



# *Minutes*

## *Ordinary Meeting of Council*

*21 May 2026*

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## Table of Content

1 Declaration of Opening/Announcement of Visitors	3
2 Announcements from the Presiding Member	3
3 Attendance	3
4 Declaration of Interest	3
5 Response to Previous Public Questions Taken on Notice	3
5.1 Public Question Time	5
6 Confirmation of Minutes	6
7 Presentations, Petitions, Deputations	7
8 Delegates' Reports	9
9 Officers' Reports	11
<b>9.1 Chief Executive Officer</b>	
9.1.1 Council Decision Status Report 2026	11
9.1.2 Cropping Lease - Lots 36, 44 and 88 Great Eastern Highway	13
9.1.3 Adoption of Local Law - Public Places, Local Government Property and Trading Amendment Local Law 2026	16
9.1.4 Central East Aged Care Alliance (CEACA) Housing Expansion Project	24
<b>10.2 Executive Manager Corporate Services</b>	
10.2.1 Financial Report - April 2026	27
10.2.2 Accounts for Payment - April 2026	31
10.2.3 2026/27 Schedule of Fees & Charges	35
10.2.4 2026/27 Councillor Sitting Fees	41
<b>11.3 Executive Manager of Infrastructure</b>	
11.3.1 Route Determination Emu Fence Road and Polaris Street (PBS TD3B.3-Yilgarn Iron)	56
11.3.2 5-Year Development Plan for Regional Roads Group	63
11.3.3 Freight Related Road Maintenance and Rehabilitation Koolyanobbing Road and Emu Fence Road	68
12 Application for Leave of Absence	73
13 Motions for Which Previous Notice Has Been Given	74
14 New Business of an Urgent Nature Introduce by Decision of the Meeting	74
15 Meeting Closed to the Public - Confidential Items	74
16 Closure	74

## 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 G Guerini Cr B Bradford Cr L Granich Cr D Newbury Cr L Rose Cr D Stephen	Shire President Deputy Shire President Councillor Councillor Councillor Councillor Councillor
Council Officers	P Clarke C Watson G Brigg K Chrisp T Beaton	Acting Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Asset and Projects Manager Executive Assistant
Apologies:	T Prue	
Observers:	K Crafter, K Smith, A Kozlowski, E Williams, E Laurent, C Sputore, N Sciorilli and B Arthur	
Leave of Absence:		

## 4. DECLARATION OF INTEREST

Nil.

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

At the April 2026 Ordinary Meeting of Council, the following question was posed by Mrs Jenny Mclean.

- I live at 50 Spica Street, our back-alley way, every time it rains our backyard gets flooded. The rain comes down the alley way and under our gate and we are**

**unable to use our back gate because the drop is quite big. We have been told it has to go to the 2026/2027 budget and it may not be a priority to get fixed. In 18 years, I have never seen anyone do any work to that back-alley way. When will it be fixed?**

The Acting Chief Executive emailed Mrs Mclean with the following response on 21<sup>st</sup> April 2026.

*In response to the question that you raised during Public Question Time at the Ordinary meeting of the Shire of Yilgarn held on Thursday, 16 April 2026 in respect to ongoing flooding to the rear of your property at 50 Spica Street, Southern Cross due to sub-standard drainage issues in the back-laneway. As the question was taken on-notice by the Shire President, it is a requirement to provide a formal written response in relation to the question posed.*

*Firstly, I apologise if this response seems repetitive to my email to you on 9 April 2026. Whilst Councillors are now aware of the flooding issues that you are experiencing at your property due to a lack of suitable drainage in the back laneway, Council's only option at this late stage of the 2025/2026 financial year is to direct the Executive Manager Infrastructure to provide costings for an upgrade to drainage in the laneway as the works required are of a substantial nature and fall into the category of Capital expenditure. Therefore, such expenditure items need to be referred to Council's upcoming Budget deliberations for the 2026/2027 financial year for appropriate consideration.*

*You can be assured that Council will give due consideration to your request at its upcoming Budget deliberations.*

At the April 2026 Ordinary Meeting of Council, the following question was posed by Mrs Kaye Crafter.

The Executive Manager of Infrastructure emailed Mrs Crafter with the following response on 5<sup>th</sup> April 2026.

- 1. Has there been any progression on the road closure of the Mt Jackson Road and the installation of gates to prevent motorists etc from driving through Mt Jackson, Ennuin Station, Golden Valley and the other stations on that road.**

*Orders have been placed for both the required signage and gate infrastructure to support the proposed access control measures along Mt Jackson Road. These works are intended to manage through traffic and address concerns raised by affected landholders, including Mt Jackson, Ennuin Station, Golden Valley and surrounding*

*properties. Installation will proceed once materials are received, after which the Shire will implement the agreed access arrangements and communicate any changes to the public.*

- 2. Has there been any conversations with the Main Roads Regarding changing the speed limit at Yellowdine from 90km/h to 110km/h? Bear in mind that you can drive through Burracoppin at 110km/h and people live there, where Yellowdine is unpopulated.**

*The Shire has raised this matter directly with Main Roads Western Australia. The current 90 km/h speed limit was discussed with the Main Roads Network Manager for the Goldfields Esperance Region. Main Roads has acknowledged the request and will undertake a review.*

*It is important to note that speed zoning on this road is determined solely by Main Roads Western Australia. Any change is subject to their formal assessment process, which considers road standard, safety, roadside environment, and crash history. The Shire will continue to liaise with Main Roads and advise the community should any changes be approved.*

- 3. Has here been any dialogue with the owners of Yellowdine to demolish the burnt buildings at the Service Station?**

*I haven't contacted anyone.*

## 5.1 PUBLIC QUESTION TIME

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

- 1. There are no delineators on the first bend on Cameron Road/Koolyanobbing Road near Rogers Road intersection. No guideposts to help with negotiating a triple road train, the sun emerging from horizon and other traffic on the bend. Can the Shire install more guide posts around the bend so hat accident does not occur?**
- 2. I'm on a safety kick. We have tree loppers in town and I have noticed a cavalier attitude to the motorists of Southern Cross. They do not have men working signs, safety signs, stop and go personnel. The vehicle drivers reverse out onto the road without looking. I don't know who employed them, but they need to become more aware of the safety in every way. Can the Shire talk to their CEO or representative and caution the company on their slack safety protocols?**

3. Why is the 110km sign on the Marvel Loch Road/Polaris Street before Pictoris Street. I was under the impression that Pictoris and Crateris Street were still in the town of Southern Cross so they should be still on a 50km speed limit?

*These questions were taken on notice by the Shire President.*

## 6. CONFIRMATION OF MINUTES

- 6.1 Ordinary Meeting of Council Minutes, Thursday, 16<sup>th</sup> April 2026 - (Minutes Attached)

**59/2026**

***Moved Cr Rose/Seconded Cr Stephen***

***That the minutes from the Ordinary Council Meeting held on 16<sup>th</sup> April 2026 be confirmed as a true record of proceedings.***

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

- 6.2 Yilgarn History Museum Advisory Committee, Wednesday, 22<sup>nd</sup> April 2026 - (Minutes Attached)

**60/2026**

***Moved Cr Newbury/Seconded Cr Granich***

***That the minutes of the Yilgarn History Museum Advisory Committee Meeting held on Wednesday 22<sup>nd</sup> April 2026 be adopted.***

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

- 6.3 GECZ Committee, Monday, 23<sup>rd</sup> April 2026 - (Minutes Attached)

**61/2026**

***Moved Cr Newbury/Seconded Cr Guerini***

***That the minutes of the GECZ Committee Meeting held on Monday 23<sup>rd</sup> April 2026 be received.***

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

6.4 CEACA Committee, Monday, 4<sup>th</sup> May 2026 - (Minutes Attached)

**62/2026**

***Moved Cr Bradford/Seconded Cr Newbury***

***That the minutes of the CEACA Committee Meeting held on Monday 4<sup>th</sup> May 2026 be received.***

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

6.5 WEROC Inc. Board Meeting Minutes, Friday, 8<sup>th</sup> May 2026 - (Minutes Attached)

**63/2026**

***Moved Cr Guerini/Seconded Cr Rose***

***That the minutes of the WEROC Inc. Board Meeting held on Friday 8<sup>th</sup> May 2026 be received.***

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

## **7. PRESENTATIONS, PETITIONS, DEPUTATIONS**

Covalent Lithium representatives, Andrew Kozlowski (General Manager, Health Safety, Environment, Community), Elana Williams (Technical General Manager), Erik Laurent (General Manager, Mt Holland Operations) and Christian Sputore (Expansion Study Manager) attended the meeting and provided Councillors with an update on Covalent's expansion project at Mt. Holland, which included upgrades to the power line and additional pump stations for assist with increased water capacity at the mine site.

The Shire President thanked the Covalent Lithium representatives for their informative presentation and invited questions from Councillors and staff.

**Cr Close asked what the staff levels are like?**

*A response was provided a total of 250 including contractors during normal operation. With a shutdown this increases to 550. When construction of the expansion reaches peak manning, the total will be approximately 800. Post expansion construction the site will settle to approximately 400 personnel during normal operation.*

**The A/CEO enquired about the new pump stations proposed along Covalent's water pipeline and whether it is proposed that water tanks would be situated at these sites to assist in Fire Fighting for the Yilgarn Shire Bush Fire Brigades?**

*A response was provided that one of the pump stations would be on private farm land and the other would be on Crown land. There would be an off-tank point, where the Fire Brigades could access water.*

**Cr Rose requested that Covalent establish a procedure whereby ready access to the pump station is available for fire-fighting purposes?**

*It was advised that Covalent would work with the Shire of Yilgarn to provide access to these sites in emergency situations.*

**Cr Rose asked with the expansion of the mine site, would the trucking movements increase?**

*A response was provided that there are currently 20 trucks per day, this would increase to 40 movements per day.*

**The A/CEO indicated that Covalent's original intent for a presentation to Council was the proposed offset of land in respect to a predator control area and what had become of this proposal?**

*It was advised that circumstances have now changed as Covalent had been granted approval to establish the control area within the Jilbadji Nature Reserve negating the need for a separate offset area.*

**Cr Stephen asked if the life expectancy of the mine has cut back?**

*A response was provided it was originally approximately 40 years and now with the mine expansion it has reduced this to 25 years of operating life.*

**Cr Granich asked what is the water average per month and do you recycle water onsite?**

*A response was provided that around 4,000 kilolitres per day is required at the mine site. There are options on site to recycle as well as the process water treatment plant. Covalent also have a filtration system onsite.*

The Covalent representatives also extended an invitation to Councillors to visit the mine site and they would more than happy to organise an inspection at Council's convenience.

*Elana Williams, Erik Laurent, Christian Sputore and Andrew Kozlowski left the chambers at 5:18pm.*

Barto Gold Mining Pty Ltd representatives Mr Nathan Sciorilli, Environmental Advisor, and Mr Ben Arthur attended the meeting to provide an update on Barto Gold's Southern Cross mining operations.

Following the above presentation, the Shire President thanked the Barto Gold representatives for their informative presentation and invited questions from Councillors and staff.

**Cr Close questioned the plans for haulage from the Great Victoria Gold Mine and what progress had been made regarding this matter.**

*Mr Sciorilli advised that Barto would be undertaking works to this haulage route and outlined the intended plans for road crossings and the general haulage route itself.*

*Nathan Sciorilli and Ben Arthur left the chambers at 5:24pm.*

## 8. DELEGATES' REPORTS

### Cr Close

- GECZ Meeting (Cunderdin) - 23<sup>rd</sup> April 2026
- ANZAC Day Services (dawn & mid-morning) - 25<sup>th</sup> April 2026
- Department Mines Meeting - 5<sup>th</sup> May 2026
- DEMAC (Northam) - 6<sup>th</sup> May 2026
- WEROC (Bruce Rock) - 8<sup>th</sup> May 2026
- Citizenship Ceremony - 21<sup>st</sup> May 2026

### Cr Bradford

- Brush n Bubbles - 18<sup>th</sup> April 2026
- ANZAC Day dawn service - 25<sup>th</sup> April 2026
- CEACA Meeting - 4<sup>th</sup> May 2026
- Economic Development Committee Meeting - 13<sup>th</sup> May 2026

### Cr Newbury

- Brush n Bubbles - 18<sup>th</sup> April 2026
- Yilgarn Museum Meeting - 22<sup>nd</sup> April 2026
- GECZ Meeting (Cunderdin) - 23<sup>rd</sup> April 2026
- Yilgarn Community Support Group Meeting - 29<sup>th</sup> April 2026

### **Cr Rose**

- Westonia Australia's Golden Outback Sundowner - 5<sup>th</sup> May 2026

### **Cr Granich**

- Brush n Bubbles - 18<sup>th</sup> April 2026
- Biggest Morning Tea (Bullfinch) - 3<sup>rd</sup> May 2026
- WALGA Economic Development Case Study Launch (via ZOOM) - 11<sup>th</sup> May 2026
- Economic Development Pre-Meeting - 12<sup>th</sup> May 2026
- Economic Development Meeting with Caroline Robinson - 13<sup>th</sup> May 2026

Unconfirmed

## 9.1 Officers Report - Acting Chief Executive Officer

### 9.1.1 Council Decision Status Report 2026

<b>File Reference</b>	<b>2.1.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Peter Clarke - Acting Chief Executive Officer</b>
<b>Attachments</b>	<b>Council Decision Status Report 2026</b>

#### Purpose of Report

Council to note the Council Decision Status Report 2026.

#### 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)

*Council noted the Council Status Report as presented indicating actioned items from the previous Ordinary Council meetings.*

## 9.1 Officers Report - Acting Chief Executive Officer

### 9.1.2 Cropping Lease - Lots 36, 44 and 88 Great Eastern Highway

<b>File Reference</b>	<b>2.4.1.1</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Peter Clarke - Acting Chief Executive Officer</b>
<b>Attachments</b>	<b>Draft Agreement</b>

#### Purpose of Report

For Council to determine the preferred Expression of Interest to take on the cropping lease of Lots 36, 44 and 88 Great Eastern Highway for a further three (3) years.

#### Background

The cropping lease for Lots 36, 44 and 88 (the Lots) expired in 2025, as such, Expressions of Interest were sought via Crosswords and the Shire's website and notice board, from interested parties to take on the lease as of the 29<sup>th</sup> May 2026 until the 29<sup>th</sup> May 2029.

Expressions of Interest were accepted up until the 7<sup>th</sup> May 2026, after which only one interested party responded as follows:

- Southern Cross Football Club - Interested in Lots 36, 44 & 88;

#### Comment

The draft Agreement is attached for Councillors perusal.

The Southern Cross Football Club has held the Lease of the above Lots for the previous 3 years and have met the required conditions of the Lease over that period.

The Expression of Interest detailed that the lots could be leased separately.

#### Statutory Environment

Nil.

#### Strategic Implications

Nil.

### Policy Implications

Nil.

### Financial Implications

Annual lease income.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Cost of maintaining leased lots	Moderate (6)	Agreement requires lessee to maintain lots.
Service Interruption	Nil	Nil	Nil
Compliance	Non-compliance with Shire lease conditions with DPLH	Moderate (6)	Agreement requires lessee to maintain lots
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Lessee creates environmental issues during tenure	Moderate (6)	Management conditions in agreement.

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 and Council Decision**

*63/2026*

*Moved Cr Rose/Seconded Cr Guerini*

*That Council awards the lease of Lots 36, 44 and 88 Great Eastern Highway to the Southern Cross Football Club for the purpose of cropping for the period 29<sup>th</sup> May 2026 to 29<sup>th</sup> May 2029 and authorises the Chief Executive Officer to sign the Lease Agreement on behalf of the Shire.*

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

Unconfirmed

## 9.1 Officers Report - Acting Chief Executive Officer

### 9.1.3 Adoption of Local Law - Public Places, Local Government Property and Trading Amendment Local Law 2026

<b>File Reference</b>	
<b>Disclosure of Interest</b>	None
<b>Voting Requirements</b>	Absolute Majority
<b>Author</b>	Peter Clarke - Acting Chief Executive Officer
<b>Attachments</b>	- Public Places, Local Government Property and Trading Amendment Local Law 2026 - Minister for Local Government Response

#### Purpose of Report

For Council to endorse the adoption of the Public Places, Local Government Property and Trading Amendment Local Law 2026.

#### Background

At the November 2025 Ordinary Council meeting, the following resolution was carried:

**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*

Public notice, as required by section 3.12(3)(a) of the *Local Government Act 1995* was executed by advertisement in the Kalgoorlie Miner Newspaper on 30 January 2026, in addition to notices placed on the Shire's website, Facebook page and notice boards.

A copy of the proposed local laws and a copy of the public notice was forwarded to the Minister for Local Government and the Director General of the Department of Local Government, Industry Regulation and Safety on 28 January 2026

The public submission period closed 16 March 2026.

## Comment

### SUBMISSIONS

No submissions were received from the general public.

A response (as attached) was received from the Office of the Hon Hannah Beazley MLA, Minister for Local Government, which stated:-

*“Following receipt of your correspondence, a copy of the Shire’s proposed local law was provided to the department of Local Government, Industry Regulation and Safety (LGIRS).”*

The Department of Local Government, Industry Regulation and Safety provided the following information:-

*This email is regarding the Shire’s amendment local law.*

*No significant issues have been identified, but some minor drafting suggestions are noted for your consideration.*

*Public Places Local Government Property and Trading Amendment Local Law 2025*

1. *Formatting*

*It is possible for the Shire to simplify the general format for its amendments. For example, clause 5 can be simplified to read:*

----

5. *Clause 2.7 amended*

*In clause 2.7(1)(h)(iii), replace “Firearms Act 1973” with “Firearms Act 2024”.*

----

*Clause 6, 8, 9 and 10 can be simplified in a similar manner.*

*By contrast, clause 4 can be simplified to:*

----

4. *Clause 1.3 amended*

*In clause 1.3 –*

- (a) Delete the definition of “eating house”*
- (b) Delete the definition (etc.....)*
- (c)*

-----

2. *Minor edits:*

*The following minor edits are suggested:*

- Clause 4(1)(a)(ii) insert “the” after “Delete”.*
- The Shire should ensure that all cross references and external references are checked for accuracy, particularly if any changes are made to the draft.*

*Minister's Directions - pursuant to s 3.12(7) of the Local Government Act 1995*

*Please note: once the Shire has published a local law in the Government Gazette, the Shire must comply with the requirements of the Minister's Local Laws Explanatory Memoranda Directions 2010. The Shire must, within 10 working days of the Gazettal publication date, forward the signed Explanatory Memoranda material to the Committee at the current address: Committee Clerk*

*Joint Standing Committee on Delegated Legislation  
Legislative Council Committee Office  
GPO Box A11  
PERTH WA 6837  
Email: delleg@parliament.wa.gov.au  
Tel: 9222 7404  
Fax: 9222 7805*

*A copy of the Directions is also available at the Committee's webpage at the Parliament WA website. Failure to comply with the Directions may render the local law inoperable.*

*Please note that my comments:*

- have been provided to assist the Shire with drafting matters in relation to the local law;*
- do not constitute legal advice;*
- have been provided in good faith for the Shire's consideration; and*
- should not be taken as an approval of content.*

*The Shire should ensure that a detailed editorial analysis of the proposed local law has been undertaken and that the content of the local law is in accordance with the Shire's policies and objectives.*

### **Amendments to Local Laws to be Adopted**

The Local Laws have been attached with relevant amendments delineated.

As per the *Local Government Act 1995*, if the local laws to be adopted is significantly different from what was originally proposed, then the process must recommence, however, it is the opinion of the reporting Officer that whilst there are amendments to the Proposed Local Laws, they proposed Local Laws are not "Significantly Different" from what was proposed, and still carry the same intent.

## **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).*

### **3.7. 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.*

### **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) *Subject to subsection (3A), 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 summarised 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 —*
    - (i) *the Departmental CEO; and*
    - (ii) *if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;*
  - and*
  - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3A) *The local government may, at the council meeting referred to in subsection (2), determine to proceed under subsection (3C) instead of subsection (3) if all the proposed local law would do is adopt, wholly and without modification —*
  - (a) *a model local law; or*
  - (b) *a model local law except certain provisions that the local government determines, at the council meeting referred to in subsection (2), are not relevant to the local government and the district.*
- (3B) *In subsection (3A)(a) and (b), references to a model local law include an amendment of a model local law.*
- (3C) *If the local government determines to proceed under this subsection, the local government must —*
  - (a) *publish a notice on the local government’s official website stating that —*
    - (i) *the local government proposes to make a local law the purpose and effect of which is summarised 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 3 weeks after the notice is published;*
  - and*
  - (b) *as soon as the notice is published, give a copy of the notice to —*
    - (i) *the Departmental CEO; and*
    - (ii) *if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;*
  - and*
  - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (4) *After the last day for submissions under subsection (3) or (3C) (as the case requires), 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 a local law, the local government must —*
  - (a) *publish the local law in the Gazette; and*

- (b) give a copy of the local law to —
  - (i) the Departmental CEO; and
  - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is made — the chief executive officer of that other department.
- (6) After the local law has been published in the Gazette the local government is to give notice in the required way —
  - (a) stating the title of the local law; and
  - (b) summarising 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.
- (6A) For the purposes of subsection (6), the required way for giving a notice is as follows —
  - (a) if the local government proceeded under subsection (3) — by local public notice;
  - (b) if the local government proceeded under subsection (3C) — by notice published on the local government's official website.
- (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.

## **Strategic Implications**

Nil.

### Policy Implications

Nil.

### Financial Implications

Advertising costs for local public notice and gazettal of adopted.

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

## Officer Recommendation and Council Decision

64/2026

*Moved Cr Granich/Seconded Cr Newbury*

*That Council, by Absolute majority:*

1. *Note that no community submissions were received in relation to the Public Places, Local Government Property and Trading Amendment Local Law 2026*
2. *Note the responses from the Office of Hon Hannah Beazley MLA, Minister for Local Government and Director General of the Department of Local Government, Industry Regulation and Safety.*
3. *Agree to accept all changes proposed and adopt the following Public Places, Local Government Property and Trading Amendment Local Law 2026, as presented.*
4. *Determine the proposed Local Law is not Significantly Different as a result of the proposed amendments.*
5. *Authorise the Acting CEO to make minor grammatical and formatting changes to the adopted local laws prior to gazettal.*
6. *Authorise the Acting CEO to advertise the adopted local laws in the Government Gazette.*
7. *Authorise the Acting CEO to Submit to the Minister for Local Government, following advertising in the Government Gazette, a copy of the adopted local laws.*
8. *Authorise the Acting CEO to advertise, as a local public notice, the adoption of the local laws.*
9. *Authorise the Acting CEO to compile and submit the Explanatory Memorandum and associated papers to the Joint Standing Committee on Delegated Legislation.*

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

## 9.1 Officers Report - Acting Chief Executive Officer

### 9.1.4 Central East Aged Care Alliance (CEACA) Housing Expansion Project

<b>File Reference</b>	
<b>Disclosure of Interest</b>	None
<b>Voting Requirements</b>	Simple Majority
<b>Author</b>	Peter Clarke - Acting Chief Executive Officer
<b>Attachments</b>	Nil

#### Purpose of Report

To submit to Council consideration for the waiving of Development Approval Application fees for the CEACA Housing 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 Project will involve the construction of 54 ILU's in the Eastern Wheatbelt area, of which 3 of these ILU's are to be constructed in Southern Cross.

#### Comment

As part of the co-contribution, and as arranged with the preferred tenderer for the construction of the homes, participating Shires indicated that they would waive the relevant Development Approval Application fees.

It is anticipated that Development Approvals will be sought in June 2026 and therefore, CEACA was seeking formal confirmation that these fees would be waived in anticipation of the DA's being submitted.

#### Statutory Environment

Nil

#### Strategic Implications

Nil.

### Policy Implications

Nil.

### Financial Implications

The Shire of Yilgarn's financial contribution to the construction of the 3 homes in Southern Cross is \$25,000 per home. Additional expenditure of \$25,000 will also be set aside for associated expenditure in the 2026/2027 Budget for costs associated with Development Approval and Building Licence fees.

### Risk Implications

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

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

**Officer Recommendation and Council Decision**

**65/2026**

***Moved Cr Stephen/Seconded Cr Newbury***

***That Council advises CEACA that as part of its co-contribution to the CEACA Expansion Project, Council formally confirms its previous commitment to waive all Development Approval Application fees associated with the construction of 3 Independent Living Units in Southern Cross.***

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

Unconfirmed

## 10.2 Reporting Officer - Executive Manager Corporate Services

### 10.2.1 Financial Reports - April 2026

<b>File Reference</b>	<b>8.2.3.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Travis Prue - Finance Manager</b>
<b>Attachments</b>	<b>Financial Reports</b>

#### Purpose of Report

To consider the Financial Reports.

#### Background

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

The following reports are attached and have been prepared as at the 30 April 2026.

- 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 and Council Decision**

**66/2026**

***Moved Cr Bradford/Seconded Cr Rose***

***That Council endorse the various Financial Reports as presented for the period ending 30 April 2026.***

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

Unconfirmed

## 10.2 Reporting Officer - Executive Manager Corporate Services

### 10.2.2 Accounts for Payment - April 2026

<b>File Reference</b>	<b>8.2.1.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Author</b>	<b>Steven Chilcott - Finance Officer</b>
<b>Attachments</b>	<b>Accounts for Payment</b>

#### Purpose of Report

To consider the Accounts Paid under delegated authority.

#### Background

- Municipal Fund - Cheque 41370 to 41370 totalling \$20.50
- Municipal Fund - EFT 17954 to 18042 totalling \$1,039,708.54
- Municipal Fund - Cheques 2819 to 2835 totalling \$316,523.07
- Municipal Fund - Direct Debit Numbers:
  - 20415.1 to 20415.14 totalling \$31,028.27
  - 20431.1 to 20431.14 totalling \$31,009.90

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

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

### Officer Recommendation and Council Decision

**67/2026**

**Moved Cr Bradford/Seconded Cr Granich**

- **Municipal Fund - Cheque 41370 to 41370 totalling \$20.50**
- **Municipal Fund - EFT 17954 to 18042 totalling \$1,039,708.54**
- **Municipal Fund - Cheques 2819 to 2835 totalling \$316,523.07**
- **Municipal Fund - Direct Debit Numbers:**
  - **20415.1 to 20415.14 totalling \$31,028.27**
  - **20431.1 to 20431.14 totalling \$31,009.90**

**The above are presented for endorsement as per the submitted list.**

**CARRIED (7/0)**

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

Unconfirmed

## 10.2 Reporting Officer - Executive Manager Corporate Services

### 10.2.3 2026/27 Schedule of Fees & Charges

<b>File Reference</b>	<b>8.2.5.5</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Author</b>	<b>Cameron Watson-Executive Manager Corporate Services</b>
<b>Attachments</b>	<b>Proposed 2026/2027 Schedule of Fees &amp; Charges.</b>

#### Purpose of Report

To consider the fees & charges to be applied in 2026/27.

#### Background

The Local Government Act 1995 allows for fees and charges that are to be imposed during a financial year to be adopted with the annual Budget.

As the Budget will not be adopted until after 1<sup>st</sup> July 2026, Council is requested to consider the schedule of fees and charges prior to the Budget adoption so that the agreed fees & charges can be taken into consideration when preparing the Budget and to allow the fees & charges to be applied from 1<sup>st</sup> July 2026.

#### Comment

A copy of the current fees & charges and proposed changes are included in the attachments. The items in **Red** are proposed to be deleted and the items in **Green** are proposed to be included or have been amended.

It is intended that the proposed fees and charges remain predominantly unchanged from those imposed in 2025/2026, however a summary of the recommended changes follows:

- Page 3 - Include a fee for Museum Curator time taken to undertake significant research requests.
- Page 5 & 6 - Increase the daily and weekly rental charges for non-staff related residential rentals.
- Page 6 - Extend cemetery fees to include the Bullfinch Cemetery.
- Page 6 - Remove the Grant of Right of Burial Renewal fee as this fee has not been charged in the past as space is not restricted.
- Page 7 - Add a Mobilisation / Demobilisation fee for grave preparation requests located at the Bullfinch Cemetery.
- Page 9 - Increase the per M<sup>3</sup> fee for the sale of Gravel and Sand.
- Page 10 - Adjust Standpipe charges due to increase in Water Corporation charges.
- Page 11 - Add a Pet Bond for selected Caravan Park - Sandalwood lodge rooms.
- Page 11 - March 2026 CPI (4.6%) adjustment of 11 Antares Shop Front annual rents.
- Page 11 - Adjust Labour Hire charges to better reflect actual cost.

- Page 11 & 12 – Increases to plant and minor plant hire out fees to better ensure competitiveness of local suppliers.

## Statutory Environment

### Local Government Act 1995 –

#### **6.13. Interest on money owing to local governments**

- (1) Subject to any other written law, a local government may resolve\* to require a person to pay interest at the rate set in its annual budget on any amount of money (other than rates and service charges) which —
  - (a) that person owes to the local government; and
  - (b) has been owed for the period of time referred to in subsection (6).

\* *Absolute majority required.*

- (2) A resolution under subsection (1) is to be included in the annual budget.
- (3) The rate of interest that may be set by the local government under this section is not to exceed the rate for the time being prescribed as the maximum rate of interest that may be set for the purposes of this section.
- (4) Where a local government imposes interest under subsection (1) on any outstanding amount of money the local government is not to also impose an additional charge in relation to that amount.
- (5) Accrued interest is, for the purpose of its recovery, taken to form part of the money owed to the local government on which it is charged.
- (6) A local government is not to impose interest on any amount of money under subsection (1) until the money has been owed to the local government for the period of time set by the local government in its annual budget (not being less than 35 days) after the date which is stated on the relevant account for payment as being the date the account was issued.
- (7) Regulations may provide for the method of calculation of interest.

[Section 6.13 modified: SL 2020/57<sup>1M</sup>.]

#### **6.16. Imposition of fees and charges**

- (1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

\* *Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
  - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
  - (b) supplying a service or carrying out work at the request of a person;

- (c) subject to section 5.94, providing information from local government records;
  - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
  - (e) supplying goods;
  - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed\* during a financial year; and
  - (b) amended\* from time to time during a financial year.

\* *Absolute majority required.*

#### **6.17. Setting level of fees and charges**

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
  - (a) the cost to the local government of providing the service or goods; and
  - (b) the importance of the service or goods to the community; and
  - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
  - (a) under section 5.96; or
  - (b) under section 6.16(2)(d); or
  - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
  - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
  - (b) limit the amount of a fee or charge in prescribed circumstances.

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

#### **19A. Maximum rate of interest prescribed (Act s. 6.13(3))**

The maximum rate of interest to be imposed under section 6.13(1) is prescribed as 11%.

*[Regulation 19A inserted: Gazette 28 Jun 1996 p. 3169; amended: Gazette 29 Jun 1999 p. 2854; 20 Apr 2012 p. 1700; 29 Jun 2012 p. 2953.]*

**19B. Interest on money owing, calculating (Act s. 6.13)**

- (1) Interest on money that remains owing after the date determined in accordance with section 6.13(6) (the *due date*) is to be calculated on a simple interest basis for the number of days from the due date until the day before the day on which a payment is received by the local government.
- (2) The principal sum on which interest is calculated for a financial year may include interest accrued but not paid in a previous financial year but is not to include interest accrued in the current financial year.
- (3) If payment is received by the local government during the period from 1 July in a financial year until the annual budget for that financial year is adopted, interest referred to in sub regulation (1) for that period is to be at the rate of interest imposed under section 6.13(1) for the previous financial year.
- (4) If under section 6.13 interest is to be imposed on money owing, a request for payment of that money is to include or be accompanied by a statement that interest is to accrue on money that remains owing after the due date and stating —
  - (a) the date from which interest will be imposed; and
  - (b) the rate of interest.

*[Regulation 19B inserted: Gazette 28 Jun 1996 p. 3169-70.]*

The recommendation that follows is consistent with the legislative requirements.

**Strategic Implications**

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

**Policy Implications**

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

**Financial Implications**

There are no financial implications as a result of this report however the adopted Schedule of Fees & Charges will influence the level of 2026/2027 Budgeted income.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Fee or Charge level excessive or inadequate.	Moderate (9)	Regular review.
Service Interruption	Nil	Nil	Nil
Compliance	Compliance with the Local Government Act and associated Regulations.	Low (2)	Regular review.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

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

**Officer Recommendation and Council Decision**

**68/2026**

***Moved Cr Bradford/Seconded Cr Guerini***

**That Council, by absolute majority;**

- 1. Adopts the 2026/2027 Schedule of Fees and Charges as presented; and**
- 2. Approves the advertising of their effective date of 1<sup>st</sup> July 2026.**

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

Unconfirmed

## 10.2 Reporting Officer - Executive Manager Corporate Services

### 10.2.4 2026/27 Councillor Sitting Fees

<b>File Reference</b>	<b>2.1.1.1</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Author</b>	<b>Cameron Watson-Executive Manager Corporate Services</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To set Councillors Sitting Fees for 2026/27.

#### Background

Section 7B (2) of the Salaries and Allowances Act 1975 requires the Salaries and Allowances Tribunal, at intervals of not more than 12 Months, to inquire into and determine: -

- The amount of fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 to elected council members for attendance at meetings;
- The amount of expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the Local Government Act 1995 to elected council members; and
- The amount of allowances or the minimum and maximum amounts of allowances, to be paid under the Local Government Act to elected council members.

The Tribunal continues to utilise the four band Local Government classification model adopted in 2012 with the Shire of Yilgarn falling under Band 3.

For the 2026/2027 financial year, the tribunal has determined that remuneration, fees, expenses, and allowance ranges for Band 3 Councils will increase by 3.5% from those determined for the 2025/26 financial year.

#### Council Meeting Attendance Fees per Meeting

Where a Local Government decides, by Absolute Majority, to pay a Council Member a fee referred to in section 5.98(1)(b) of the Local Government Act for attendance at a Council Meeting, the following per meeting fee range will be applicable;

<i>Band</i>	<b>For a council member other than mayor or president</b>		<b>For a council member who holds the office of mayor or president</b>	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
3	\$233	\$482	\$233	\$735

### Committee Meeting and Prescribed Meeting Fees per Meeting

Where a Local Government decides to pay a Council Member a fee referred to in: -

- (a) section 5.98(1)(b) of the Local Government Act for attendance at a Committee Meeting; or
- (b) section 5.98(2A)(b) of the Local Government Act for attendance at a Meeting of the type prescribed in regulation 30(3A) of the Local Government (Administration) Regulations 1996.

the following per meeting fee range will be applicable;

<i>Band</i>	<b>For a Council Member (including Mayor or President)</b>		<b>For an Independent Member</b>	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
3	\$114	\$244	\$0	\$466

In December 2023, s5.98 & s5.100 of the Act were repealed and replaced with what is included under the Statutory Environment of this recommendation. The previous s5.100 stated:

#### **5.100. *Payments for certain committee members***

- (1) *A person who is a committee member but who is not a council member or an employee is not to be paid a fee for attending any committee meeting.*
- (2) *Where —*
  - (a) *a local government decides that any person who is a committee member but who is not a council member or an employee is to be reimbursed by the local government for an expense incurred by the person in relation to a matter affecting the local government; and*
  - (b) *a maximum amount for reimbursement of expenses has been determined for the purposes of section 5.98(3)(b),*

*the local government must ensure that the amount reimbursed to that person does not exceed that maximum.*

*[Section 5.100 amended: No. 2 of 2012 s. 18.]*

This precluded any payment of sitting fees to the Community Representatives of the Audit Committee or Chief Executive Officer Selection Committee (when constituted).

Council Members who were also Committee member alongside community representatives were also precluded from receiving sitting fees because of s5.98 which stated (in part):

#### **5.98. *Fees etc. for council members***

- (1A) *In this section —*

***determined** means determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B.*

- (7) *A reference in this section to a **committee meeting** is a reference to a meeting of a committee comprising —*
- (a) *council members only; or*
  - (b) *council members and employees.*

s. 5.98 (7) was also repealed in December 2023.

It should also be noted that a Local Government may decide, by Absolute Majority, that instead of paying Council Members a per Meeting Attendance Fee it may, instead, decided it will pay all Council Members who attend Council, Committee, or proscribed meetings a fixed annual fee.

The benefits of this to Council are that there are significantly reduced administrative requirements involved, in that payments to Councillors are usually only made on either an annual, bi-annual, or quarterly basis. Additionally, the record keeping requirements of collating Councils attendance forms with time saving on the associated financial processing.

There is a downside to Council electing to utilise a fixed annual fee for Councillor sitting fees which is, if there was to be a consistently absent Councillor, there would be no mechanism to adjust their sitting fees.

At this time, it is not recommended that Council utilise annual sitting fees as it may require amending Council Policy 1.5 – Elected Member Entitlements.

#### **Annual Allowance for mayor or president of a local government**

Where a local government sets the amount of the annual local government allowance to which a mayor or president is entitled under section 5.98(5) of the LG Act the following allowance range will be applicable;

<i>Band</i>	<b>For a mayor or president</b>	
	<i>Minimum</i>	<i>Maximum</i>
3	\$1,193	\$42,837

#### **Annual Allowance for Deputy President**

For the purpose of section 5.98A(1) of the Local Government Act the annual allowance for a Deputy President is determined to be 25% of the Presidents Allowance.

#### **Travel Expenses**

The Salaries & Allowances Determination has Councillor travel reimbursements for actual distances travelled being paid at the same rate contained in section 30.6 of the *Local Government Officers' (Western Australia) Award 2021*, being

<b>Engine Displacement (in cubic centimetres)</b>			
<i>Area &amp; Details</i>	<i>Over 2600cc</i>	<i>Over 1600cc to 2600cc</i>	<i>1600cc and under</i>
	Cents per Kilometre		
Metropolitan Area	93.97	67.72	55.85
South West Land Division	95.54	68.66	56.69
North of 23.5 Latitude	103.52	74.12	61.21
Rest of State	99.01	70.87	58.37

For members with Electric Vehicles, the 1600cc Motor Vehicle Allowance rate should be applied.

### Comment

As Councillor sitting fees and the Presidents & Deputy Presidents Allowances were last updated in the 2024/2025 financial year, it will be recommended to maintain the sitting fees and Presidents & Deputy Presidents Allowances as set in that financial year.

For reference, the following are the 2024/2025 financial years Elected Member meeting attendance fees and expense reimbursement / allowances:

	<b>For a council member other than mayor or president</b>	<b>For a council member who holds the office of mayor or president</b>
<i>Meeting Fee Type</i>		
Council - Per Meeting	\$440	\$660
Committee - Per Meeting	\$220	\$220
<i>Expense Reimbursement / Allowance Type</i>		
Travel - Per Kilometre	As per Local Government Officers' (Western Australia) Award 2021 – section 30.6 for “Rest of State”	
ICT Allowance	\$1,180	
<i>Other Allowances</i>		
President - Per Annum	\$13,000	
Deputy President - Per Annum	\$3,000	
<i>Independent Committee Members</i>		
Audit, Risk & Improvement Committee - Per Meeting	\$450	
Other Applicable Committee - Per Meeting	\$450	

Travel expense reimbursement rates are reimbursed at the “Rest of State” levels included at section 30.6 of the Local Government Officers’ (Western Australia) Award 2021 and have remained unchanged from those of 2025/2026.

ICT Allowance is made up of \$480 in telecommunications (based on \$40 monthly post-paid Telstra data plan) and \$700 hardware replacement/upgrade (based on cost of iPad Pro 12.9” 128Gb WIFI over 2 years).

## Statutory Environment

### Local Government Act 1995 –

#### **5.98. Fees etc. for council members**

(1A) In this section —

*determined* means determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B.

(1) A council member who attends a council or committee meeting is entitled to be paid —

- (a) the fee determined for attending a council or committee meeting; or
- (b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.

(2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —

- (a) the fee determined for attending a meeting of that type; or
- (b) where the local government has set a fee within the range determined for meetings of that type, that fee.

(2) A council member who incurs an expense of a kind prescribed as being an expense —

- (a) to be reimbursed by all local governments; or
- (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement,

is entitled to be reimbursed for the expense in accordance with subsection (3).

(3) A council member to whom subsection (2) applies is to be reimbursed for the expense —

- (a) where the extent of reimbursement for the expense has been determined, to that extent; or
- (b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement, to that extent.

(4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits

the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.

- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
  - (a) the annual local government allowance determined for mayors or presidents; or
  - (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.
- (6) A local government cannot make any payment to, or reimburse an expense of, a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with —
  - (a) this Division; or
  - (b) a policy adopted by the local government under section 5.129.
- (6A) Neither subsection (6), nor any other provision of this Act, prevents a local government from doing the following —
  - (a) making a unanimous resolution as referred to in the *Taxation Administration Act 1953* (Commonwealth) Schedule 1 section 12-45(1)(e);
  - (b) if the local government makes such a resolution — doing anything under the *Taxation Administration Act 1953* (Commonwealth), the *Superannuation Guarantee (Administration) Act 1992* (Commonwealth) or any other law of the Commonwealth as a result of the making of the resolution.

[(7) deleted]

[Section 5.98 amended: No. 64 of 1998 s. 36; No. 17 of 2009 s. 33; No. 2 of 2012 s. 14; No. 11 of 2023 s. 79.]

#### **5.98A. Allowance for deputy mayor or deputy president**

- (1) A local government may decide\* to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

\* *Absolute majority required.*

- (2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

[Section 5.98A inserted by No. 64 of 1998 s. 37; amended by No. 2 of 2012 s. 15.]

#### **5.99. Annual fee for council members in lieu of fees for attending meetings**

A local government may decide\* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B; or
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

\* *Absolute majority required.*

[Section 5.99 amended by No. 2 of 2012 s. 16.]

#### **5.99A. Allowances for council members in lieu of reimbursement of expenses**

- (1) A local government may decide\* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all eligible council members —
  - (a) the annual allowance determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B for that type of expense; or
  - (b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B for annual allowances for that type of expense, an allowance of that amount,

and only reimburse the member for expenses of that type in excess of the amount of the allowance.

\* *Absolute majority required.*

- (2) For the purposes of subsection (1), a council member is eligible to be paid an annual allowance under subsection (1) for a type of expense only in the following cases —
  - (a) in the case of an annual allowance that is paid in advance, if it is reasonably likely that the council member will incur expenses of that type during the period to which the allowance relates;
  - (b) in the case of an annual allowance that is not paid in advance, if the council member has incurred expenses of that type during the period to which the allowance relates.

[Section 5.99A inserted by No. 64 of 1998 s. 38; amended by No. 2 of 2012 s. 17; No. 26 of 2016 s. 13.]

#### **5.99B. Superannuation for council members: main provisions**

- (1) In this section and sections 5.99C to 5.99E —
  - remuneration** has the same meaning that it has in the *Superannuation Guarantee (Administration) Act 1992* (Commonwealth) section 11(1)(e);
  - superannuation contribution payment**, in relation to a council member, means —
    - (a) a payment of a prescribed type that is towards, or otherwise relates to, superannuation or retirement benefits for the council member; or

- (b) in the absence of regulations made for the purposes of paragraph (a) — a payment that is a contribution to an account that —
- (i) is nominated by the council member to the local government; and
  - (ii) is for superannuation or retirement benefits from a scheme or fund to which the *Superannuation Guarantee (Administration) Act 1992* (Commonwealth) applies.
- (2) A local government may decide\* to pay superannuation contribution payments for its council members under this section.
- \* *Absolute majority required.*
- (3) A local government may revoke\* a decision made by it under subsection (2).
- \* *Absolute majority required.*
- (4) Regulations may require a local government, for which no decision under subsection (2) is in effect, to pay superannuation contribution payments for its council members under this section.
- (5) Regulations may make provision for determining —
- (a) when a superannuation contribution payment for a council member is payable; and
  - (b) the amount of a superannuation contribution payment for a council member.
- (6) Subsections (7) and (8) apply in the absence of regulations made for the purposes of subsection (5).
- (7) A superannuation contribution payment for a council member is payable with, and at the same time as, any remuneration of the council member paid by the local government.
- (8) The amount of the superannuation contribution payment is the amount that the local government would have been required to contribute under the *Superannuation Guarantee (Administration) Act 1992* (Commonwealth) as superannuation if —
- (a) the council member were an employee of the local government for the purposes of that Act; and
  - (b) the remuneration were salary or wages of the council member for the purposes of that Act.
- (9) This section is subject to sections 5.99C and 5.99D.
- [Section 5.99B inserted: No. 47 of 2024 s. 63.]*

#### **5.99C. Superannuation for council members: opt outs**

- (1) This section applies to a local government —
- (a) for which a decision under section 5.99B(2) is in effect; or
  - (b) to which a requirement under regulations made for the purposes of section 5.99B(4) applies.

- (2) A council member may, by written notice to the CEO (an *opt-out notice*), opt out of superannuation contribution payments.
- (3) An opt-out notice remains in effect unless, and until, the council member, by written notice to the CEO, revokes the opt-out notice.
- (4) If an opt-out notice is in effect, the local government cannot pay a superannuation contribution payment for the council member under section 5.99B.

Note for this subsection:

If an opt-out notice is revoked, the local government cannot pay a superannuation contribution payment for the council member that the local government could not previously pay because of this subsection.

[Section 5.99C inserted: No. 47 of 2024 s. 63.]

#### **5.99D. Superannuation for council members: other exceptions**

- (1) This section applies to a local government —
  - (a) for which a decision under section 5.99B(2) is in effect; or
  - (b) to which a requirement under regulations made for the purposes of section 5.99B(4) applies.
- (2) A local government cannot pay a superannuation contribution payment for a council member under section 5.99B at any time when the *Taxation Administration Act 1953* (Commonwealth) Schedule 1 section 12-45(1)(e) applies in relation to the local government.
- (3) Subsection (4) applies in the absence of regulations made for the purposes of paragraph (a) of the definition of *superannuation contribution payment* in section 5.99B(1).
- (4) A local government cannot pay a superannuation contribution payment for a council member under section 5.99B if the council member has not, before the time at which the superannuation contribution payment must be paid, nominated an account to the local government as referred to in paragraph (b) of the definition of *superannuation contribution payment* in section 5.99B(1).
- (5) Regulations may prescribe circumstances in which a local government —
  - (a) cannot pay a superannuation contribution payment for a council member under section 5.99B; or
  - (b) can pay only a portion of the amount of each superannuation contribution payment for a council member under section 5.99B.
- (6) Regulations may make provision for determining the portion referred to in subsection (5)(b).

Note for this section:

A superannuation contribution payment, or a portion of a superannuation contribution payment, that a local government cannot pay for a council member under subsection (2) or (4), or under a provision of regulations made for the

purposes of subsection (5), cannot be paid by the local government after the subsection or provision of regulations has ceased to apply. For example, if a local government cannot pay a superannuation contribution payment for a council member under subsection (2), the local government cannot pay the superannuation contribution payment after the *Taxation Administration Act 1953* (Commonwealth) Schedule 1 section 12-45(1)(e) ceases to apply in relation to the local government.

[Section 5.99D inserted: No. 47 of 2024 s. 63.]

#### **5.99E. Superannuation for council members: supplementary provisions**

- (1) For the purposes of subsection (2), this subsection applies to a case in which —
  - (a) section 5.102AB, 8.29(5)(b), 8.30B(4)(b) or 8A.25(4)(b) applies, or regulations made for the purposes of section 5.126(3)(b) apply, in relation to an annual allowance or annual fee paid in advance to a person (the **relevant person**); and
  - (b) the local government paid a superannuation contribution payment for the relevant person under section 5.99B wholly or partly by reference to, or otherwise in connection with, the annual allowance or annual fee.
- (2) Regulations may, in respect of a case to which subsection (1) applies, make provision —
  - (a) requiring the relevant person to pay the local government an amount (the **returnable amount**) that is equal to a percentage of the amount of the superannuation contribution payment; and
  - (b) for determining that percentage (which may be 100%); and
  - (c) for the local government to recover the returnable amount if it is not paid.
- (3) In making a determination under the *Salaries and Allowances Act 1975* section 7B, the Salaries and Allowances Tribunal must not take into account either of the following —
  - (a) the payment of superannuation contribution payments by a local government under section 5.99B;
  - (b) a local government's power to decide to pay, or its duty to pay, superannuation contribution payments under section 5.99B.
- (4) Nothing in section 5.99B, 5.99C or 5.99D or this section, or that is done under section 5.99B, 5.99C or 5.99D or this section, makes a council member an employee of the local government.
- (5) A superannuation contribution payment paid by a local government under section 5.99B is not salary for the purposes of any written law.

[Section 5.99E inserted: No. 47 of 2024 s. 63; amended: No. 47 of 2024 s. 64.]

#### **5.100. Fees paid and expenses reimbursed to committee members**

- (1) In this section —

**committee member** means a person who is a committee member but who is neither a council member nor an employee;

**determined** means determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7BAA.

- (2) A committee member who attends a meeting of the committee is entitled to be paid —
  - (a) the fee determined for attending a committee meeting; or
  - (b) if the local government has set a fee within the range determined for committee meeting attendance fees — that fee.
- (3) A committee member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —
  - (a) the fee determined for attending a meeting of that type; or
  - (b) if the local government has set a fee within the range determined for meetings of that type — that fee.
- (4) Subsection (5) applies if a committee member incurs —
  - (a) an expense that is of a kind prescribed as being an expense to be reimbursed by all local governments; or
  - (b) an expense —
    - (i) that is of a kind prescribed as being an expense which may be approved by any local government for reimbursement by the local government; and
    - (ii) which has been approved by the local government for reimbursement.
- (5) The committee member must be reimbursed for the expense —
  - (a) if the extent of reimbursement for the expense has been determined — to that extent; or
  - (b) if the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement — to that extent.
- (6) If an expense is of a kind that may be approved by a local government for reimbursement, the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (5) if the local government has approved reimbursement of the expense in a particular case.
- (7) A local government cannot make any payment to, or reimburse an expense of, a person who is a committee member in that person's capacity as committee member unless the payment or reimbursement is in accordance with this section.

*[Section 5.100 inserted: No. 11 of 2023 s. 80.]*

Local Government (Administration) Regulations 1996 –

### **30. Meeting attendance fees (Act s. 5.98(1) and (2A))**

*[(1), (2) deleted]*

- (3A) Each of the following meetings is a meeting of a prescribed type for the purposes of section 5.98(2A) —
- (a) meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;
  - (b) meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;
  - (c) council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;
  - (d) meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;
  - (e) meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.

*[(3B) deleted]*

- (3C) A council member is not entitled to be paid a fee for attending a meeting of a type referred to in subregulation (3A) if —
- (a) the person who organises the meeting pays the council member a fee for attending the meeting; or
  - (b) the council member is paid an annual fee in accordance with section 5.99; or
  - (c) if the meeting is a meeting referred to in subregulation (3A)(c), the member of the regional local government is paid an annual fee in accordance with section 5.99.

*[(3)-(5) deleted]*

*[Regulation 30 amended in Gazette 23 Apr 1999 p. 1719; 31 Mar 2005 p. 1034; 3 May 2011 p. 1595-6; 13 Jul 2012 p. 3219.]*

### **31. Expenses to be reimbursed (Act s. 5.98(2)(a) and (3))**

- (1) For the purposes of section 5.98(2)(a), the kinds of expenses that are to be reimbursed by all local governments are —
- (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
  - (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.

*[(2)-(5) deleted]*

*[Regulation 31 amended in Gazette 31 Mar 2005 p. 1034; 13 Jul 2012 p. 3219.]*

**32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))**

- (1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —
  - (a) an expense incurred by a council member in performing a function under the express authority of the local government; and
  - (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
  - (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

*[(2) deleted]*

*[Regulation 32 amended in Gazette 13 Jul 2012 p. 3219.]*

*[33-34AB. Deleted in Gazette 13 Jul 2012 p. 3219]*

*Salaries and Allowance Act 1975*

**7B. Determinations as to fees and allowances of local government councillors**

- (1) In this section —

*electd council member* means a person elected under the *Local Government Act 1995* as a member of the council of a local government.
- (2) The Tribunal is to, from time to time as provided by this Act, inquire into and determine —
  - (a) the amount of fees, or the minimum and maximum amounts of fees, to be paid under the *Local Government Act 1995* to elected council members for attendance at meetings; and
  - (b) the amount of expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the *Local Government Act 1995* to elected council members; and
  - (c) the amount of allowances, or the minimum and maximum amounts of allowances, to be paid under the *Local Government Act 1995* to elected council members.
- (3) Section 6(2) and (3) apply to a determination under this section.

*[Section 7B inserted by No. 2 of 2012 s. 39.]*

The recommendation that follows is consistent with the legislative requirements.

### Strategic Implications

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

### Policy Implications

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

### Financial Implications

Any resolution on the value of sitting fees and Members expenses will form part of the 2026/2027 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	Compliance with the Local Government Act, associated Regulations and current SAT determination.	Moderate (6)	Ensure compliance with Act, Regs and SAT determination.
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 and Council Decision**

69/2026

*Moved Cr Bradford/Seconded Cr Rose*

**That Council**

- adopts the following elected members sitting fees, expense reimbursements/allowances and President & Deputy Presidents allowances for the 2026/2027 financial year:

		For a council member other than mayor or president	For a council member who holds the office of mayor or president
<i>Meeting Fee Type</i>			
Council	- Per Meeting	\$440	\$660
Committee	- Per Meeting	\$220	\$220

<i>Expense Reimbursement / Allowance Type</i>		
Travel Reimbursement	- Per Kilometre	As per Local Government Officers' (Western Australia) Award 2021 – section 30.6 for “Rest of State”
ICT Allowance		\$1,180

<i>Other Allowances</i>		
President	- Per Annum	\$13,000
Deputy President	- Per Annum	\$3,250

<i>Independent Committee Member</i>		
Audit & Risk Committee Meeting	- Per Meeting	\$450
Other Applicable Committee Meeting	- Per Meeting	\$450

- Decide, by absolute majority, not to pay superannuation contribution payments for its council members.

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

## 11.3 Reporting Officer - Executive Manager Infrastructure

### 11.3.1 Route Determination Emu Fence Road and Polaris Street (PBS TD3B.3 - Yilgarn Iron)

#### File Reference

#### Disclosure of Interest

Nil

#### Voting Requirements

Simple Majority

#### Author

Glen Brigg - Executive Manager Infrastructure

#### Attachments

Nil

### Purpose of Report

To seek Council's determination on the inclusion of Emu Fence Road and Polaris Street in the PBS TD3B.3 network to support Yilgarn Iron haulage, subject to cost recovery arrangements and operational controls.

### Background

Council has previously supported PBS TD3B.3 (AMMS Level 3) access for Yilgarn Iron on the primary freight route, including Threeboys Road, Koolyanobbing Road and Cameron Road.

A further request has been received to extend this network to include Emu Fence Road and Polaris Street as part of the haulage route between Parker Range Mine and Koolyanobbing. The proposed freight task is approximately 2 million tonnes per annum.

Emu Fence Road was previously not supported due to the outstanding Mineral Resources Limited (MRL) Road User Agreement, which requires the road to be returned to a safe and serviceable condition following haulage. Council has now been advised that a financial settlement has been reached with MRL to discharge these obligations, with the Shire to undertake the required repair works. This enables the road to be reconsidered for access.

Yilgarn Iron has advised that it does not intend to enter into a Road User Agreement, and instead proposes to operate under the Shire's Heavy Vehicle Road User Fee (HVRUF) framework. This approach would see the Shire manage maintenance of the road, with costs recovered from the operator.

Polaris Street forms part of the proposed connection to Koolyanobbing Southern Cross Road but is located within a residential area of Southern Cross. This introduces additional considerations around safety, amenity and operating hours not present on other approved freight routes.

Main Roads WA, through Heavy Vehicle Services (HVS), manages access approvals under a notification-based system. While HVS retains final approval authority, the Shire remains the road manager and is formally consulted. Council's position is therefore an important input into how access is determined and what conditions may apply.

This report provides information for Council to determine its position on the inclusion of Emu Fence Road and Polaris Street in the PBS TD3B.3 network, including any conditions required to manage operational and community impacts.

### Comment

Council has previously supported higher capacity freight operations on this network, including Tri Drive 10.3 and TD5.3 configurations. These represent equal or greater loading than the proposed PBS TD3B.3 vehicles. As a result, this proposal does not introduce a new level of impact, but formalises access under a more controlled framework.

#### **Emu Fence Road (Change in Position)**

Emu Fence Road was previously not supported due to the unresolved Mineral Resources Limited (MRL) Road User Agreement. A financial settlement has now been reached, enabling the Shire to undertake the required repair works and return the road to an appropriate standard.

With this issue addressed, the road can now be reconsidered as part of the freight network. Support is considered appropriate, subject to finalisation of the settlement, completion of repair works, and implementation of an appropriate cost recovery mechanism through the Shire's Heavy Vehicle Road User Fee (HVRUF) framework.

#### **Polaris Street (Key Issue)**

Polaris Street presents a higher risk profile due to its residential frontage and physical constraints at the intersection, including a power pole that limits turning movements for PBS TD3B.3 vehicles. Uncontrolled access, particularly 24, hour operations, is likely to result in community concern.

To manage these risks, a controlled arrangement is recommended:

- inbound haulage via Polaris Street only;
- outbound haulage via Cameron Road and Threeboys Road; and
- restricted operating hours to be determined by Council.

This approach allows safe vehicle movements while limiting impacts on residents.

#### **Asset Management**

Heavy vehicles at this level will accelerate road wear if not properly managed. Consistent with previous Council decisions, access should be managed through the Shire's Heavy Vehicle Road User Fee (HVRUF) framework, supported by operational conditions and appropriate cost recovery mechanisms. This ensures the cost of freight activity is borne by the operator rather than the ratepayer, while allowing the Shire to control maintenance delivery and road condition.

## Overall Position

The proposal represents a logical extension of the existing freight network. Emu Fence Road can now be supported following the MRL settlement, and Polaris Street can be supported with appropriate controls in place.

On balance, the proposal is supportable subject to completion of repair works, implementation of the HVRUF framework, and application of operating controls on Polaris Street.

## Statutory Environment

The Shire is responsible for managing local roads and determining their suitability for heavy vehicle access under the Local Government Act 1995. This includes the ability to apply restrictions or conditions to address safety, asset condition and community impacts.

Main Roads WA, through Heavy Vehicle Services (HVS), is responsible for approving RAV access under the Road Traffic (Vehicles) Act 2012. While HVS retains final approval authority, the Shire remains the road manager and is formally consulted as part of the process. Council may support, conditionally support, or not support access based on local conditions.

Assessment of the proposed access is also guided by:

- Main Roads WA RAV Access Policy
- Shire of Yilgarn RAV and AMMS Policy
- Heavy Vehicle Road User Fee (HVRUF) Policy
- WALGA Incremental Cost Impact Guidance (2025)

These frameworks support a controlled approach to heavy vehicle access, including the application of conditions and cost recovery where required.

## Strategic Implications

This proposal aligns with the Shire's strategic objectives relating to sustainable asset management, economic activity and governance.

- Sustainable Asset Management supports a controlled approach to heavy vehicle access, ensuring freight activity is managed in line with road capacity and long-term asset sustainability.
- Economic Development and Regional Connectivity, facilitates efficient freight movement associated with mining operations, supporting regional economic activity and maintaining critical transport links.
- Financial Sustainability and Governance, ensures road impacts associated with heavy haulage are managed through formal agreements and cost recovery mechanisms, reducing the financial burden on ratepayers.

- Community Considerations, recognises the need to balance freight efficiency with community amenity, particularly in residential areas, through the application of operational controls where required.

### Policy Implications

This proposal aligns with the Shire's adopted approach to managing heavy vehicle access, protecting road assets and ensuring costs are recovered from freight operators where impacts exceed normal use.

- RAV and AMMS Policy Provides the basis for assessing heavy vehicle access and allows Council to apply conditions based on road condition, safety and capacity.
- Heavy Vehicle Road User Fee (HVRUF) Policy Ensures that the cost of increased road wear from heavy haulage is recovered from the operator, not the ratepayer.
- Asset Management Policy and Framework Supports decisions that maintain long-term sustainability of the road network and avoid transferring renewal costs to the community.

### Financial Implications

There are, no direct capital costs to the Shire associated with this proposal, noting that a financial settlement has been reached with Mineral Resources Limited (MRL) to fund the required repair works on Emu Fence Road.

The proposed access will introduce increased heavy vehicle loading on the network, which will accelerate pavement deterioration and increase maintenance and renewal demand. This impact is to be managed through the application of the Shire's Heavy Vehicle Road User Fee (HVRUF) framework.

Under this approach, the Shire will undertake maintenance of the road, with costs associated with freight activity recovered from the operator rather than transferred to the ratepayer.

While this model provides cost recovery, it introduces an operational responsibility for the Shire to manage road condition and maintenance delivery. Ongoing monitoring and appropriate fee setting will be required to ensure full cost recovery is achieved.

Failure to implement appropriate cost recovery mechanisms and operational controls would expose the Shire to increased long-term financial liability associated with accelerated asset consumption and potential reconstruction costs.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health / People	Nil	Nil	Nil
Financial Impact	Accelerated pavement deterioration resulting in increased maintenance and renewal costs if heavy vehicle access is not managed appropriately	High	Execute Road User Agreement (RUA) and apply HVRUF to ensure full cost recovery from operator
Service Interruption	Increased freight activity may impact local road use and access, particularly on Polaris Street if not controlled	Moderate	Apply operational controls including route direction and restricted operating hours
Compliance	Risk of inconsistent or uncontrolled heavy vehicle access if route determination and conditions are not clearly defined	Moderate	Formal Council resolution and alignment with HVS process and Shire policies
Reputational	Community concern regarding heavy vehicle movements through residential areas (Polaris Street), particularly if 24, hour operations occur	High	Restrict operating hours, limit use to inbound movements, and clearly communicate conditions
Property	Nil		Nil

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

#### Officer Recommendation

*Moved Cr Bradford/Seconded Cr Granich*

That Council, by Simple Majority pursuant to the Local Government Act 1995:

1. Supports the inclusion of Emu Fence Road within the PBS TD3B.3 network, subject to implementation of cost recovery through the Shire's Heavy Vehicle Road User Fee (HVRUF) framework, to the satisfaction of the Chief Executive Officer.
2. Supports the inclusion of Polaris Street within the PBS TD3B.3 network, subject to the following conditions:
  - Use of Polaris Street is limited to inbound haulage movements only;
  - Outbound haulage is to occur via Threeboys Road;
  - Operating hours on Polaris Street are restricted to times determined and approved by the Shire of Yilgarn.
3. Notes that all heavy vehicle access is to be managed in accordance with:
  - The Shire of Yilgarn RAV and AMMS Policy;
  - The Heavy Vehicle Road User Fee (HVRUF) Policy; and
  - Any conditions applied by Main Roads WA Heavy Vehicle Services (HVS) consistent with Council's position.

## AMENDMENT

70/2026

*Moved Cr Guerini/Seconded Cr Stephen*

**That Council, by Simple Majority pursuant to the Local Government Act 1995:**

1. **Supports the inclusion of Emu Fence Road within the PBS TD3B.3 network, subject to implementation of cost recovery through the Shire's Heavy Vehicle Road User Fee (HVRUF) framework, to the satisfaction of the Chief Executive Officer.**
2. **Supports the inclusion of Polaris Street within the PBS TD3B.3 network, subject to the following conditions:**
  - **Use of Polaris Street is limited to inbound haulage movements only;**
  - **Outbound haulage is to occur via Threeboys Road;**
  - **Polaris Street may operate on a 24, hour basis, subject to ongoing monitoring of community impacts and the Shire of Yilgarn reserving the right to review, amend or introduce operating conditions where substantiated community complaints or operational issues arise.**
3. **Notes that all heavy vehicle access is to be managed in accordance with:**
  - **The Shire of Yilgarn RAV and AMMS Policy;**
  - **The Heavy Vehicle Road User Fee (HVRUF) Policy; and**
  - **Any conditions applied by Main Roads WA Heavy Vehicle Services (HVS) consistent with Council's position.**

**THE AMENDMENT BECAME THE MOTION  
THE MOTION WAS DULY PUT AND CARRIED (7/0)**

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

### **Reason for Alteration to Recommendation**

Council considered that it should have the availability to review the use of Polaris Street and amend or introduce operating conditions in the event of substantiated community complaints or where operational issues arise.

## 11.3 Reporting Officer - Executive Manager Infrastructure

### 11.3.2 5-Year Development Plan for Regional Roads Group

#### File Reference

**Disclosure of Interest**

Nil

**Voting Requirements**

Simple Majority

**Author**

Glen Brigg - Executive Manager Infrastructure

**Attachments**

Council's 10-Year Funding Plan Spreadsheet

#### Purpose of Report

To present Council with the updated 5-Year Regional Roads Group (RRG) Development Plan.

The program has already been submitted under the previously adopted plan. The key change is that the originally planned 2026/27 project has been brought forward and delivered in 2025/26 as part of the Cramphorne Road shovel ready works. While this has improved delivery efficiency and accelerated network outcomes, it has resulted in there currently being no Council endorsed RRG project for the 2026/27 financial year.

To address this, staff have reworked the 5-year program by effectively bringing the forward program ahead, ensuring a continuous pipeline of projects that remain aligned with Council's priorities and RRG funding requirements. The updated program reflects these adjustments without altering Council's previously endorsed RRG funding priorities.

#### Background

The Regional Roads Group (RRG) program provides funding for Local Roads of Regional Significance under the State Road Funds to Local Government Agreement.

Council has progressively refined its RRG program to focus on roads that perform a clear regional function, particularly those supporting freight movement, agricultural access and connectivity to key transport routes. This has resulted in a shift away from lower volume roads toward a more targeted investment approach on priority corridors.

Funding under the program is allocated based on a combination of traffic volumes (including heavy vehicle usage), freight significance, network connectivity and project readiness. To maximise eligibility and funding outcomes, Council has ensured that projects are appropriately scoped, prioritised and aligned with RRG Technical Working Group requirements.

#### Comment

The updated 5-Year RRG Development Plan has been prepared based on current traffic data, freight usage, asset condition and alignment with Regional Roads Group (RRG) funding priorities. The program focuses on roads that perform a regional function, particularly those supporting freight movement, agricultural access and connectivity to the broader network.

Council has not yet endorsed an RRG project for the 2026/27 financial year. This reflects the previously approved Cramphorne Road project being brought forward and delivered in 2025/26 as a shovel ready project. As a result, the 2026/27 allocation has effectively been brought forward to maximise delivery efficiency and maintain continuity of works. In accordance with RRG requirements, all projects within the 5-year program must be formally endorsed by Council.

A key part of the program is finishing roads properly rather than leaving sections half done. Cramphorne Road has been brought forward so the remaining works can be completed over two years instead of four. This means fewer starts and stops, lower costs, and less time with the road only partly upgraded.

Across the broader program, works balance network expansion with ongoing asset renewal. This includes progressing the upgrade of Southern Cross South to a sealed standard, alongside a continuous resealing and rehabilitation program on roads such as Koolyanobbing Road and Moorine South.

Indicative annual program values range between approximately \$2.1 million and \$2.7 million (indexed), delivered under the standard RRG funding model of 2/3 State and 1/3 Local Government contribution. The program provides a clear pipeline of works, ensuring the Shire remains well positioned to secure funding and deliver projects efficiently.

Overall, the program focuses on completing key corridors, maintaining the existing network and prioritising roads that carry freight and support the highest levels of use.

### **Statutory Environment**

The Regional Roads Group (RRG) program operates under the State Road Funds to Local Government Agreement, which governs the distribution of road funding across Western Australia. Funding is derived from a portion of motor vehicle licence fees and allocated to Local Governments based on criteria including traffic volumes, freight significance and regional connectivity.

Projects submitted under the RRG program must meet Main Roads WA requirements, including appropriate planning, design standards and demonstrated project readiness. Funding is subject to approval through the Regional Roads Group and Technical Working Group processes.

Council's participation in the program requires a financial contribution under the standard funding model of 2/3 State and 1/3 Local Government, with these commitments incorporated into Council's annual budget and long-term financial planning.

### **Strategic Implications**

The proposed 5-Year RRG Development Plan supports Council's Strategic Community Plan, particularly:

- Outcome 2.5: Safety and quality of transport networks are maintained and improved

- 2.5.1 Maintain and upgrade the road network
- 2.5.2 Support regional connectivity and freight movement

The program reflects a shift toward targeted investment in roads that perform a regional function, ensuring funding is directed to key freight and agricultural corridors rather than dispersed across lower use routes. This approach strengthens the efficiency and resilience of the road network while aligning with RRG funding priorities.

The staged delivery of major corridors, including the accelerated completion of Cramphorne Road and the upgrade of Southern Cross South, supports long-term network planning by providing continuity of standard and reducing fragmented infrastructure outcomes.

Overall, the program positions the Shire to maximise external funding opportunities, improve transport efficiency and support regional economic activity.

### Policy Implications

The proposed 5-Year RRG Development Plan is consistent with Council's Asset Management Policy and Engineering Policy 5.2, which support prioritising infrastructure investment based on condition, usage and strategic importance.

The program aligns with Council's asset management framework by directing funding toward roads that meet defined service levels, demonstrate regional significance and require renewal or upgrade to maintain network performance.

### Financial Implications

The 5-Year RRG Development Plan is based on the standard funding model of 2/3 State funding and 1/3 Local Government contribution.

Indicative annual program values range between approximately \$2.1 million and \$2.7 million (indexed), with Council's required contribution incorporated into the Long-Term Financial Plan and annual budget process.

It is noted that Council has not yet endorsed an RRG project for the 2026/27 financial year, as funding was brought forward and expended in 2025/26 to deliver the Cramphorne Road shovel, ready project. This approach improved delivery efficiency and maintained continuity of works.

Council's ongoing financial commitment will be required to support future projects within the program. Any variation in RRG funding allocations or cost escalation may result in project deferral, scope adjustment or increased pressure on Council's contribution.

### Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
<b>Health/People</b>	Nil		Nil
<b>Financial Impact</b>	Reliance on external RRG funding and potential cost escalation impacting Council's 1/3 contribution	Moderate	Align program with RRG priorities to secure funding; manage scope within available budgets; stage works where required
<b>Service Interruption</b>	Delays in funding or delivery may result in continued deterioration of key routes, particularly under freight loading	Moderate	Prioritise high, use roads; continue rehabilitation and resealing programs; maintain interim maintenance
<b>Compliance</b>	Nil		Nil
<b>Reputational</b>	Failure to deliver priority projects may impact Council's standing with RRG and community expectations	Low	Maintain a clear, prioritised program aligned with RRG criteria and communicate delivery timeframes
<b>Property</b>	Nil		Nil
<b>Environment</b>	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 and Council Decision

*71/2026*

*Moved Cr Bradford/Seconded Cr Stephen*

**That Council, by Simple Majority:**

- 1. Endorses the updated 5-Year Development Plan for Local Roads of Regional Significance for submission to the Wheatbelt North Regional Roads Group.**
- 2. Supports the continued prioritisation of key freight and regional connector roads, including the staged completion of Cramphorne Road and the upgrade of Southern Cross South.**
- 3. Acknowledges that Council's financial contribution will be considered through the annual budget process in accordance with the RRG funding model.**

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

Unconfirmed

## 11.3 Reporting Officer - Executive Manager Infrastructure

### 11.3.3 Freight Related Road Maintenance and Rehabilitation Koolyanobbing Road and Emu Fence Road

#### File Reference

**Disclosure of Interest**

Nil

**Voting Requirements**

Simple Majority

**Author**

Glen Brigg - Executive Manager Infrastructure

**Attachments**

Nil

#### Purpose of Report

To seek Council endorsement for the management of freight related maintenance and pavement rehabilitation activities on Koolyanobbing Road and Emu Fence Road associated with Yilgarn Iron haulage operations, including the future application of the Shire's Heavy Vehicle Road User Fee (HVRUF) framework and expenditure of Mineral Resources Limited (MRL) settlement funds on road repair and preservation works.

#### Background

Council has previously considered a number of reports relating to heavy haulage operations associated with Yilgarn Iron on Koolyanobbing Road, Emu Fence Road and associated freight routes. These reports have included route access, pavement deterioration, asset consumption, maintenance impacts and Heavy Vehicle Road User Fee (HVRUF) arrangements.

Council also previously resolved that Emu Fence Road would not be utilised for haulage until Mineral Resources Limited (MRL) finalised its make good obligations associated with previous haulage activities.

A financial settlement has now been reached with MRL, enabling the Shire to undertake pavement repairs and restoration works directly on Emu Fence Road. No expenditure associated with these works is proposed until settlement funds are received.

At the same time, ongoing Yilgarn Iron haulage operations on Koolyanobbing Road are continuing to generate increased maintenance demand and accelerated pavement deterioration, particularly on the final 25 km section previously identified in Council reports.

While existing 2025/26 road maintenance budgets remain available for general maintenance activities, the final available road maintenance budget position is still being determined following allocation of operational overheads and end, of year adjustments. At the 31 January 2026 budget review, the overall Shire budget position remained forecast to be in a surplus position in excess of \$1 million.

The Heavy Vehicle Road User Fee (HVRUF) framework is intended to provide an ongoing funding mechanism from the 2026/27 financial year onward to support freight related maintenance and future pavement rehabilitation works associated with heavy haulage operations.

## Comment

The proposed approach allows the Shire to directly manage maintenance, pavement rehabilitation and freight related road impacts across Koolyanobbing Road and Emu Fence Road, rather than relying on third party maintenance delivery arrangements.

The approach also separates the two funding streams:

- Emu Fence Road repair works will be funded through the MRL settlement associated with make good obligations; and
- Koolyanobbing Road maintenance and rehabilitation works will initially be managed through existing road maintenance budgets, with Heavy Vehicle Road User Fee (HVRUF) revenue generated from Yilgarn Iron haulage operations to be progressively allocated toward ongoing freight related maintenance and rehabilitation activities.

This ensures that:

- existing road maintenance budgets continue to support normal network activities;
- freight related impacts can be progressively addressed as additional HVRUF revenue becomes available;
- freight related maintenance costs are not solely borne by ratepayers; and
- maintenance and rehabilitation works can be prioritised based on operational risk and pavement condition.

Initial priority works are expected to include:

- pavement repairs and make safe works on Emu Fence Road following receipt of MRL settlement funds;
- asphalt overlays at the Cameron Road / Southern Cross Bullfinch Road and Threeboys Road / Southern Cross Bullfinch Road intersections;
- shoulder grading and maintenance grading on Koolyanobbing Road; and
- localised pavement repairs and rehabilitation, works on Koolyanobbing Road.

This approach allows the Shire to progressively respond to freight related deterioration while maintaining operational freight access and prioritising the highest, risk pavement failures first.

## Statutory Environment

The Shire is responsible for the management and maintenance of local roads under the Local Government Act 1995, including the ability to undertake maintenance, rehabilitation and operational works necessary to maintain road safety and serviceability.

Main Roads WA, through Heavy Vehicle Services (HVS), is responsible for approving Restricted Access Vehicle (RAV) access under the Road Traffic (Vehicles) Act 2012. While Main Roads retains approval authority for heavy vehicle access, the Shire remains the road manager and is responsible for managing the ongoing operational and asset impacts associated with heavy haulage activity on local roads.

Assessment and management of freight related impacts is also supported by:

- Shire of Yilgarn Heavy Vehicle Road User Fee (HVRUF) Policy;
- Shire of Yilgarn RAV and AMMS Policy;
- Main Roads WA RAV Access Policy; and
- WALGA Incremental Cost Impact Guidance.

These frameworks support the application of cost recovery mechanisms and operational controls to ensure freight related road impacts are appropriately managed and do not create an unreasonable financial burden on the Shire or ratepayers.

### Strategic Implications

This proposal supports the Shire's strategic objectives relating to sustainable asset management, financial sustainability, freight efficiency and governance. The proposed approach allows the Shire to:

- manage freight related road impacts in a structured and financially sustainable manner;
- maintain critical freight and community access routes;
- progressively rehabilitate sections of road impacted by heavy haulage operations;
- apply cost recovery mechanisms to reduce the financial burden on ratepayers; and
- ensure maintenance and rehabilitation works are prioritised based on operational risk and asset condition.

The proposal also aligns with the Shire's broader asset management objectives by recognising that ongoing heavy haulage activity creates accelerated pavement deterioration beyond normal road use and therefore requires additional funding mechanisms and long-term maintenance planning.

### Policy Implications

This proposal is consistent with the Shire's adopted approach to managing heavy vehicle access, protecting road assets and recovering freight related road impacts from operators where usage exceeds normal road activity. The proposal aligns with:

- Shire of Yilgarn Heavy Vehicle Road User Fee (HVRUF) Policy;
- Shire of Yilgarn RAV and AMMS Policy;
- Asset Management Policy and Framework; and
- Long-Term Financial Planning principles.

These policies support a user pays approach to freight related road deterioration and allow the Shire to apply operational controls, maintenance planning and cost recovery mechanisms to manage accelerated asset consumption associated with heavy haulage operations.

### Financial Implications

Existing 2025/26 road maintenance budgets remain available to undertake general road maintenance activities across the Shire road network.

At the 31 January 2026 budget review, the overall Shire budget position was forecast to remain in a surplus position in excess of \$1 million. However, the final available balance within the road maintenance budget is still being determined following allocation of plant, labour operational overheads.

Ongoing heavy haulage operations associated with Yilgarn Iron are expected to generate additional maintenance demand and accelerated pavement deterioration on Koolyanobbing Road and associated freight routes beyond normal road use.

As at 30 April 2026, Heavy Vehicle Road User Fee (HVRUF) revenue to date, from Yilgarn Iron totals \$940,636.97.

Initial 2025/26 freight related maintenance works on Koolyanobbing Road are currently estimated at approximately \$275,000, primarily associated with asphalt overlays, pavement repairs, shoulder maintenance and grading activities.

The proposed approach separates the two primary funding streams:

- Emu Fence Road repair and restoration works will be funded through settlement monies associated with Mineral Resources Limited's (MRL) make good obligations. No expenditure is proposed on these works until settlement funds are received by the Shire.
- Koolyanobbing Road maintenance and rehabilitation activities will initially continue to be funded through existing road maintenance budgets, with the Heavy Vehicle Road User Fee (HVRUF) framework intended to provide ongoing supplementary funding from the 2026/27 financial year onward.

HVRUF funds are currently held within a term deposit arrangement and are not expected to be available for expenditure until the 2026/27 financial year.

While existing maintenance budgets may support initial works and operational responses, these budgets may not fully cover the long-term costs associated with freight related pavement deterioration and rehabilitation works.

The HVRUF framework is therefore intended to provide a long-term funding mechanism to support pavement rehabilitation, maintenance grading, asphalt overlays and future road preservation works associated with heavy haulage activity, reducing the long-term financial burden on ratepayers.

### Risk Implications

Risk Category	Description	Rating (Consequence × Likelihood)	Mitigation Action
Health / People	Nil	Nil	Nil
Financial Impact	Freight-related pavement deterioration may exceed existing maintenance budgets if not actively managed	High	Apply Heavy Vehicle Road User Fee (HVRUF) framework and prioritise rehabilitation works based on road condition and operational risk
Service Interruption	Deterioration of freight routes may impact heavy vehicle access and ongoing road serviceability	Moderate	Undertake progressive pavement repairs, maintenance grading and rehabilitation works
Compliance	Failure to implement appropriate cost recovery and operational controls may expose the Shire to unmanaged freight impacts	Moderate	Manage haulage activities in accordance with HVRUF Policy, RAV and AMMS Policy, and HVS conditions
Reputational	Community concern regarding road condition and freight related impacts if maintenance is not adequately managed	Moderate	Continue proactive maintenance, monitoring and communication regarding freight route management
Property	Nil	Nil	Nil

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

### Officer Recommendation and Council Decision

72/2026

*Moved Cr Guerini/Seconded Cr Rose*

That Council, by Simple Majority pursuant to the Local Government Act 1995:

1. Support the continued management of freight related maintenance and pavement rehabilitation activities associated with Yilgarn Iron haulage operations on Koolyanobbing Road and Emu Fence Road.
2. Authorise the commencement of priority pavement repairs, asphalt overlays, shoulder maintenance, grading and associated rehabilitation works on Koolyanobbing Road utilising existing road maintenance budgets, with future Heavy Vehicle Road User Fee (HVRUF) revenue to supplement ongoing freight related maintenance and rehabilitation activities once available.
3. Note that no repair works associated with Emu Fence Road are to commence until settlement monies associated with Mineral Resources Limited's (MRL) make good obligations are received by the Shire.

**CARRIED (7/0)**

*Cr's For: Close, Guerini, Bradford, Granich, Newbury, Rose, Stephen*

*Cr's Against: Nil*

## 12. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

**13. MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

Nil.

**15. MEETING CLOSED TO THE PUBLIC - CONFIDENTIAL ITEMS**

Nil.

**16. CLOSURE**

As there was no further business to discuss, the Shire President declared the meeting closed at 5:51pm.

I, Bryan Close, confirm the above Minutes of the Meeting held on Thursday 21 May 2026, are confirmed on Thursday 18 June 2026 as true and correct record of the May 2026 Ordinary Meeting of Council.

**Cr Bryan Close**  
**SHIRE PRESIDENT**

Unconfirmed