keep our roads in good condition when it's dry but much worse when it rains. As a ratepayer, I think it would be cheaper to install cameras than to keep fixing gravel roads, plus the revenue would help with maintenance and probably pay for the cameras etc.

The CEO responded, yes, it is possible to put cameras up the only caveat is the logistics, we have got lots of roads. It would be an expensive exercise to put cameras on all of them. We can try and manage based on the highest volume of trucks. It is something will we look at.

6. CONFIRMATION OF MINUTES

6.1 Special Meeting of Council Minutes, Thursday, 9th October 2025 - (Minutes Attached)

146/2025
Moved Cr Guerini/Seconded Cr Rose
That the minutes from the Special Council Meeting held on the 9th October 2025 be confirmed as a true record of proceedings.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

6.2 Ordinary Meeting of Council Minutes, Thursday, 16th October 2025 - (Minutes Attached)

147/2025
Moved Cr Bradford/Seconded Cr Guerini
That the minutes from the Ordinary Council Meeting held on the 16th October 2025 be confirmed as a true record of proceedings.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

6.3 Special Meeting of Council Minutes, Thursday, 21st October 2025 - (Minutes Attached)

148/2025
Moved Cr Bradford/Seconded Cr Guerini
That the minutes from the Special Council Meeting held on the 21st October 2025 be confirmed as a true record of proceedings.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

6.4 Shire of Yilgarn Audit, Risk and Improvement Committee Meeting Minutes, Thursday, 16th October 2025 - (Minutes Attached)

149/2025
Moved Cr Bradford/Seconded Cr Rose
That the minutes from the Shire of Yilgarn Audit, Risk and Improvement Committee Meeting held on the 16th October 2025 be received.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

6.5 WEROC Inc. Board Meeting Minutes, Tuesday, 14th October 2025 - (Minutes Attached)

150/2025
Moved Cr Bradford/Seconded Cr Newbury
That the minutes from the WEROC Inc. Board Meeting held on the 14th October 2025 be received.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

6.6 Wheatbelt North-East SRRG Meeting Minutes, Tuesday, 28th October 2025 - (Minutes Attached)

151/2025
Moved Cr Guerini/Seconded Cr Newbury
That the minutes from the Wheatbelt North-East SRRG Meeting held on the 28th October 2025 be received.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

6.7 Yilgarn History Museum Advisory Committee Meeting Minutes, Friday, 5th November 2025 - (Minutes Attached)

152/2025
Moved Cr Rose/Seconded Cr Bradford
That the minutes from the Yilgarn History Museum Advisory Committee Meeting held on the 5th November 2025 be received.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

Nil.

8. DELEGATES' REPORTS

Cr Close

- Special Meeting of Council and Cr Della Bosca's farewell dinner - 21st October 2025
- SRRG (Mukinbudin) - 28th October 2025
- GEZED (Kellerberrin) - 13th November 2025

Cr Guerini

- Special Meeting of Council and Cr Della Bosca's farewell dinner - 21st October 2025

Cr Bradford

- Special Meeting of Council and Cr Della Bosca's farewell dinner - 21st October 2025

Cr Rose

- Special Meeting of Council and Cr Della Bosca's farewell dinner - 21st October 2025

Cr Newbury

- Southern Cross Aerodrome Emergency Desktop Meeting - 21st October 2025
- Special Meeting of Council and Cr Della Bosca's farewell dinner - 21st October 2025
- Wheatbelt Agcare - 28th October 2025
- Yilgarn Iron Community Presentation - 12th November 2025

Cr Granich

- Special Meeting of Council and Cr Della Bosca's farewell dinner - 21st October 2025
- Yilgarn Iron Community Presentation - 12th November 2025
- Water Corporation Presentation - 20th November 2025

9.1 Officers Report - Chief Executive Officer

9.1.1 Council Decision Status Report 2025

File Reference	**1.1.11**
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)

Officer Recommendation

153/2025
Moved Cr Rose/Seconded Cr Guerini
That Council note the Council Decision Status Report 2025.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

9.1 Officers Report - Chief Executive Officer

9.1.2 2025-2026 Christmas - New Year Closure

File Reference	
Disclosure of Interest	**None**
Voting Requirements	**Simple Majority**
Author	**Nic Warren - Chief Executive Officer**
Attachments	**Nil**

Purpose of Report

To present to Council for approval, the closure of the Administration Office over the 2025/2026 Christmas and New Year holiday period**.**

Background

The Shire's administration office closes over the Christmas and New Year period, to allow staff to have time off with family and friends. This time of the year is normally quiet and the closure has little impact upon the community as it is now an accepted practice.

There is also a provision for the Shire of Yilgarn Staff and Councillor Christmas Function on 12 December 2025.

Comment

The recommended administration closure dates are as follows,

Monday	Tuesday	Wednesday	Thursday	Friday
8/12/2025 Open	9/12/2025 Open	10/12/2025 Open	11/12/2025 Open	12/12/2025 Open AM Closed PM
15/12/2025 Open	16/12/2025 Open	17/12/2025 Open	18/12/2025 Open	19/12/2025 Open
22/12/2025 Closed	23/12/2025 Closed	24/12/2025 Closed	25/12/2025 Christmas Day	26/12/2025 Boxing Day
29/12/2025 Closed	30/12/2025 Closed	31/01/2025 Closed	1/01/2026 Public Holiday	2/01/2026 Closed
5/01/2026 Open	6/01/2025 Open	7/01/2025 Open	8/01/2025 Open	9/01/2025 Open

The above closure dates will be posted at the Shire Office, advertised in "Crosswords" and placed on the Shire website, to ensure the community have sufficient notice.

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	Work fatigue of staff.	Low (3)	Closure period to allow good rest period and ability to refresh for 2026
Financial Impact	Nil	Nil	Nil
Service Interruption	Access to Shire administration Services will be reduced	Moderate (8)	Adequate public notice and accepted practice allows for community to ensure Shire administrative needs are addressed prior to closure
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

154/2025
Moved Cr Granich/Seconded Cr Bradford
That Council approves of the Shire Administration Office opening hours for the 2025/2026 Christmas and New Year period, as presented, subject to staff undertaking adequate advertising to inform the community of the closure.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

9.1 Officers Report - Chief Executive Officer

9.1.3 Council Meeting Dates - 2026

File Reference	
Disclosure of Interest	**None**
Voting Requirements	**Simple Majority**
Author	**Nic Warren - Chief Executive Officer**
Attachments	**Nil**

Purpose of Report

To present to Council for determination, the time and date of Ordinary Council meetings for 2026.

Background

Council is required to determine the time and date of Council meetings for 2026 to allow public notice to be provided in accordance with the *Local Government (Administration) Regulations 1996*.

Comment

Nil.

Statutory Environment

Section 12 of the *Local Government (Administration) Regulations 1996* requires a Local Government to at least once a year give local public notice of the dates, time and place at which –

(a) The ordinary council meetings; and

(b) The committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

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	
Service Interruption	Nil	Nil	Nil
Compliance	Non-compliance with Regulations.	Moderate (6)	Once set, public notice to be undertaken to comply with Regulations.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

Recommendation

155/2025
Moved Cr Bradford/Seconded Cr Rose
That in accordance with Section 12 of the Local Government (Administration) Regulations 1996 relating to the advertising of meeting times and dates of monthly Ordinary meetings, the following schedule of times and dates be adopted for the 2026 calendar year: -

Monthly Ordinary Council meetings to commence at 5:00pm on the following dates: -

	January 2026	***No Meeting Scheduled***
Thursday, 19th	***February 2026***	***Council Chambers Southern Cross***
Thursday, 19th	***March 2026***	***Council Chambers Southern Cross***
Thursday, 16th	***April 2026***	***Council Chambers Southern Cross***
Thursday, 21st	***May 2026***	***Council Chambers Southern Cross***
Thursday, 18th	***June 2026***	***Council Chambers Southern Cross***
Thursday, 16th	***July 2026***	***Council Chambers Southern Cross***
Thursday, 20th	***August 2026***	***Council Chambers Southern Cross***
Thursday, 17th	***September 2026***	***Mt. Hampton Hall***
Thursday, 15th	***October 2026***	***Council Chambers Southern Cross***
Thursday, 19th	***November 2026***	***Council Chambers Southern Cross***
Thursday, 17th	***December 2026***	***Council Chambers Southern Cross***

Prior to the commencement of the Council Meeting, a Councillor Briefing Session will be conducted at 3.00pm.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

9.1 Officers Report - Chief Executive Officer

9.1.4 2025/2026 Community Funding Program

File Reference	
Disclosure of Interest	**The CEO declares an impartiality interest as a Committee Member of the Yilgarn Bowling Club and his spouse is a member of the Southern Cross CWA.**
Voting Requirements	**Absolute Majority**
Author	**Monica Fairless – CRC Coordinator**
Attachments	**Confidential Applications Register**

Purpose of Report

To consider the Community Funding Grant applications for the 2025/2026 Financial year.

Background

The Shire of Yilgarn Community Funding Program was developed to:

- To provide a source of funding for non-profit community organisations operating within the district;
- To assist community organisations in maximising their future development.
- To provide an impartial means by which community organisation can access Council funds.

As part of the 2025/2026 Budget, Council resolved to make available $16,000 (excluding GST), with three categories of Funding available - 'Essential Equipment/Capital Items' (up to $2,000), 'Community/Sporting Event related expenses' (up to $2,000), and 'Travel & Training Assistance' (up to $500).

Comment

For the 2025/2026 Community Funding program, the following eligible applications were received:

Applicant	***Equipment / item***	***Funded Amount***	***Club Contribution***
Yilgarn Bowling Club	*4 sets of barefoot bowls for use for night bowlers to encourage new members to our club*	*$1,200.00*	*$ 0.00*
AWE - All Weather Extravaganza	*Hire of Community Centre for All Weather Extravaganza Fundraising Event (to raise funds for the airport reserve fund).*	*$1,610.00*	*$ 0.00*
Yilgarn Community Support Group	*12 months phone credit for YCSG help phone, printing paper and ink for committee use, venue hire,*	*$961.00*	*$ 0.00*

	printing costs and other items for Bingo Fundraising Event		
Yilgarn Ladies Darts Association	*A laptop for secretarial/treasurer work, and 2 tablets for scoring purposes*	*$2,000.00*	*$ 58.90*
Bullfinch Shooting Club	*Purchase new updated steel popper targets to replace old ones at the shooting club.*	*$2,000.00*	*$ 643.00*
Yilgarn Agricultural Society	*Purchase of a new honour board and name plates*	*$1,889.50*	*$ 0.00*
Southern Cross Football Club	*Purchase of an iPad and protective cover for use with the new scoreboard system*	*$1,478.00*	*$ 0.00*
Mt Hampton Progress Association	*Purchase of 2 picnic tables for member use during matches, and bar table for use when hosting events (such as Shire Meetings)*	*$2,000.00*	*$ 676.00*
Southern Cross Golf Club	*Purchase a new portable BBQ to continue to hold sausage sizzles and steak nights throughout golf season*	*$1,683.90*	*$ 0.00*
Southern Cross Catholic Parish	*Fabrication and installation of a stained-glass window at Our Lady of Montserrat Church (in the St Lucy's side chapel area)*	*$2,000.00*	*$ 6,600.00*
Yilgarn Netball Association	*Purchase of a new iPad to be used by YNA committee and volunteers for electronic scoring and registrations*	*$749.00*	*$ 0.00*
Southern Cross Motorcycle Club	*Purchase a Square register kit and 2 x USB cash drawers (plus 24 rolls of receipt paper) in preparation for holding bigger events at the clubrooms.*	*$2,000.00*	*$ 506.00*
Southern Cross Football Club	*Attending meetings in Narembeen to ensure the SXFC remains up to date with requirements for the EDFL*	*$500.00*	*$ 0.00*
CWA Southern Cross Branch	*Assistance to hold the Yilgarn Ladies Day with funds covering costs of guest speakers and catering.*	*$2,000.00*	*$ 8,000.00*

The total amount to be funded by the Shire of Yilgarn equates to $22,071.40 inc GST, which is greater than the $16,000 included in the 2025/2026 budget.

Copies of the applications received have been tabled in a confidential register, attached for Councillors perusal.

The total of funds required for all applications to be awarded is $22,071.40, and whilst only $16,000 ex GST is budgeted, it is deemed appropriate to allow all applications to receive their desired funds.

Statutory Environment

Nil.

Strategic Implications

2024-2034 Strategic Community Plan
Strategy 1.4 - Continue to engage with and support local sporting clubs, community groups and volunteers to deliver their activities, competitions and services

Policy Implications

Council Policy Manual – 5.5 Community Funding Program.

Financial Implications

Council has included $16,000 ex GST in the 2025/26 Budget. The total of eligible applications received totals $22,071.40 inc GST.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health/People	Community groups suffer due to lack of equipment or funding	Moderate (6)	Funding available to assist local clubs
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

156/2025
Moved Cr Granich/Seconded Cr Rose
That Council by Absolute Majority:

1. ***Approves the following grants from the Community Funding Program for the 2025/2026 financial year:-***

Applicant	*Equipment / item*	*Amount*
Yilgarn Bowling Club	*4 sets of barefoot bowls for use for night bowlers to encourage new members to our club*	*$1,200.00*
AWE - All Weather Extravaganza	*Hire of Community Centre for All Weather Extravaganza Fundraising Event (to raise funds for the airport reserve fund).*	*$1,610.00*
Yilgarn Community Support Group	*12 months phone credit for YCSG help phone, printing paper and ink for committee use, venue hire, printing costs and other items for Bingo Fundraising Event*	*$961.00*
Yilgarn Ladies Darts Association	*A laptop for secretarial/treasurer work, and 2 tablets for scoring purposes*	*$2,000.00*
Bullfinch Shooting Club	*Purchase new updated steel popper targets to replace old ones at the shooting club.*	*$2,000.00*
Yilgarn Agricultural Society	*Purchase of a new honour board and name plates*	*$1,889.50*
Southern Cross Football Club	*Purchase of an iPad and protective cover for use with the new scoreboard system*	*$1,478.00*

Mt Hampton Progress Association	*Purchase of 2 picnic tables for member use during matches, and bar table for use when hosting events (such as Shire Meetings)*	*$2,000.00*
Southern Cross Golf Club	*Purchase a new portable BBQ to continue to hold sausage sizzles and steak nights throughout golf season*	*$1,683.90*
Southern Cross Catholic Parish	*Fabrication and installation of a stained-glass window at Our Lady of Montserrat Church (in the St Lucy's side chapel area)*	*$2,000.00*
Yilgarn Netball Association	*Purchase of a new iPad to be used by YNA committee and volunteers for electronic scoring and registrations*	*$749.00*
Southern Cross Motorcycle Club	*Purchase a Square register kit and 2 x USB cash drawers (plus 24 rolls of receipt paper) in preparation for holding bigger events at the clubrooms.*	*$2,000.00*
Southern Cross Football Club	*Attending meetings in Narembeen to ensure the SXFC remains up to date with requirements for the EDFL*	*$500.00*
CWA Southern Cross Branch	*Assistance to hold the Yilgarn Ladies Day with funds covering costs of guest speakers and catering.*	*$2,000.00*

And

2. ***Endorses the total expenditure of $22,071.40, noting it is $6,071.40 over the originally budgeted amount.***

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

9.1 Officers Report - Chief Executive Officer

9.1.5 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	**Nil**

Purpose of Report

For Council to consider the disposal of the Shire owned property at 71 Antares Street, Southern Cross to Mr Gilbert Foster.

Background

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

At the October 2025 Ordinary Council Meeting, the following resolution was carried:

135/2025
Moved Cr Close/Seconded Cr Rose
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

CARRIED (7/0)
Cr's For: Della Bosca, Close, Bradford, Guerini, Newbury, Rose, Granich
Cr's Against: Nil

Comment

As per Section 3.58 of the *Local Government Act 1995*, the proposed disposal was advertised via local public notice, detailed the following:

Property:	71 Antares Street, Southern Cross
Buyer:	Mr Gilbert Foster
Price Offered:	$80,000
Market Valuation:	$150,000 - $160,000

Written submissions were sought via mail, in person or via email

Submissions were received up until 4:00 pm on 12 November 2025.

The notice was placed in the Kalgoorlie Miner newspaper on 27 October 2025, as well as the Shire's website, Facebook page and notice boards.

No submissions were received.

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.

Council are now asked to consider the disposal of 71 Antares Street, Southern Cross to Mr Gilbert Foster for $80,000, noting there were no submissions received from the public notice period.

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

$80,000 income and approximately $1,500 in conveyancing costs.

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

157/2025
Moved Cr Rose/Seconded Cr Granich
That Council:

1. ***Notes local public notice, compliant with Section 1.7 and 3.58 of the Local Government Act 1995 was undertaken, advising of the proposed disposal of 71 Antares Street, Southern Cross to Mr Gilbert Foster for a consideration of $80,000;***

2. ***Notes no submissions were received for consideration;***

3. ***Endorses the Shire of Yilgarn disposing of 71 Antares Street, Southern Cross to Mr Gilbert Foster for a consideration of $80,000;***

4. ***Endorses the Shire President and Chief Executive Officer executing and applying the Shire's Common Seal to relevant paperwork associated with the sale.***

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

9.1 Officers Report - Chief Executive Officer

9.1.6 Appointment of CEO Selection Panel, Independent Member and Consultancy Support

File Reference	**1.1.1.1**
Disclosure of Interest	**None**
Voting Requirements	**Simple Majority**
Author	**Nic Warren - Chief Executive Officer**
Attachments	**Standards for Chief Executive Officer Recruitment and Selection, Performance Review and Termination**

Purpose of Report

For Council to consider the appointment of the CEO Recruitment Selection Panel, including the appointment of an independent panel member as per the adopted Standards for Chief Executive Officer Recruitment and Selection, Performance Review and Termination and selection of consultancy support.

Background

The Shire's Chief Executive Officer (CEO) Mr Nic Warren, tendered his resignation on 4 November 2025 providing three months' notice up to the 30th January 2026.

As such, Council must now commence the process for recruitment of a new CEO.

As per the Shire's *Standards for Chief Executive Officer Recruitment and Selection, Performance Review and Termination*, Council must establish a Selection Panel for the employment of a new CEO which includes an independent member.

The Standards for Chief Executive Officer Recruitment and Selection, Performance Review and Termination is attached for Councillors reference.

Whilst not compulsory, it is recommended an independent consultant is engaged to assist with the process.

Comment

It is primarily up to Council how many Councillors it wishes to appoint to the Selection Panel, but it is necessary to appoint at least one (1) independent person.

The Guidelines issued by the Department for CEO Recruitment and Selection indicated the following independent persons could be considered as members of the Selection Panel:-

- former elected members or staff members of the local government;
- former or current elected members (such as a Mayor or Shire President) or staff members of another local government;
- a prominent or highly regarded member of the community; or

- a person with experience in the recruitment of CEOs and senior executive.

The Shire's previous Shire President Mr Wayne Della Bosca has been contacted to gauge his interest in the position of independent member and has indicated his willingness to be involved.

The CEO has sought quotations for consultancy services to run the CEO recruitment process, which have been provided separately.

The 2025/2026 annual budget has a provision for consultants which will cover the consultancy costs associated with the CEO recruitment process. There is also a provision in the 2025/2026 budget for Annual CEO review, which will not be required at this stage.

Statutory Environment

Standards for Chief Executive Officer Recruitment and Selection, Performance Review and Termination

8. Establishment of selection panel for employment of CEO

(1) In this clause —
***independent person** means a person other than any of the following —*
(a) a council member;
(b) an employee of the local government;
(c) a human resources consultant engaged by the local government.

(2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.

(3) The selection panel must comprise —
(a) council members (the number of which must be determined by the local government); and
(b) at least 1 independent person.

Strategic Implications

Community Strategic Plan 2024 – 2034
Pillar 4 – Civic Leadership
Statement of Strategic Outcome: Accountable and strong leadership guiding our community into the future.

Policy Implications

Nil.

Financial Implications

Costs associated with engaging a consultant to run the recruitment process to be covered under consultancy provisions in 2025/2026 Annual Budget.

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	As per the Standards for CEO Recruitment and Selection, Performance Review and Termination	Moderate (6)	Appointment of Selection Panel including appointment of Independent Person
Reputational	Shire to maintain a high level of corporate governance, responsibility and accountability	High (10)	Ensure that Standards are adhered to
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:

1. ***Formally accept the resignation of Chief Executive Officer Nic Warren.***

2. ***In accordance with Clause 8 of the Standards for Chief Executive Officer Recruitment and Selection, Performance Review and Termination appoints the following Councillor to the CEO Selection Panel for the Recruitment of the new Chief Executive Officer position:-***

   Cr Close, Cr Guerini, Cr Bradford, Cr Rose, Cr Newbury and Cr Granich

   or alternatively,

   That the whole of Council be appointed to be on the Selection Panel; and

   AND

   Mr Wayne Della Bosca, former Shire of Yilgarn President and Councillor, be appointed as the Independent Person on the Selection Panel.

3. ***Council consider and endorse a suitable consultancy firm to be engaged to assist with the CEO recruitment process.***

Council Decision

158/2025
Moved Cr Rose/Seconded Cr Granich
That Council:

1. ***Formally accept the resignation of Chief Executive Officer Nic Warren.***

2. ***In accordance with Clause 8 of the Standards for Chief Executive Officer Recruitment and Selection, Performance Review and Termination appoints the following Councillors to the CEO Selection Panel for the Recruitment of the new Chief Executive Officer position:-***

   Cr Close, Cr Guerini, Cr Bradford, Cr Rose, Cr Newbury and Cr Granich

   AND

   Mr Wayne Della Bosca, former Shire of Yilgarn President and Councillor, be appointed as the Independent Person on the Selection Panel.

3. ***Council endorse 1560 Square to be engaged to assist with the CEO recruitment process.***

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Guerini, Rose, Newbury, Granich
Cr's Against: Nil

9.1 Officers Report - Chief Executive Officer

9.1.7 Proposed Amendment Local Law

File Reference	
Disclosure of Interest	**None**
Voting Requirements	**Simple Majority**
Author	**Nic Warren - Chief Executive Officer**
Attachments	**- Public Places, Local Government Property and Trading Amendment Local Law (2026)** **- Public Places, Local Government Property and Trading Local Law 2025**

Purpose of Report

For the Presiding Member to give notice to the meeting of the purpose and effect of proposed Amendment Local Law.

Background

At the February 2025 Ordinary Council meeting, the following recommendation was carried:

7/2025
Moved Cr Granich/Seconded Cr Close
That Council, by Absolute majority:

- ***Note that no community submissions were received in relation to the:***
  - ***Public Places, Local Government Property and Trading Local Law 2025***
  - ***Removal of Refuse, Rubbish and Disused Materials Local Law 2025***
  - ***Bush Fire Brigade Local Law 2025***
- ***Note the responses from the Hon Hannah Beazley MLA, Minister for Local Government and Commissioner of the Department of Fire and Emergency Services .***
- ***Agree to accept all changes proposed and adopt the following Local Laws as presented:***
  - ***Public Places, Local Government Property and Trading Local Law 2025***
  - ***Removal of Refuse, Rubbish and Disused Materials Local Law 2025***
  - ***Bush Fire Brigade Local Law 2025***
- ***Determine the proposed Local Laws are not Significantly Different as a result of the proposed amendments.***
- ***Authorise the CEO to make minor grammatical and formatting changes to the adopted local laws prior to gazettal.***
- ***Authorise the CEO to advertise the adopted local laws in the Government Gazette.***
- ***Authorise the CEO to Submit to the Minister for Local Government, following advertising in the Government Gazette, a copy of the adopted local laws.***

- ***Authorise the CEO to advertise, as a local public notice, the adoption of the local laws.***
- ***Authorise the CEO to compile and submit the Explanatory Memorandum and associated papers to the Joint Standing Committee on Delegated Legislation.***

CARRIED (7/0)

Cr's For: Della Bosca, Close, Bradford, Guerini, Granich, Newbury, Rose
Cr's Against: Nil

The Explanatory Memorandum and associated papers were provided to the Joint Standing Committee on Delegated Legislation (the Committee), who have since assessed the local laws and have determined to write to the Shire of Yilgarn regarding the Shire of Yilgarn Public Places, Local Government Property and Trading Local Law 2025 (the Local Law).

Despite following the WALGA Proforma Local Law documents, a number of grammatical and reference issues were identified by the Panel. As a result of the Panel's correspondence, at the September 2025 Ordinary Council Meeting, the following recommendation was carried:

115/2025
Moved Cr Rose/Seconded Cr Granich
The Council of the Shire of Yilgarn resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will:

1. ***within one year, amend the local law as follows:***
    a. ***delete the clause 1.3 definition of 'eating house'***
    b. ***delete the clause 1.3 definition of 'proprietor'***
    c. ***in the clause 1.3 definition of 'repealed local law', replace the reference to 'clause 15.1' with a reference to 'clause 13.1'***
    d. ***in the clause 1.3 definition of 'town planning scheme', replace both references to 'town planning scheme' with 'local planning scheme'***
    e. ***in clause 8.17(b), replace 'town planning scheme' with 'local planning scheme'***
    f. ***in clause 2.7 (1)(h)(iii), replace 'Firearms Act 1973' with 'Firearms Act 2024'***
    g. ***in clause 6.3(2), replace both references to 'building licence' with 'building permit'***
    h. ***in clause 6.3(2), replace both references to 'Local Government (Miscellaneous Provisions) Act 1960' with 'Building Act 2011'***
    i. ***in clause 10.1, replace 'Regulations' with 'Local Government (Functions and General) Regulations 1996'***
    j. ***in clauses 3.2(4), 6.3(3) and 11 .2, replace every occurrence of 'CEO' with 'local government'***
    k. ***make all consequential amendments arising from the above amendments***
2. ***not enforce the local law to the contrary before it is amended in accordance with undertaking 1***
3. ***ensure that a copy of these undertakings accompanies the local law wherever it is made publicly available by the Shire, whether in hard copy or electronic form.***

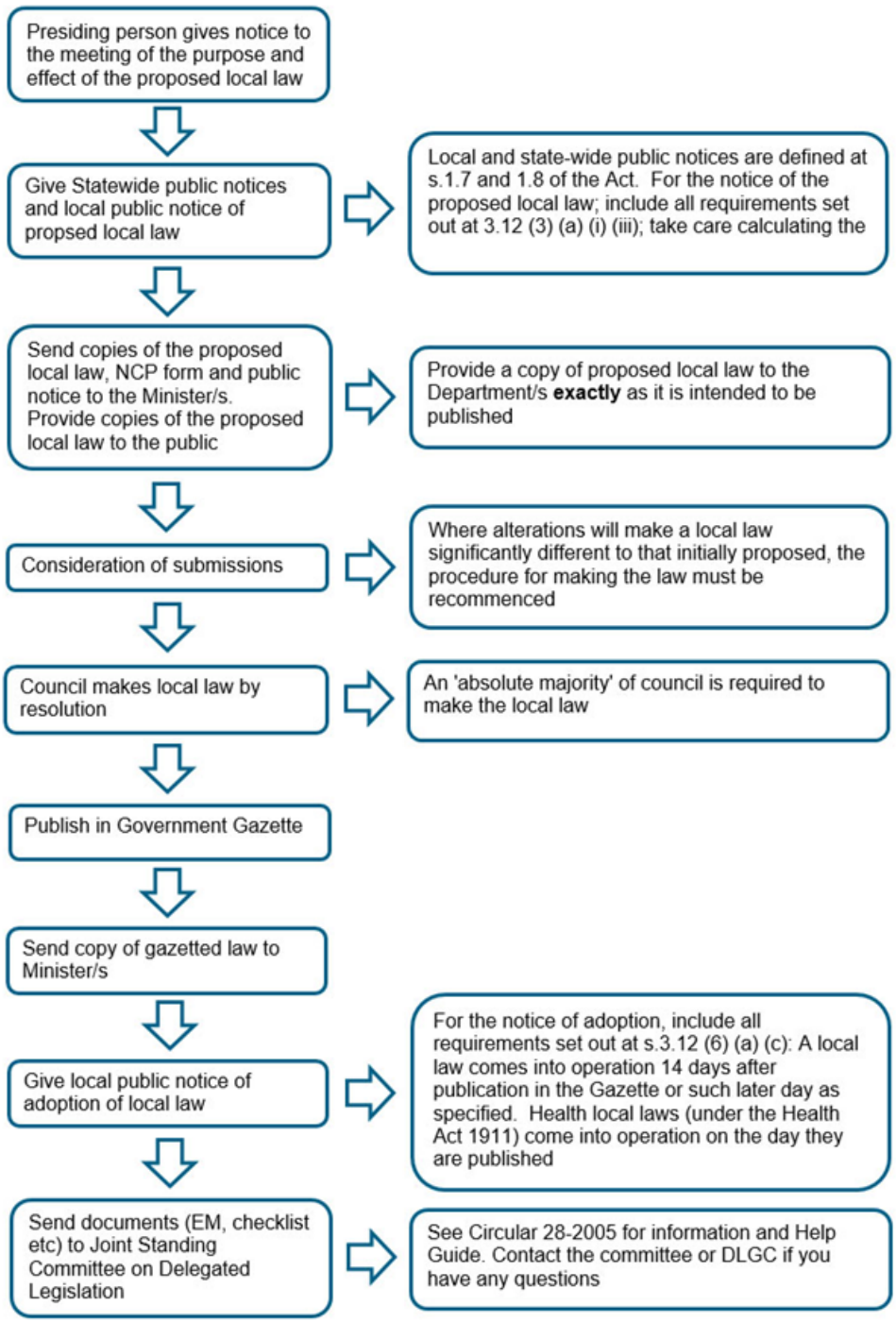
CARRIED (6/0)

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

To comply with the undertaking, the Shire of Yilgarn must amend the Local Law.

In amending the *Public Places, Local Government Property and Trading Local Law 2025*, a new amendment local law is required and must be undertaken in accordance with the requirements of Section 3.12 of the Act.

The procedure for adopting a local law is provided below, with the proposed *Public Places, Local Government Property and Trading Amendment Local Law 2026* and original Local Law provided as an attached.



Comment

In relation to timeline for adopting the amendment local laws the following is proposed:

Date	Action
20/11/2025	- Presiding Member provides notice to the Council Meeting of the purpose and effect of the proposed local law;
27/11/2025	- Shire provides state wide public notice of proposed local laws, inviting submissions. - West Australian – 27/11/2025 - Website – 27/11/2025 - Facebook – 27/11/2025 - Notice Board – 27/11/2025 - Crosswords – 4/12/2025
27/11/2025	- Shire sends copies of proposed local laws to relevant Ministers, as applicable.
15/01/2026	- Public submission period closes (more than the required 6 weeks)
19/02/2026	- Council considers submission and resolves to make relevant local laws by absolute majority
26/02/2026	- Publish adopted local laws in Government Gazette
Within 10 days	- Send copies of gazetted local law to Ministers - Give State-wide public notice of the adoption of local laws - Send required documents to Joint Standing Committee on Delegated Legislation - Local Laws come into operation 14 days after publication in Government Gazette.

The "Notice of Proposal to Make a Local Law" will detail the following:

Public Places, Local Government Property and Trading Amendment Local Law (2026)

PURPOSE: To amend the Public Places, Local Government Property and Trading Amendment Local Law (2025).

EFFECT: Addresses a number of grammatical and referencing errors.

Statutory Environment

Local Government Act 1995
Division 2 — Legislative functions of local governments
Subdivision 1 — Local laws made under this Act

3.5. Legislative power of local governments

(1) A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

(2) A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section 3.6.

(3) The power conferred on a local government by subsection (1) is in addition to any power to make local laws conferred on it by any other Act.

(4A) Nothing in the Building Act 2011 prevents a local government from making local laws under this Act about building work, demolition work, a standard for the construction or demolition of buildings or incidental structures, or the use and maintenance of, and requirements in relation to, existing buildings or incidental structures, as those terms are defined in section 3 of that Act.

(4B) Nothing in the Health (Miscellaneous Provisions) Act 1911 or the Public Health Act 2016 prevents a local government from making local laws under this Act about matters relating to public health (as defined in the Public Health Act 2016 section 4(1)).

(4) Regulations may set out —

(a) matters about which, or purposes for which, local laws are not to be made; or

(b) kinds of local laws that are not to be made, and a local government cannot make a local law about such a matter, or for such a purpose or of such a kind.

(5) Regulations may set out such transitional arrangements as are necessary or convenient to deal with a local law ceasing to have effect because the power to make it has been removed by regulations under subsection (4).

3.6. Places outside district

(1) If the Governor's approval has been first obtained, a local government may make a local law under this Act that applies outside its district.

(2) A local government cannot, under subsection (1), make a local law that applies to —

(a) a part of the State that is in the district of another local government; or

(b) a part of the State to which a local law made by another local government concerning the same subject matter applies under this section.

(3) The Governor may revoke any approval given under subsection (1) and, after that revocation, a local law made under the approval ceases to apply to the part of the State for which the approval was given.

(4) The Minister is to cause notice of any revocation under subsection (3) to be published in the Gazette.

3.7. Inconsistency with written laws

A local law made under this Act is inoperative to the extent that it is inconsistent with this Act or any other written law.

3.8. Local laws may adopt codes etc.

(1) A local law made under this Act may adopt the text of —

(a) any model local law, or amendment to it, published under section 3.9; or

(b) a local law of any other local government; or

(c) any code, rules, specifications, or standard issued by Standards Australia or by such other body as is specified in the local law.

(2) The text may be adopted —

(a) wholly or in part; or
(b) as modified by the local law; or
(c) as it exists at a particular date or, except if the text of a model local law is being adopted, as amended from time to time.

(3) The adoption may be direct, by reference made in the local law, or indirect, by reference made in any text that is itself directly or indirectly adopted.

3.9. Model local laws

(1) The Governor may cause to be prepared and published in the Gazette model local laws the provisions of which a local law made under this Act may adopt by reference, with or without modifications.
(2) Model local laws have no effect except to the extent that they are adopted.
(3) The Governor may, by notice published in the Gazette, amend a model local law published under this section.
(4) An amendment of a model local law does not affect any local law that adopted the model local law before the amendment but the amendment may be adopted by a further local law.

3.10. Creating offences and prescribing penalties

(1) A local law made under this Act may provide that contravention of a provision of the local law is an offence, and may provide for the offence to be punishable on conviction by a penalty not exceeding a fine of $5 000.
(2) If the offence is of a continuing nature, the local law may make the person liable to a further penalty not exceeding a fine of $500 in respect of each day or part of a day during which the offence has continued.
(3) The local law may provide for the imposition of a minimum penalty for the offence.
(4) The level of the penalty may be related to —
(a) the circumstances or extent of the offence;
(b) whether the offender has committed previous offences and, if so, the number of previous offences that the offender has committed.

[(5) deleted]

(6) A local law made under this Act may specify the method and the means by which any fines imposed are to be paid and collected, or recovered.

Subdivision 2 — Local laws made under any Act

3.11. Subdivision applies to local laws made under any Act

This Subdivision applies to local laws made under this Act and the procedure for making them and, unless a contrary intention appears in that other Act, to local laws made under any other Act, and the procedure for making them.

3.12. Procedure for making local laws

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) The local government is to —

(a) give local public notice stating that —

(i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

(5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

(6) After the local law has been published in the Gazette the local government is to give local public notice —

(a) stating the title of the local law; and

(b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation);

and

(c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —

***making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

3.14. Commencement of local laws

(1) Unless it is made under section 3.17, a local law comes into operation on the 14th day after the day on which it is published in the Gazette or on such later day as may be specified in the local law.

(2) A local law made under section 3.17 comes into operation on the day on which it is published in the Gazette or on such later day as may be specified in the local law.

3.15. Local laws to be publicised

A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.

3.16. Periodic review of local laws

(1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.

(2) The local government is to give local public notice stating that —

(a) the local government proposes to review the local law; and

(b) a copy of the local law may be inspected or obtained at any place specified in the notice; and

(c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.

[(2a) deleted]

(3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.

(4) When its council has considered the report, the local government may determine whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required.*

3.17. Governor may amend or repeal local laws

(1) The Governor may make local laws to amend the text of, or repeal, a local law.

(2) Subsection (1) does not include the power to amend a local law to include in it any provision that bears no reasonable relationship to the local law as in force before the amendment.

(3) The Minister is to give a local government notice in writing of any local law that the Governor makes to amend the text of, or repeal, any of the local government's local laws.

(4) Section 5.94 applies as if a local law made under this section by the Governor were a local law made by the local government in accordance with section 3.12.

(5) The reference in the Interpretation Act 1984 section 42(8)(b) to local laws includes local laws made under this section by the Governor

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Advertising costs for state-wide public notice. Provisions included in.

Risk Implication/s

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health/People annual budget.	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Non-compliance with LG Act requirements for Local Laws	Low (4)	Compliance with requirements will ensure Local Laws are adopted without concern.
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

159/2025
Moved Cr Granich/Seconded Cr Guerini

That Council:

1. ***Notes the Shire President, as per section 3.12(2) of the Local Government Act 1995, gives notice of the purpose and effect of the proposed Public Places, Local Government Property and Trading Amendment Local Law (2026), as follows;***

   PUBLIC PLACES, LOCAL GOVERNMENT PROPERTY AND TRADING AMENDMENT LOCAL LAW (2026)

   PURPOSE: ***To amend the Public Places, Local Government Property and Trading Amendment Local Law (2025).***

   EFFECT: ***Addresses a number of grammatical and referencing errors.***

2. ***Approves, in accordance with section 3.12 of the*** **Local Government Act 1995** ***the giving of state-wide public notice of the proposed Local Law.***

3. ***Endorses the CEO sending copies of proposed Local Law to the relevant Minister.***

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

9.1 Officers Report - Chief Executive Officer

9.1.8 Purchase of Lots 10 and 12, 50 Antares Street, Southern Cross

File Reference	
Disclosure of Interest	**None**
Voting Requirements	**Absolute Majority**
Author	**Nic Warren - Chief Executive Officer**
Attachments	**Nil**

Purpose of Report

For Council to consider the purchase of Lots 10 and 12 Antares Street, Southern Cross.

Background

At the May 2022 Ordinary Council Meeting, Council endorsed the sale of Lots 9-12 Antares Street, Southern Cross to the Department of Communities (the Department) due to their "desperate need" for land to develop Government Regional Officer Housing (GROH).

Due to the strategic and community benefits associated with quality GROH housing and the concerns of Council at the time relating to the poor housing stock for GROH tenants, Council disposed of the 4 lots under the understanding the Department would commence construction of housing immediately.

However, over three years later, the lots still remain undeveloped.

The Shire is now well progressed in its asset management planning and the endorsed Building Asset Management Plan has identified the need to renew the Shire's aged housing stock.

Furthermore, the Shire is part of the Central East Accommodation and Care Alliance (CEACA), who are currently seeking funding to expand its portfolio of affordable housing options.

These lots would be ideal for either Shire or CEACA purposes and as such a request to the Department to purchase the lots back was made by the CEO. The Department have since advised they are in a position to sell Lots 10 and 12 to the Shire.

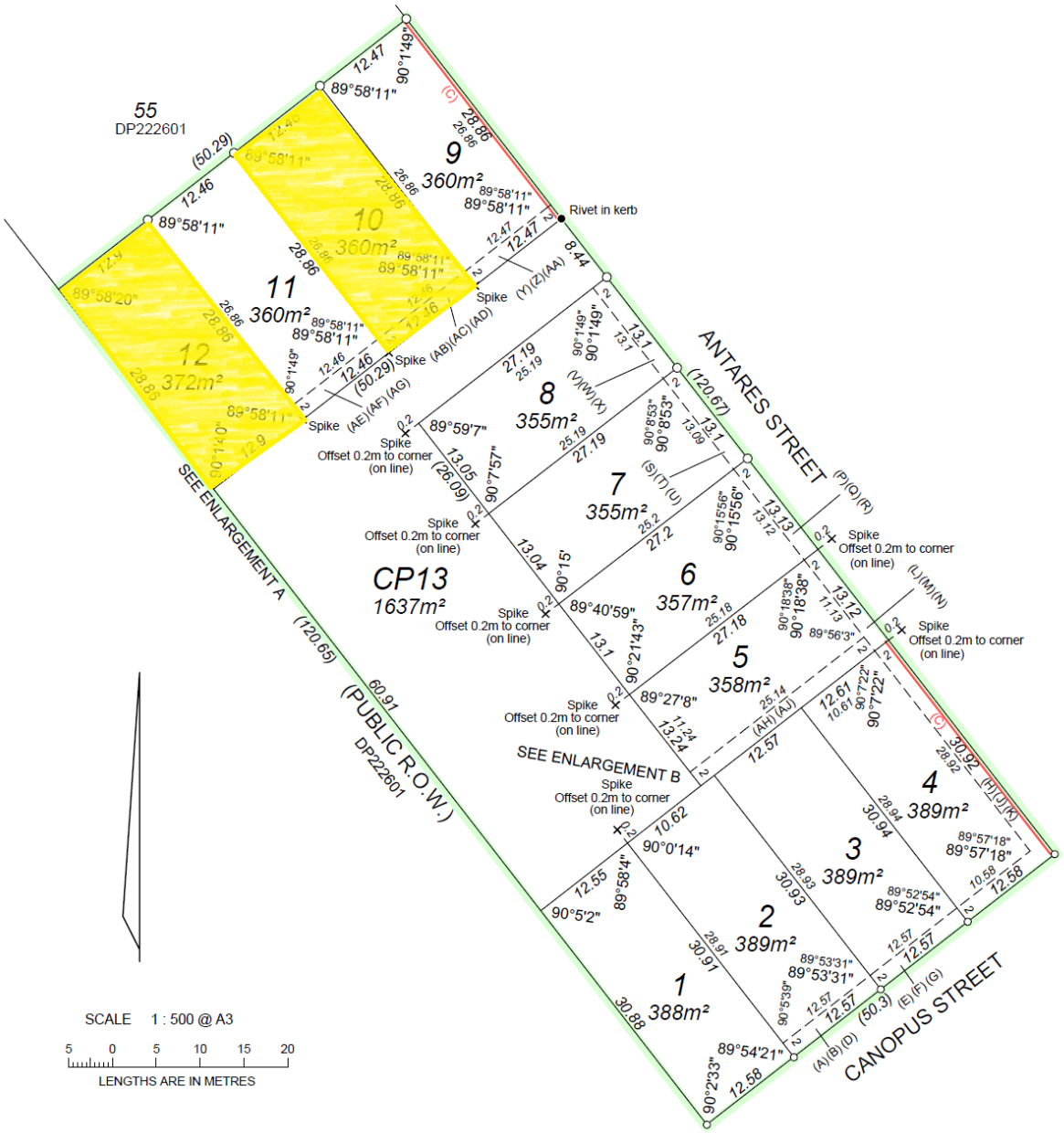
The Shire sought to purchase the lots at the original sale price being $5,500 each, the Department have stated they can only sell the lots at market value.

A Departmental valuation has set the market price for the lots at $8,500 each.

Whilst it is disappointing the Department are not willing to sell the lots at the original purchase price, especially as the Shire is committed to short term development of the sites for workforce or CEACA housing and the Shire sold the lots to GROH with the understanding their urgent housing needs at the time would be addressed, there seems little ability to negotiate in this regard.

Comment

The lots are detailed below:



Due to the timing of the offer of sale from the Department, the current budget does not have provision for the purchase of these lots, as such, a budget amendment would be required.

Given the sum for purchase of the two lots, being $17,000 and association conveyancing costs of an estimated $3000 for both properties is generally immaterial to the current budget, it is proposed that should Council endorse the purchase of the two lots, the funding would be address during mid-year budget review.

Statutory Environment

Nil.

Strategic Implications

Community Strategic Plan 2024 – 2034
Outcome 3.2: Actively engage in the Central East Aged Care Alliance (CEACA) and expand accommodation options in the Shire

Policy Implications

Nil.

Financial Implications

$17,000 and association conveyancing costs of an estimated $3,000.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Lack of suitable housing options.	Moderate (6)	Purchase of Lots permits development of various housing options.
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

160/2025
Moved Cr Rose/Seconded Cr Bradford
That Council by Absolute Majority:

1. ***Endorse the purchase of Lots 10 & 12, 50 Antares Street, Southern Cross from the Department of Communities for a consideration of $8,500 each.***

2. ***Endorse unbudgeted expenditure of $17,000 for the purchase of land and an estimated $3,000 for conveyancing expenses.***

3. ***Note the unbudgeted funds are to be included in the 2025/2026 mid-year budget review.***

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury Granich
Cr's Against: Nil

9.1 Officers Report - Chief Executive Officer

9.1.9 Central East Accommodation and Care Alliance - Housing Development

File Reference	
Disclosure of Interest	**None**
Voting Requirements	**Simple Majority**
Author	**Nic Warren - Chief Executive Officer**
Attachments	**Nil**

Purpose of Report

For Council to consider transfer of Lots 7, 8 & 10 / 50 Antares Street, Southern Cross to the Central East Accommodation and Care Alliance for the CEACA Housing Expansion Project and to note the adjustment in allocated dwellings as part of the expansion project.

Background

The Shire of Yilgarn is part of the Central East Accommodation and Care Alliance (CEACA), which has previously sought and received funding for a number of Independent Living Units throughout several Wheatbelt Shires.

Whilst originally focused on housing and care, given the increase in home care providers, CEACA's function has refocussed on seeking funding for additional housing.

The CEACA Expansion Project (the Project) has received support from the State Government and Federal Government via Housing Australia based on a commitment from the member Council's that land will be gifted to CEACA and a co-contribution will be provided.

The Shire originally sought two additional dwellings as part of the Project, with the estimated contribution per dwelling at 10% being approximately $50,000, therefore the 2025/2026 Annual Budget has a $100,000 provision.

After original nominations for additional dwellings, the Shire of Merredin has since advised CEACA they no longer seek additional units as part of the Project, as such, other member Shire's were afforded the opportunity to seek additional units from original nominations.

The Shire of Yilgarn tentatively earmarked one additional dwelling, on the provision land was available.

The originally funded CEACA ILU's are located at 5-6 / 50 Antares Street, Southern Cross. The Shire had already earmarked 7-8 / 50 Antares Street for the 2 additional dwellings and in the event Council endorse the purchase of Lots 10 and 12 as per Item 9.1.8 of this Agenda, it is proposed Lot 10 would be utilised for the additional third dwelling.

Th dwellings being sought via the Project are a similar style to the existing ILU's being a 2x1 dwelling of approximately 126 square metres with low maintenance landscaping, suitable for aged and ambulant occupants.

As detailed, the Shire of Yilgarn have committed to a 10% co-contribution for each dwelling, however, during recent CEACA meetings, it has been discussed and endorsed that the impending sale of CEACA units and Koorda and Nungarin will likely contribute half of the Member Council's co-contribution, as such, estimation per dwelling are now $25,000 each, meaning whilst the Shire is receiving an addition unit, the cost of $75,000 will be below the currently budgeted amount of $100,000.

Comment

Whilst there is no requirement for a budget amendment, the CEO seeks Council endorsement for receival of the three units as part of the CEACA expansion project and also seeks approval to commence the disposal of land to CEACA as per Section 3.58 of the *Local Government Act 1995* (the Act) as member councils have agreed to have all land tenure matter resolved by March 2026

As per item 9.1.8 of this agenda, the Department of Communities have undertaken a recent valuation of the lots and determined current market value is $8,500. The CEO asked for a copy of the valuation from the Department of Communities, however at the time of writing the report it had not been provided. However, it is considered a valid valuation if accepted by the State Government, as such, the CEO proposes to utilise this value for the valuation requirements under Section 3.58 of the Act for all lots given they share the same location and dimensions.

As such, the proposed disposition will be advertised in accordance with the local public notice requirements of the *Local Government (Administration) Regulations 1996* as follows:

Property:	Lots 7, 8 and 10 Antares Street, Southern Cross
Buyer:	Central East Accommodation and Care Alliance Inc
Consideration:	Nil – As per expansion Project funding arrangements
Market Valuation:	$25,500

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.]

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2024 – 2034
3.2 Actively engage in the Central East Aged Care Alliance (CEACA) and expand accommodation options in the Shire

Policy Implications

Nil.

Financial Implications

Conveyancing costs of approximately $3,000.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Nil	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Nil	Nil	Nil
Property	Lack of suitable housing in District	Moderate (6)	CEACA expansion Project will provide additional housing in Southern Cross for minimal outlay by Council.
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 1

That Council endorse the Shire of Yilgarn receiving three dwelling as part of the Central East Accommodation and Care Alliance Inc's Housing Expansion Project.

Officer Recommendation 2

That Council, as per section 3.58 of the Local Government Act 1995, endorse commencing the Local Public Notice for the disposal of Lots 7, 8 & 10 / 50 Antares Street, Southern Cross to the Central East Accommodation and Care Alliance Inc for nil consideration.

And

Council notes the valuation requirements for Section 3.58 and considers the Department of Communities valuation of Lots 10 and 12, which are the same in nature and location as Lots 7 and 8 are applicable to all Lots and is to be utilised for the purpose of this disposal notice. The valuation per Lot is $8,500.

Council Decision

161/2025
Moved Cr Guerini/Seconded Cr Bradford
That Council endorse the Shire of Yilgarn receiving three dwelling as part of the Central East Accommodation and Care Alliance Inc's Housing Expansion Project.

And

That Council, as per section 3.58 of the Local Government Act 1995, endorse commencing the Local Public Notice for the disposal of Lots 7, 8 & 10 / 50 Antares Street, Southern Cross to the Central East Accommodation and Care Alliance Inc for nil consideration.

And

Council notes the valuation requirements for Section 3.58 and considers the Department of Communities valuation of Lots 10 and 12, which are the same in nature and location as Lots 7 and 8 are applicable to all Lots and is to be utilised for the purpose of this disposal notice. The valuation per Lot is $8,500.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury Granich
Cr's Against: Nil

9.2 Reporting Officer - Executive Manager Corporate Services

9.2.1 Financial Reports - October 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 31 October 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

162/2025
Moved Cr Rose/Seconded Cr Bradford
That Council endorse the various Financial Reports as presented for the period ending 31 October 2025.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury Granich
Cr's Against: Nil

9.2.2 Accounts for Payment - October 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 41350 to 41357 totalling $13,413.12
- Municipal Fund - EFT 17127 to 17287 totalling $1,282,451.98
- Municipal Fund - Cheques 2714 to 2733 totalling $351,873.34
- Municipal Fund - Direct Debit Numbers:
    - 20085.1 to 20085.16 totalling $29,960.46
    - 20100.1 to 20100.16 totalling $29,773.22

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 Background

163/2025
Moved Cr Bradford/Seconded Cr Rose

- ***Municipal Fund - Cheque 41350 to 41357 totalling $13,413.12***
- ***Municipal Fund - EFT 17127 to 17287 totalling $1,282,451.98***
- ***Municipal Fund - Cheques 2714 to 2733 totalling $351,873.34***
- ***Municipal Fund - Direct Debit Numbers:***
    - ***20085.1 to 20085.16 totalling $29,960.46***
    - ***20100.1 to 20100.16 totalling $29,773.22***

The above are presented for endorsement as per the submitted list

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury Granich
Cr's Against: Nil

9.2.3 Request for Refund - Interest Paid on Overdue Rates

File Reference	**8.1.1.6 & A15190**
Disclosure of Interest	**Nil**
Voting Requirements	**Simple Majority**
Author	**Cameron Watson - Executive Manager Corporate Service**
Attachments	**Nil**

Purpose of Report

This report seeks Council's decision on a request received from a ratepayer for the refund of overdue rates interest already paid.

Background

In August 2025, following a telephone conversation with Councils Rates/Debtors Officer, the following ratepayer request was received:

From: *#### ########## <####################################>*
Sent: *Friday, 15 August 2025 4:21 PM*
To: *Lisa Boso <rates@yilgarn.wa.gov.au>*
Subject: *Re: Shire of Yilgarn - Rates Notices*

Hi Lisa,

RE: LEAKE LOCATION 273 HOLLETON - SHIRE OF YILGARN RATES

Thankyou for your email and our subsequent telephone conversation with regards to interest arrears resulting from non-payment of rates for the years 2023/2024 and 2024/2025 which has only recently been brought to my attention after requesting a copy of the Annual Rates.

As discussed this matter has come about as a result of non receipt of Shire accounts due to sale of the family home where the Shire's accounts were always directed. The accounts for the property have been addressed to ## Fairfield Street Mt Hawthorn which was my parent's family home. With my mother's passing in April 2021 the family home was sold in October 2022, however, mail was not redirected which resulted in the last Shire account received being that for the 2022/2023 rates. This non payment since has been a genuine error on our part for not advising the Shire of a change of address for accounts and also then mistakenly assuming the tennant was paying the Shire direct.

Your records should indicate that we have always paid our rates and for this reason we respectfully request Council to waive the interest of $1562.24. Your favourable consideration to our request would be greatly appreciated.

Thank you for your assistance in this matter.

Kind Regards

Councils Rates/Debtors Officer consulted with the Executive Manager Corporate Services and it was decided that, as there was no error made by Council or financial hardship request being

made by the ratepayer and was purely a "sorry but we forgot" request, the request would be declined by staff and a mention would be made at Councils Discussion Session.

Staff have subsequently received the following email from the ratepayer.

From: *#### ######### <##>*
Sent: *Friday, 24 October 2025 5:15 PM*
To: *Lisa Boso <rates@yilgarn.wa.gov.au>*
Subject: *Re: Shire of Yilgarn - Council's Decision on Rates Assessment A15190*

Hi Lisa,

Thankyou for your email. However, I am both disappointed and confused as my request to have the interest on our overdue rates waived was not even discussed at the Council meeting held on 16 October 2025 - but was still declined.

When I first spoke with you in August I was asked to submit a written request which would go to the next Council Meeting for consideration. I then emailed a written request on 15 August 2025. The matter did not go to Council in September but I was told it would be heard at the October Meeting. I began having concerns regarding the arrears and proceeded to pay a portion of the account.

During a subsequent discussion you confirmed that the interest would continue to accumulate until full payment of both the arrears and interest. In the same discussion I was told that full payment could possibly help my request to be considered more favourably. I proceeded to pay the account balance on 6 October 2025 not only to support my request but also avoid any additional interest.

With respect, I would appreciate Council reconsidering my request, as payment of the account should not only be seen as an indication of one's capacity to pay.

Kind Regards,

This item is a result of the ratepayer requesting that Council consider their request for refund of three (3) years of overdue rates interest.

Comment

The assessment in question is UV rated and has a rateable valuation of $505,000. The rates transactions are as follows:

Levies	Receipts	Balance	C/A	Description
5841.34	5841.34	0.00	C	Rates
10071.20	10071.20	0.00	A	Rates
1737.53	1737.53	0.00	C	Interest
4.66	4.66	0.00	C	ESL PENALTY
28.02	28.02	0.00	A	ESL PENALTY
108.00	108.00	0.00	C	EMERGENCY SERVICE LEVY
201.00	201.00	0.00	A	EMERGENCY SERVICE LEVY
				==========
17991.75	17991.75	0.00		*** TOTALS ***

As can be seen the rates outstanding have been paid in full.

As previously mentioned, there has been no error made by Council, the ratepayer merely forgot to pay their rates on this assessment. I understand that the passing of a family member can be a stressful and emotional time, but you can expect that this period of emotional inattention will pass eventually. You could also expect that the handling of the deceased estate would remind the family of the requirements to update the estate details with the various billing entities that they dealt with.

Also, the statement that they assumed that their Tennent was paying the rates could have been resolve by simply contacting their Tennent. Lastly, the ratepayer has not requested a financial hardship assessment so one has not been undertaken.

In the end, the accrued interest that the ratepayer is requesting to be refunded is wholly due to the ratepayer's inability to pay their rates in a timely manner and not due to any actions of Council.

Statutory Environment

Local Government Act 1995

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

(1) Subject to subsection (2) and any other written law, a local government may —

(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or

(b) waive or grant concessions in relation to any amount of money; or

(c) write off any amount of money,

which is owed to the local government.

** Absolute majority required.*

(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.]

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 Council was to accept the request to reimburse overdue rates interest, then $1,737.53 would be deducted from legitimately accrued interest income.

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 / 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

164/2025
Moved Cr Bradford/Seconded Cr Granich
That Council declines the request for the reimbursement of overdue interest totalling $1,737.53 accrued on the outstanding rates on assessment A15190.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury Granich
Cr's Against: Nil

9.3 Reporting Officer - Executive Manager Infrastructure

9.3.1 Out of Budget Purchase Portable Traffic Lights for Shire Projects

File Reference	
Disclosure of Interest	**Nil**
Voting Requirements	**Absolute Majority**
Author	**Glen Brigg - Executive Manager of Infrastructure**
Attachments	**Nil**

Purpose of Report

To seek Council approval for the out of budget purchase of a set of portable traffic control lights to support continual and compliant traffic management on Shire construction and maintenance projects.

Background

The Shire's construction and maintenance programs continually require temporary traffic control for single lane roadworks such as construction, resealing, shoulder reconstruction and culvert installations.

Traffic management is a mandatory requirement under the Austroads Guide to Temporary Traffic Management (AGTTM), as adopted by Main Roads Western Australia, which establishes the minimum safety standards for managing traffic at roadworks and construction sites.

Historically, the Shire has relied on in-house staff using manual stop/slow operations to manage traffic through work zones. While this approach has generally been effective, it is labour intensive and can place operational constraints on the delivery of other works. The acquisition of portable traffic lights would provide a more efficient, compliant and sustainable solution for managing temporary traffic control across the Shire's works program.

Comment

The purchase of portable, solar powered traffic control lights will provide a more cost effective, safe and compliant solution for managing roadwork sites across the Shire.

Key advantages include:

- Compliance with AGTTM requirements for single lane road operations;
- Reduced reliance on manual labour for stop/slow duties, lowering overall operational costs;
- Improved safety outcomes for Shire staff and road users;
- Increased flexibility to deploy traffic control as required across multiple sites.

Indicative quotations for compliant dual light systems range from $55,000 (ex GST). Quotations will be sought through the WALGA Preferred Supplier Program to ensure compliance with purchasing policies and warranty standards.

The acquisition will enable more efficient delivery of the annual road program and provide long-term cost savings through reduced reliance on internal traffic management.

Statutory Environment

Local Government Act 1995 Section 6.8(1)(b):

A local government is not to incur expenditure from its municipal fund for an additional purpose except where authorised in advance by Council resolution.

Strategic Implications

Executive Instruction 3.1 Work Health and Safety.

Providing and maintaining, so far as is practicable, workplaces, plant and systems of work so that employees, contractors and visitors are not exposed to hazards.

Policy Implications

Purchases will comply with the Shire of Yilgarn Purchasing Policy and the WALGA Preferred Supplier Program**.**

Financial Implications

The estimated cost of $55,000 (ex GST) will be funded from the Shire's Plant Reserve.

While not included in the 2025/26 adopted budget, this purchase represents a more cost, effective long-term solution compared to ongoing costs for manual traffic control labour expenses. The expenditure will be incorporated into the mid-year budget review.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health / People	Risk to staff and public without compliant traffic control	Moderate	Purchase provides compliant and safer work practices
Financial Impact	Ongoing hire and labour costs	Moderate	Reduce through in-house control capability
Service Interruption	Delays due to hire equipment availability	Moderate	Ensure immediate in-house capability
Compliance	Failure to comply with AGTTM standards	High	Purchase ensures compliance

Reputational	Community perception of unsafe or delayed works	Low	Improves safety and delivery efficiency
Property	Nil identified	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

165/2025
Moved Cr Bradford/Seconded Cr Granich
That Council, by Absolute Majority and in accordance with Section 6.8(1)(b) of the Local Government Act 1995, authorises an out of budget expenditure for the purchase of a compliant set of portable, solar powered traffic control lights for use on Shire construction and maintenance projects, at an estimated cost of $55,000 (ex GST), to be funded from the Plant Reserve, with the corresponding budget amendment to be incorporated at the mid-year budget review.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury Granich
Cr's Against: Nil

9.4 Reporting Officer - Executive Manager Infrastructure

9.3.2 Shovel Ready Projects - 2025/26 RRG Program

File Reference	
Disclosure of Interest	**Nil**
Voting Requirements	**Absolute Majority**
Author	**Glen Brigg - Executive Manager of Infrastructure**
Attachments	**Council's 10-year RRG funding plan spreadsheet**

Purpose of Report

To seek Council endorsement to bring forward a previously scheduled Regional Road Group (RRG) project for delivery in 2025/26 using supplementary funding drawn from the Heavy Vehicle Road User Fee (HVRUF) Reserve due to additional funds being made available in the current RRG program.

Background

On 30 September 2025, the Shire received notification from Main Roads WA that there was likely to be an additional allocation of funding available for Rural Regional Road Groups in the current financial year 2025-26.

As such, Main Roads WA sought a list of shovel-ready projects that could be considered should funding be available, or projects that require some additional funding. Proposed projects had to meet the eligibility criteria of the Road Project Grant or Commodity Route programs under the State Road Funds to Local Government Agreement. The project(s) would have to be able to be completed (and acquitted) this 2025-26 financial year.

The Shire's adopted 10-Year RRG Plan (2025-2026 to 2034-2035) identifies key priority roads such as Cramphorne Road and Southern Cross South Road for staged construction and sealing improvements.

To take advantage of the additional funding available and to maintain delivery momentum staff proposed to bring the next RRG listed project forward, funding Council's one-third contribution from the HVRUF Reserve.

The 2026/27 RRG plan will then be recalibrated next year when new MCA submissions are lodged.

Comment

The section of Cramphorne Road from SLK 13.50 to 16.50 is shovel ready, with design documentation and cost estimates already completed as part of the Shire's 10-Year RRG Plan. The 3.0 km section will be upgraded from Type 3 to Type 5 standard, including pavement reconstruction, widening, drainage improvements, and bitumen sealing.

Bringing this section forward will complete a continuous 6 km sealed link from SLK 10.50 to 16.50, significantly improving regional connectivity and road safety. This upgrade will enhance the reliability of the freight route, supporting local agricultural and mining industries, improving access for heavy vehicle haulage, and ensuring safer travel for both local and regional traffic.

Funding will comprise approximately $908,060 total, split $605,373 (RRG ⅔) and $302,687 (Shire ⅓), with the Shire's portion funded from the HVRUF Reserve. The overall RRG 2025/26 budget remains within available allocations, and the 2026/27 plan will be re-sequenced at the next MCA submission.

Statutory Environment

In accordance with sections 6.8(1)(b) and 6.11(2) (3) of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996,* Council approval is required for expenditure not included in the current budget and for the use of Reserve funds.

Strategic Implications

Strategic Community Plan 2024 – 2034 - GOAL 6. A safe and efficient transport network

Policy Implications

Nil.

Financial Implications

The HVRUF Reserve will fund the Shire's one third share of the project, totalling $302,867, with no impact on the current budget**,** as this funding is pre-allocated for infrastructure projects.

Source	Amount
Existing RRG Funding (⅔) 2025/2026	$1,377,673
Shire Contribution (⅓) 2025/2026	$688,837
Total New Project (shovel ready project)	**$908,060**
RRG Funding (⅔)	$605,373
Shire Contribution (⅓)	$302,687
New Total Program Value 2025/2026	**$2,974,570**

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Reduced reserve balance if grant conditions change.	Moderate	Reserve replenished through annual HVRUF contributions.

Service Interruption	Deferred works on next year projects.	Low	RRG Plan to be re-sequenced during next review cycle.
Compliance	Nil	Nil	Nil
Reputational	Failure to deliver grant-funded project in time.	Low	Project is shovel ready and meets RRG guidelines.
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

166/2025
Moved Cr Guerini/Seconded Cr Newbury

1. ***That, by Absolute Majority, in accordance with sections 6.8(1)(b) and 6.11(2)(3) of the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996, Council approves the use of funds from the Heavy Vehicle Road User Fee Reserve to bring forward the Cramphorne Road (SLK 13.50 to 16.50) Construction and Sealing Project into the 2025/2026 Regional Road Group Program, for a total project cost of $908,060, with $605,373 (2/3) funded by the RRG and $302,687 (1/3) funded from the Shire's contribution via the HVRUF Reserve.***

2. ***That Council authorises the Executive Manager Infrastructure to amend the RRG 5-Year Plan accordingly and notify the Wheatbelt North RRG Technical Working Group of the change.***

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury Granich
Cr's Against: Nil

10 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

13 MEETING CLOSED TO THE PUBLIC - CONFIDENTIAL ITEMS

CONFIDENTIAL

167/2025
Moved Cr Rose/Seconded Cr Guerini
That the Ordinary Meeting of Council be close to the public under the Local Government Act 1995 Section 5.23 (2) (c).

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

Kaye Crafter, Joel Kent, Kim Chrisp, Glen Brigg, Travis Prue and Tash Beaton left the meeting at 5:30pm.

13 Officers Report - Chief Executive Officer

13.1 Premier's Australia Day Active Citizenship Awards 2026

File Reference	
Disclosure of Interest	**None**
Voting Requirements	**Simple Majority**
Author	**Nic Warren - Chief Executive Officer**
Attachments	**CONFIDENTIAL**

Purpose of Report

To consider Premier's Australia Day Active Citizenship Award nominations.

Background

Nominations for the following categories in the Premier's Australia Day Active Citizenship Awards closed on Monday, 3 November 2025:

a) Premier's Australia Day Active Citizenship Award
b) Premier's Australia Day Active Citizenship Award for a person under 25 years
c) Premier's Australia Day Active Citizenship Award for a community group or event

Comment

Copies of the confidential nominations will be provided to Councillors for their consideration and to choose a worthy recipient/s, which will allow staff to prepare the certificate/s prior to the presentation on Monday, 26 January 2026.

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

168/2025
Moved Cr Rose/Seconded Cr Guerini
That Council considers the nomination/s received for the Premier's Australia Day Awards and determines recipients for each award category.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

Council Decision

168/2025
Moved Cr Close/Seconded Cr Guerini
That the meeting be reopened to the public

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

Kaye Crafter, Joel Kent, Kim Chrisp, Glen Briggs, Travis Prue and Tash Beaton returned to the meeting at 5:52pm.

Council Decision

169/2025
Moved Cr Rose/Seconded Cr Guerini
That the item considered during confidential settings be endorsed.

CARRIED (6/0)

Cr's For: Close, Guerini, Bradford, Rose, Newbury, Granich
Cr's Against: Nil

14 CLOSURE

As there was no further business to discuss, the Shire President declared the meeting closed at 5:53pm.
I, Bryan Close, confirm the above Minutes of the Meeting held on Thursday, 20 November 2025, are confirmed on Thursday, 18 December 2025 as true and correct record of the November 2025 Ordinary Meeting of Council.

Cr Bryan Close
SHIRE PRESIDENT