Shire of Yilgarn

Visit the Southern Cross Skies

Council Agenda

Thursday, 20 August 2026

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 4
5.1 Public Question Time 5
6 Confirmation of Minutes 5
7 Presentations, Petitions, Deputations 6
8 Delegates' Reports 7
9 Officer's Reports
9.1 Chief Executive Officer
9.1.1 Council Decision Status Report 2026 9
9.1.2 Strategic Community Plan 2024-2034 - Report for July 2025 to June 2026 11
9.1.3 Delegation Register Review 15
9.1.4 Deed of Termination and Release 19
9.1.5 Request for Comment - Application for a New Clearing Permit CPS 11519/1 - Barto Gold Mining Pty Ltd 23
9.1.6 Request for Comment - Application for a New Clearing Permit CPS 116921/1 - Myamba Minerals Pty Ltd 30
9.1.7 Request for Consent to Mine within Southern Cross Townsite 37
10.2 Executive Manager Corporate Services
10.2.1 Accounts for Payment - July 2026 42
10.2.2 Financial Reports - July 2026 46
11.3 Executive Manager of Infrastructure
11.3.1 Route Determination - Cramphorne Road PBSTD3B.3 50
11.3.2 Proposed PBSTD5.3 and N10.3 heavy Vehicle Route - Emu Fence, Threeboys, Cameron and Koolyanobbing, Southern Cross Roads 56
12 Application for Leave of Absence 62
13 Motions for Which Previous Notice Has Been Given 62
14 New Business of an Urgent Nature Introduce by Decision of the Meeting 62
15 Meeting Closed to the Public - Confidential Items 64
15.1 Chief Executive Officer 2026-2027 KPIs 64
16 Meeting Open to the Public 66
17 Closure 67

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	Shire President
	Cr G Guerini	Deputy Shire President (via zoom)
	Cr B Bradford	Councillor
	Cr L Rose	Councillor
	Cr D Stephen	Councillor
Council Officers:	B Forbes	Chief Executive Officer
	C Watson	Executive Manager Corporate Services
	G Brigg	Executive Manager Infrastructure
	K Chrisp	Asset and Projects Manager
	T Prue	Finance Manager
	T Beaton	Executive Assistant
Apologies:		
Leave of Absence:	Cr L Granich	Councillor
	Cr D Newbury	Councillor
Observers:	J Kent, P McBain and A Peters	

4. DECLARATION OF INTEREST

Nil.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the July 2026 Ordinary Meeting of Council, the following questions were posed by Mrs Kaye Crafter.

The Executive Manager of Infrastructure emailed Mrs Crafter with the following response on 17th July 2026.

1. **When is the Shire Council going to do an audit in the town hall of;**
   - The cooking facilities, namely the stove.
   - The hot water system.
   - The wheels on the trolleys.

   The Shire undertakes regular inspections of its buildings as part of its asset management and maintenance responsibilities. These inspections focus on the overall condition of buildings, identifying safety risks, maintenance requirements and asset renewal needs. Given the size and diversity of the Shire's building portfolio, it is not practical for staff to routinely test every individual appliance, fitting or piece of equipment during inspections. Instead, the Shire relies on users of its facilities and members of the community to report specific faults or maintenance issues as they arise. If concerns are raised regarding individual items such as the stove, hot water system or trolley wheels at the Town Hall, these will be inspected and repaired or replaced as required.

2. **When are the tree roots crossing Scorpio Street going to be rectified?**

   The tree root repairs in Scorpio Street were originally programmed to be completed as part of the 2025/26 town street reseal program. The reseal works were postponed when uncertainty arose around bitumen supply and pricing during the period of elevated oil prices associated with the Iran conflict. As a result, the Shire cancelled the scheduled reseal works until supply conditions stabilised. Tree roots cannot be removed beneath a sealed road without immediately restoring and resealing the pavement. Once the bitumen is cut and the roots are removed, the road surface must be sprayed and sealed to protect the pavement from water ingress and premature deterioration. The Shire does not have the specialised equipment required to undertake bitumen spraying and sealing, so these repairs need to be coordinated with contracted reseal works. The Scorpio Street tree root repairs remain on the Shire's works program and will be undertaken in conjunction with the future town street reseal program. This approach ensures the repairs are completed correctly and avoids unnecessary deterioration of the road surface.

3. When a registration is given to the Shire for trucks running over the roundabouts, is there any follow-up?

Damage caused by heavy vehicles mounting the roundabout is an ongoing issue. The Shire has CCTV cameras at the Southern Cross Swimming Pool that provide coverage of the nearby roundabout. However, the footage is generally not of sufficient quality to clearly identify vehicle registration numbers at night. In the most recent incident, the damage occurred during daylight hours and a registration number was obtained and provided to Shire staff for identification. The Shire does not have the authority to access vehicle ownership information from registration records. As the damage is generally considered a minor property damage matter, any investigation involving the identification of a registered owner would fall within the powers of the Western Australia Police Force. Where sufficient information is available, the Shire records the incident and considers appropriate follow, up. The Shire will continue to monitor the location and investigate opportunities to reduce the occurrence of heavy vehicles mounting the roundabout.

5.1 PUBLIC QUESTION TIME

Nil.

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council Minutes, Thursday, 16th July 2026 - (Minutes Attached)

101/2026
Moved Cr Bradford/Seconded Cr Rose
That the minutes from the Ordinary Council Meeting held on the 16th July 2026 be confirmed as a true record of proceedings.

CARRIED (5/0)

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

6.2 WEROC Inc. Board Meeting Minutes, Wednesday, 29th July 2026 - (Minutes Attached)

102/2026
Moved Cr Bradford/Seconded Cr Guerini
That the minutes from the WEROC Inc. Board Meeting held on the 29th July 2026 be confirmed as a true record of proceedings.

CARRIED (5/0)

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

6.3 Shire of Yilgarn Tourism Committee Meeting Minutes, Tuesday, 4th August 2026 - (Minutes Attached)

103/2026
Moved Cr Stephen/Seconded Cr Rose
That the minutes from the Shire of Yilgarn Tourism Committee Meeting held on the 4th August 2026 be confirmed as a true record of proceedings.

CARRIED (5/0)

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

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

Mr Peter McBain (Yilgarn Iron) and Mr Andrew Peters (P&E Total Solutions) attended Council and gave an update on Yilgarn Iron's project as at August 2026.

Cr Close asked if there was a limitation on how much distance needs to be between each truck? As Cr Close has witnessed three trucks in a row bumper to bumper.

Response provided: the distance needs to be 300 metres, but they are unable to get an accurate read with the GEO tracking system.

C Watson left the chambers at 5:12pm.
C Watson returned to the chambers at 5:13pm

8. DELEGATES' REPORT

Cr Close

- Koolyanobbing Mine Site Tour with CEO and Peter McBain - 20th July
- CEO KPI Meeting with Darren Mollenoyux - 27th July
- Special Council Meeting for the Budget Adoption - 27th July 2026
- GECZ Meeting (Bruce Rock) - 13th August 2026
- SRRG Teams Meeting - 14th August 2026

Cr Guerini

- CEO KPI Meeting with Darren Mollenoyux - 27th July 2026
- Special Council Meeting for the Budget Adoption - 27th July 2026

Cr Bradford

- CEO KPI Meeting with Darren Mollenoyux - 27th July 2026
- Special Council Meeting for the Budget Adoption - 27th July 2026
- Economic Development Meeting - 27th July 2026
- Reginal Road Group Meeting - 14th August 2026
- CEACA Meeting - 17th August 2026

Cr Newbury

- CEO KPI Meeting with Darren Mollenoyux - 27th July 2026
- Special Council Meeting for the Budget Adoption - 27th July 2026

Cr Granich

- Meet & Greet CEO Moorine Rock Hotel - 17th July 2026
- Economic Development Meeting - 27th July 2026
- CEO KPI Meeting with Darren Mollenoyux - 27th July
- Special Council Meeting for the Budget Adoption - 27th July 2026
- Tourism Meeting - 4th August 2026
- Economic Development Meeting with Cr Bradford - 5th August 2026

Cr Rose

- CEO KPI Meeting with Darren Mollenoyux - 27th July 2026
- Special Council Meeting for the Budget Adoption - 27th July 2026
- Skeleton Weed Meeting with all Chair's and Coordinators (Merredin) - 30th July 2026
- Bullfinch Shooting Club AGM - 1st August 2026
- Tourism Meeting - 4th August 2026

Cr Stephen

- CEO KPI Meeting with Darren Mollenoyux - 27th July 2026
- Special Council Meeting for the Budget Adoption - 27th July 2026

9.1 Officers Report - Chief Executive Officer

9.1.1 Council Decision Status Report 2026

File Reference	**2.1.2**
Disclosure of Interest	**Nil**
Voting Requirements	**Simple Majority**
Author	**Ben Forbes - Chief Executive Officer**
Attachments	**9.1.1 Council Decision Status Report 2026**

Purpose of Report

For Council to receive the Council Decision Status Report (status report) update for August 2026.

Background

The status report details the past decisions of Council and advises whether the necessary actions to implement those decisions have been completed or if they are still pending. Where there are delays, an update as to the progress to date is provided.

Comment

The status report does not include decisions that do not require further action, such as:

- 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 said confidentiality, depending on the directive of Council on a case-by-case basis.

Statutory Environment

Nil.

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

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

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

Officer Recommendation and Council Decision

104/2026
Moved Cr Rose/Seconded Cr Stephen
That Council receive and note the Council Decision Status Report for August 2026.

CARRIED (5/0)

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

9.1.2 Strategic Community Plan 2024-2034 - Report for July 2025 to June 2026

File Reference	**1.1.2**
Disclosure of Interest	**Nil**
Voting Requirements	**Simple Majority**
Author	**Ben Forbes - Chief Executive Officer**
Attachments	**Strategic Community Plan 2024-2034 - Report July 2025 to June 2026**

Purpose of Report

For Council to receive and endorse the strategic community plan report for the 12 months ended 30 June 2026.

Background

The Strategy Community Plan, which underwent a major review in 2024 and which is currently undergoing a minor review, is the highest-level planning document in the Integrated Planning and Reporting suite. This Plan is designed to be a "living" document that guides the development of the Shire of Yilgarn community for the next ten (10) years.

One of the key features of the Strategic Community Planning process is the significant community engagement undertaken to shape the Shire's strategic direction as it seeks to align and achieve the operations of the Shire with the community's long-term vision and aspirations.

Strategic planning is a continual process, requiring constant refinement and review. Part of that review is regular (quarterly) reporting on the achievement of the specified goals included in the plan. Although quarterly planning is the norm, it should be noted that no update has been presented to Council since June 2025.

The format has been reviewed and all goals have been assessed using the best information available at hand.

Comment

The 'action taken' indicator up to the end of "26FY" (the year ended 30 June 2026) categorises the actual stage of completion of each particular goal, which in sequential order are:

1. no action
2. development
3. implementation
4. maintain and review.

The 'projected action' is the assumed achievement of the goal for future financial years.

The progress indicator represents a broad assessment of the goal as it stands at the end of the reporting period. The progress indicators in sequential order are:

1. goal failed
2. not started
3. work in progress
4. monitor/completed.

Statutory Environment

Local Government (Administration) Regulations 1996

Regulation 19DA

(1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

(3) A corporate business plan for a district is to —

(a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and

(b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and

(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

(4) A local government is to review the current corporate business plan for its district every year.

(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications. *

(7) A corporate business plan is to be, and is to remain, consistent with any relevant strategic community plan

Strategic Implications

The quarterly update represents the achievement to date of Council's strategic objectives.

Receiving the update does not, in of itself, have an impact to these objectives.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

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

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

Officer Recommendation and Council Decision

105/2026
Moved Cr Bradford/Seconded Cr Rose
That Council note the Strategic Community Plan 2024-2034 - Report for July 2025 to June 2026.

CARRIED (5/0)

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

9.1.3 Delegation Register Review

File Reference	**8.2.1.2**
Disclosure of Interest	**Nil**
Voting Requirements	**Absolute Majority**
Author	**Ben Forbes - Chief Executive Officer**
Attachments	**Delegations Register, August 2026**

Purpose of Report

For Council to review and endorse the revised August 2026 Delegations Register.

Background

Delegations improve the efficiency of administrative processes by passing the responsibility for various functions and decision making from Council to the administration or Committees.

Delegations made by Council under the *Local Government Act 1995* can only be made to the Chief Executive Officer (CEO) or Committees. Where appropriate, the Chief Executive Officer exercise their discretion to sub-delegate to other Shire officers. Delegations under other legislation are made directly to the officer concerned.

Council is required to review its delegations on an annual basis, however with the commencement of the new CEO, there is an undertaking to review the full delegation and policy register to ensure that it is fit for purpose and aligned with the objectives of the organisation.

Comment

The attached delegation register has had the following changes made to the last version endorsed by Council:

- LGA09 – Tenders for Goods and Services
  - Amended to include all regulatory provisions to make the tender process more efficient, and allow sufficient flexibility such that Council only need be involved when making a decision. Further clarified the CEO's ability to make 'minor variations' to tender contract terms, after the tender and the contract have been endorsed by Council, making existing delegation LGA32 redundant.
- LGA13 - Defer Charges, Grant Discounts, Waive Fees and Charges or Write Off Debts
  - Amended to clarify the CEO's ability to write off debts that have become uneconomical to recovery following reasonable steps being taken. Incorporated authority for the CEO to grant a waiver of Council's endorsed fees and charges (subject to conditions) making existing delegation LGA14 redundant.
- LGA11 – Disposal of Property

- Expanded the CEO's ability to dispose of property that is "surplus to requirements" and for the CEO to dispose of residential land via lease, making existing delegation LGA12 redundant.

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.

5.43. Limits on delegations to CEO

(1) A local government cannot delegate to a CEO any of the following powers or duties —

(a) any power or duty that requires a decision of an absolute majority of the council;
(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
(c) appointing an auditor;
(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
(e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
(f) borrowing money on behalf of the local government;
(g) hearing or determining an objection of a kind referred to in section 9.5;
(ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
(h) any power or duty that requires the approval of the Minister or the Governor;
(i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.

5.46. Register of, and records relevant to, delegations to CEO and employees

(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Strategic Implications

Nil.

Policy Implications

Officers are bound to follow Council and Shire policies in exercising their delegated authority.

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	Failure to properly exercise of record use of delegated authority	Low (4)	Oversight of use of authority and enforcement of stringent policy.
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

106/2026
Moved Cr Stephen/Seconded Cr Bradford
That Council, by absolute majority, endorse the attached Delegations Register.

CARRIED BY ABSOLUTE MAJORITY (5/0)

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

9.1.4 Deed of Termination and Release

Disclosure of Interest	**Nil**
Voting Requirements	**Absolute Majority**
Author	**Ben Forbes - Chief Executive Officer**
Attachments	**Yilgarn Iron - Deed of Termination of Road Use (Restricted Access Vehicle Haulage) Agreement**

Purpose of Report

For Council to review and endorse the attached Deed of Termination (Deed) for Yilgarn Iron's Road Use Agreement.

Background

Mineral Resources Limited, (ACN 118 549 910) (MRL) previously owned and operated the Parker Range and Koolyanobbing iron ore mine sites. As part of these operations, to haul their product on public roads managed by the Shire of Yilgarn the following was agreed:

1. That MRL would be permitted to construct and seal ~32km on Emu Fence Road.
2. That MRL would enter into the Road Use (Restricted Access Vehicle Haulage) Agreement (RUA) with the Shire of Yilgarn, which:
    a. Made MRL legally liable for the condition and safety road users for the road which they made improvements to
    b. included four (4) instalments to be paid over the life of the operations to compensate Council for the cost of resealing the constructed road, among other conditions.

Subsequently, MRL's operations, including all assets and liabilities, were bought out by Yilgarn Iron Investments Pty Ltd (ACN 686 388 063) (YI). Included in the acquired liabilities was the RUA. It is YI's preference to have a conventional heavy haulage agreement with Council, whereby they will pay a rate ($/tonne/km) based on the amount and manner of their haulage operations. YI have been invoiced based on a temporary handshake arrangement, pending the resolution of the RUA situation.

Council endorsed a tripartite deed of assignment and release between itself, MRL and YI in April 2026, assigning the existing RUA to YI from MRL, with the condition of a further payment be made by MRL as part of the deal. To date the Shire and MRL have executed this document, but YI have not, as they do not want to do so without immediately signing another deed to release themselves from the RUA and therefore not be legally liable for the road. Releasing YI from the RUA is in alignment with both the Shire and YI's intent, but the liability for the final instalment under the RUA had to be resolved. Per the attached, YI have accepted responsibility for the final instalment of the RUA, and terms to preserve this entitlement are incorporated into the attached Deed.

Legal advice has been sought regarding the arrangement as it stands, with the only concerns raised by Council's solicitors being that the haulage agreement with YI should be executed simultaneously with the Deed.

Comment

YI have continuously demonstrated a willingness to work with Council, so there are limited reservations about the officer's recommendation, which should be sufficient for all parties.

At this stage it would be counter-productive to negotiate further regarding the contents of the Deed, so the preference is to instead build in the appropriate safeguards for Council regarding the execution of the documents into Council's resolution.

Statutory Environment

Local Government Act 1995

Section 9.49A. Execution of documents

(1) A document is duly executed by a local government if —
(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of —
(a) the mayor or president; and
(b) the CEO, each of whom is to sign the document to attest that the common seal was so affixed.

(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.

(6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.

(7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Should Council resolve in-line with the officer's recommendation then Council:

- will be due $1,000,000 from MRL following the Deed of Assignment and Release being executed
- will still be due the final $500,000 that its owed per the existing RUA
- will receive the final $500,000 later than originally intended, so the amount will be appropriately indexed
- and YI will finalise a conventional heavy haulage agreement.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Failure to secure appropriate contributions from heavy haulage operators would result in Council's long-term financial plans under-estimating the necessary cost to maintain the road network, leading to a funding gap.	Nil	Nil
Service Interruption	Nil	Nil	Nil
Compliance	Nil	Nil	Nil
Reputational	Failure to secure adequate contributions from heavy haulage operators could damage ratepayer confidence in the Shire's and weaken the negotiating position with other operators.	Moderate (8)	Sufficient due diligence and legal advice obtained.
Property	Failure to properly estimate the marginal cost of heavy haulage	High (12)	Rigorous and continual review of industry benchmarks

	operations and secure this from operators could cause a significant funding gap in the maintenance of Council's Road network, leading to deterioration over time.		and their application to the cost of Council's network.
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)**

Officers Recommendation and Council Decision

107/2026
Moved Cr Stephen/Seconded Cr Rose
That Council, pursuant to section 9.49A(2) and (4) of the Local Government Act 1995, authorise the Chief Executive Officer and the Shire President to dually execute and affix the Shire of Yilgarn Common seal to the attached 'Termination of Road Use (Restricted Access Vehicle Haulage) Agreement', effecting the execution of the document as a Deed, subject to the Deed being executed simultaneously with Yilgarn Iron Investment Pty Ltd's new Road Use Agreement.

CARRIED BY ABSOLUTE MAJORITY (5/0)

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

Cr Guerini joined the meeting via mobile after having technical issues with zoom at 5:47pm.

9.1 Officers Report - Regulatory Services Officer

9.1.5 Request for Comment - Application for a New Clearing Permit CPS 11519/1 - Barto Gold Mining Pty Ltd

Disclosure of Interest	**None**
Voting Requirements	**Simple Majority**
Author	**Kelly Watts - Regulatory Services Officer**
Attachments	**1. Southern Star NVCP Supporting Document** **2. Barto Gold Mining Pty Ltd Application for Purpose Permit** **3. Barto Gold Mining Pty Ltd Application for Purpose Permit V2** **4. Barto Gold (Southern Star) - NATmap** **5. Barto Gold (Southern Star) - Photomap**

Purpose of Report

For the Council to provide comments on an application from Barto Gold Mining Pty Ltd to clear native vegetation under the Environmental Protection Act 1986 at the Southern Star Project.

The application concerns the proposed clearing of 230 Ha of native vegetation on mining tenements 77/198, 77/660, and 77/702, and on Miscellaneous Licence 77/105 for mineral production and associated activities.

Background

Barto Gold Mining Pty Ltd (Barto) proposes to develop the Southern Star deposit (the Proposal), part of its Southern Cross Operations (SXO), located approximately 50 km southeast of Southern Cross in the eastern wheatbelt of Western Australia.

Clearing native vegetation within the Proposed Clearing Permit Area requires submission of a Native Vegetation Clearing Permit (NVCP) application and subsequent approval by the Department of Mines, Petroleum and Exploration (DMPE), in accordance with s 51E of the Environmental Protection Act 1986 (EP Act). This report supports the NVCP application, which seeks approval to clear up to 200 ha of native vegetation within the Proposed Clearing Permit Area.

Barto will complete a cutback of the previously mined Southern Star open pit and will require clearing for the following additional mine activities, including:
• Open pit void;
• Waste rock landforms (WRL);
• Run-of-mine (ROM) pad;
• Mine water pond;
• Dewatering pipelines;
• Access tracks and haul roads;
• Topsoil stockpiles;
• Surface water diversion channels or drains; and
• Other ancillary infrastructure, as required.

Figure 1: Clearing area and Tenements

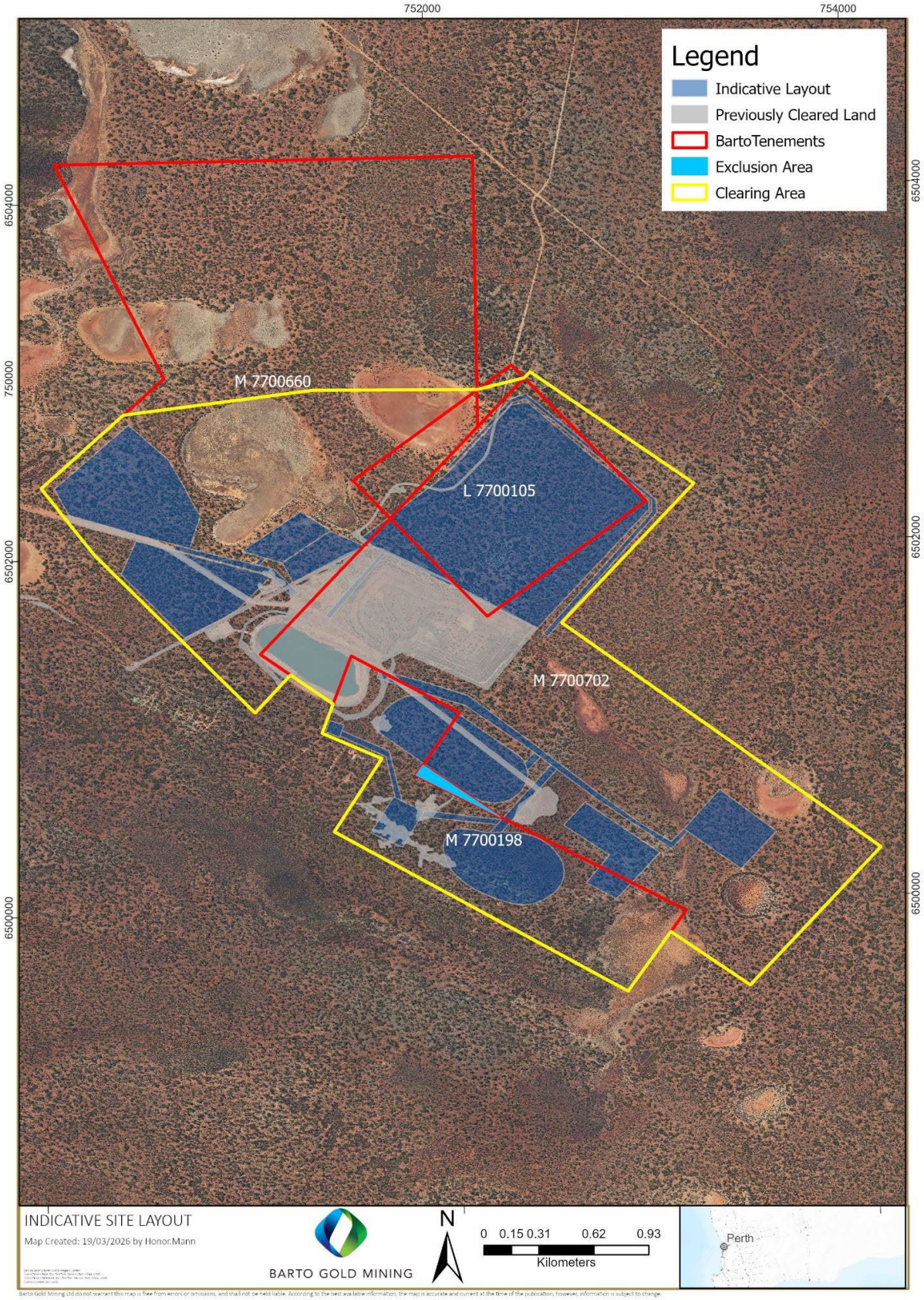


Figure 2: Indicative Site Layout

Comment

Nil.

Statutory Environment

Environmental Protection Act 1986
Environmental regulation
Clearing of native vegetation
s.51E

51E. How applications for clearing permits are made and dealt with

(4) If, under subsection (3), the CEO declines to deal with the application, the CEO does not have to perform any function under any of subsections (4A) to (12) in relation to the application.

51O. Principles and instruments to be considered when making decisions as to clearing permits

(1) In this section —

clearing matter means —

(a) an application for a clearing permit; or

(b) an amendment of a clearing permit;

decision means a decision about a clearing matter.

(2) In considering a clearing matter the CEO shall have regard to the clearing principles so far as they are relevant to the matter under consideration.

(3) The CEO may make a decision that is seriously at variance with the clearing principles if, and only if, in the CEO's opinion there is a good reason for doing so. That reason must be recorded under section 51Q.

(4) In considering a clearing matter the CEO shall have regard to any development approval, planning instrument, or other matter, that the CEO considers relevant.

[Section 51O inserted: No. 54 of 2003 s. 110(1); amended: No. 38 of 2005 s. 15; No. 40 of 2020 s. 55.]

51P. Relationship between clearing permits and approved policies

(1) In considering —

(a) an application for a clearing permit; or

(b) an amendment of a clearing permit,

the CEO shall ensure that the clearing permit, or its amendment, is consistent with any approved policy.

(2) The CEO shall not amend or shall refuse to grant a clearing permit if the CEO considers that the associated effect on the environment would be inconsistent with any approved policy.

(3) Despite anything in this section —

(a) if the CEO is satisfied that, as a result of environmental circumstances having changed, the environment or an environmental value of the area concerned requires a higher level of protection than would be provided by the standards required by or under any approved policy, the CEO may grant or amend a clearing permit so as to make the permit subject to conditions which specify standards that are more stringent than those required by or under the approved policy;

(b) if the CEO is satisfied that, as a result of the approval under section 31(d) of a new approved policy or as a result of an approved policy as amended being confirmed under section 37, any condition to which an existing clearing permit is subject is inconsistent with that approved policy, the CEO may amend that permit to make it consistent with that approved policy.

(4) Without limiting section 51F(5) or 51KB(3), subsection (3) does not authorise the imposition of a condition that is contrary to, or not in accordance with, a Ministerial statement.

[Section 51P inserted: No. 54 of 2003 s. 110(1); amended: No. 40 of 2020 s. 56.]

Strategic Implications

Nil.

Policy Implication

There is no Shire policy applicable to this report.

Financial Implications

There are no financial implications associated with the officer's recommendation.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health/People	Increased vehicle and machinery movements may present minor safety risks.	Low (2)	Compliance with WHS and traffic management requirements.
Financial Impact	Potential costs from damage to Shire roads or infrastructure.	Low (3)	Proponent responsible for impacts associated with mining activities.
Service Interruption	Minor potential disruption to local roads or access	Low (1)	Coordinate with the Shire where activities affect Shire infrastructure.
Compliance	Clearing requires relevant State environmental and mining approvals.	Moderate (6)	Shire support subject to all required statutory approvals
Reputational	Large-scale vegetation clearing may generate community concern.	Moderate ((6)	Ensure appropriate environmental assessment and conditions are applied.
Property	Heavy vehicles may impact Shire roads or assets.	Low (4)	Monitor impacts and require rectification where necessary
Environment	Clearing up to **230 ha** may impact native vegetation, habitat and biodiversity.	High (12)	Minimise clearing and require appropriate environmental management and rehabilitation

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

108/2026
Moved Cr Bradford/Seconded Cr Stephen
Council endorse the application from Barto Gold Mining to clear 230 Ha of native vegetation on mining tenements 77/198, 77/660, and 77/702; Miscellaneous Licence 77/105 at Southern Star Project for mineral production and associated activities.

CARRIED (5/0)

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

9.1.6 Request for Comment - Application for a New Clearing Permit CPS 116921/1 - Myamba Minerals Pty Ltd

Disclosure of Interest	**None**
Voting Requirements.	**Simple Majority**
Author	**Kelly Watts - Regulatory Services Officer**
Attachments	**1. Lounge Lizard NVCP Supporting Document** **2. Myamba Minerals Pty Ltd Application for Purpose Permit** **3. Myamba Minerals Pty Ltd - NATmap** **4. Myamba Minerals Pty Ltd - Photomap** **5. Vegetation Groups**

Purpose of Report

For the Council to provide comments on an application from Myamba Mineral Pty Ltd to clear native vegetation under the Environmental Protection Act 1986 at the Lounge Lizard Mine.

The application relates to the proposed clearing of up to 30 Ha of native vegetation on mining tenements M77/582, M77/545, M77/585, M77/912 and M77/911 for mineral exploration and mining infrastructure.

Background

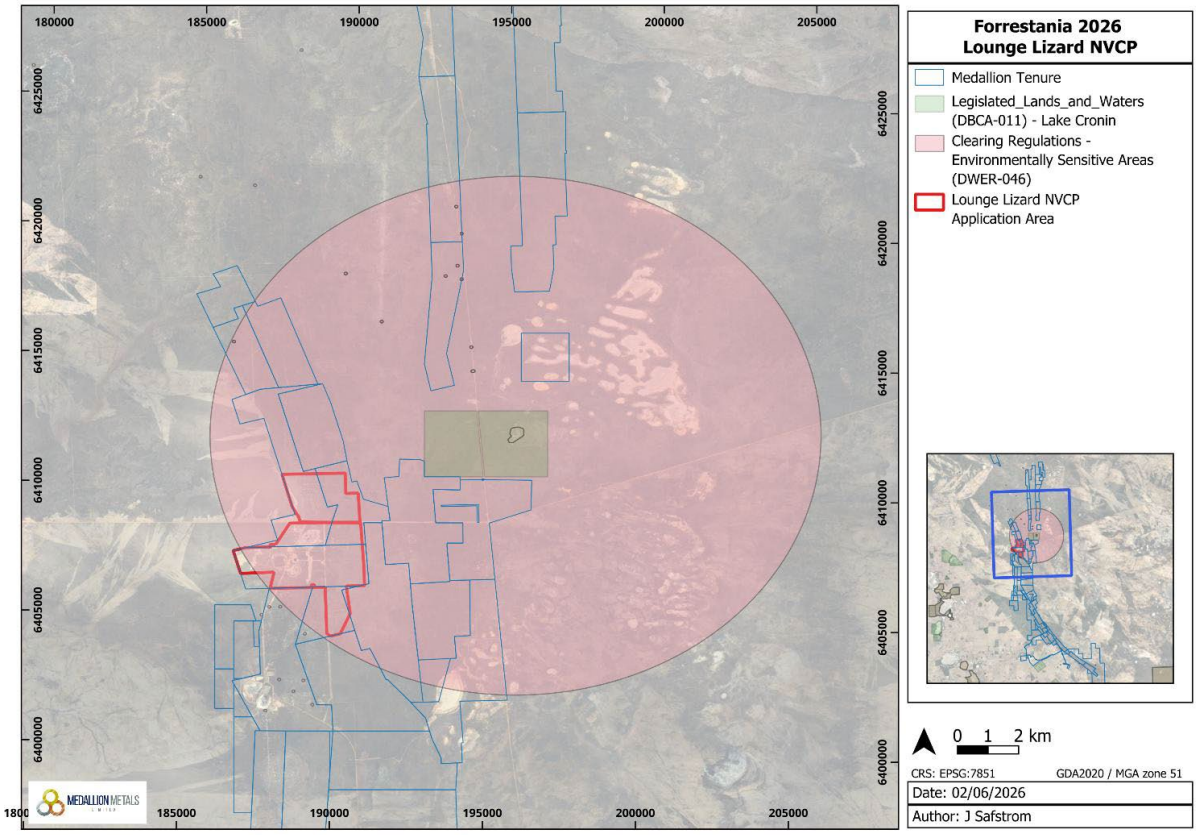
The Forrestania Gold Project (FGP) is located within the Shire of Kondinin, Western Australia. The Flying Fox mine is approximately 450 km east of Perth, 80 km east of Hyden, and 160 km south of Southern Cross.

The Cosmic Boy village is 15 km south of the Flying Fox mine. The proposed clearing area overlays mining tenements M77/582, M77/545, M77/585, M77/912 and M77/911, also known as Lounge Lizard.

These mining tenements lie within the Red Book Area 11.10 and are listed on the Register of the National Estate (Lake Cronin Area). Hence, this area is an Environmentally Sensitive Area (ESA) as defined by Part V of the Environmental Protection Act 1986 (WA).

Appendix 1 displays plans of the clearing area envelope, both in a regional context and in relation to significant features, such as tenement boundaries, currently active clearing permit areas, contours, ESAs, PECs, Threatened and priority flora, vegetation groups, priority fauna habitat, etc.

Figure 1 outlines the location of the Forrestania Gold Project within Western Australia.

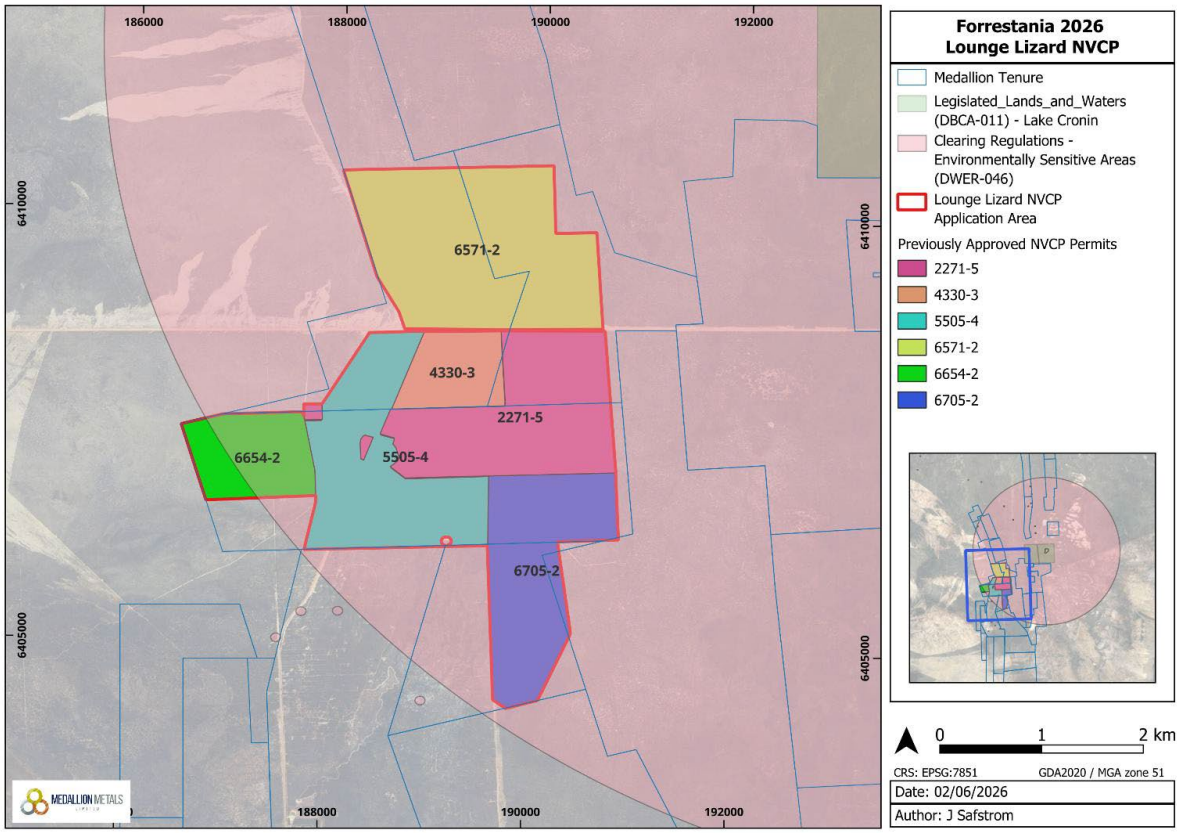


The proposed clearing area has historically been used primarily for nickel and gold exploration. This application replaces a number of previously approved NVCPs that were extinguished only recently due to a change of ownership of the tenements. To streamline the process, the old NVCP areas have been amalgamated into this single replacement NVCP (Table 1, Figure 2). Approval documentation is located in Appendix 5. CPS5505/4 has been truncated to the south to avoid the flora species Eucalyptus steedmanii, which is listed as Vulnerable, in accordance with the Medallion disturbance policy and Clearing Principal C: Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Table 1. Previously approved NVCP Permits over the application Area Permit Duration

	Permit Duration	Land Description (Tenements)	Authorized Purpose	Max (ha)	Disturbed (ha)	Rehabbed (ha)
CPS 2271/5	17 May 2008 to 30 June 2028.	M 77/545, M 77/582, M 77/911	Mineral exploration and mine infrastructure.	21.02	8.7	10.8
CPS 4330/3	9 July 2011 to 30 April 2026.	M 77/582, M 77/911	Mineral production and mineral exploration.	9.01	1.321	0.227
CPS 5505/4	8 June 2013 to 7 June 2027.	M 77/545, M 77/582, M 77/583, M 77/584, M 77/912	Mineral exploration and mineral production.	30	1.77	12.49
CPS 6571/2	4 July 2015 to 31 July 2026.	M 77/582, M 77/911	Mineral exploration.	9.3	0.44	1.36
CPS 6654/4*	12 September 2015 to 31 October 2030.	M 77/545	Mineral production and associated activities.	32	4.64	14.46
CPS 6705/2	31 October 2015 to 31 October 2025.	M 77/545, M 77/585, M 77/912	Mineral exploration.	10	0	0

** CPS5505/4 has been truncated to the south to avoid flora species, Eucalyptus steedmanii, which is listed as Vulnerable.*



Comment

Nil.

Statutory Environment

Environmental Protection Act 1986
Environmental regulation
Clearing of native vegetation
s.51E

51E. How applications for clearing permits are made and dealt with

(4) If, under subsection (3), the CEO declines to deal with the application, the CEO does not have to perform any function under any of subsections (4A) to (12) in relation to the application.

51O. Principles and instruments to be considered when making decisions as to clearing permits

(1) In this section —

clearing matter means —

(a) an application for a clearing permit; or

(b) an amendment of a clearing permit;

decision means a decision about a clearing matter.

(2) In considering a clearing matter the CEO shall have regard to the clearing principles so far as they are relevant to the matter under consideration.

(3) The CEO may make a decision that is seriously at variance with the clearing principles if, and only if, in the CEO's opinion there is a good reason for doing so. That reason must be recorded under section 51Q.

(4) In considering a clearing matter the CEO shall have regard to any development approval, planning instrument, or other matter, that the CEO considers relevant.

[Section 51O inserted: No. 54 of 2003 s. 110(1); amended: No. 38 of 2005 s. 15; No. 40 of 2020 s. 55.]

51P. Relationship between clearing permits and approved policies

(1) In considering —

(a) an application for a clearing permit; or

(b) an amendment of a clearing permit,

the CEO shall ensure that the clearing permit, or its amendment, is consistent with any approved policy.

(2) The CEO shall not amend or shall refuse to grant a clearing permit if the CEO considers that the associated effect on the environment would be inconsistent with any approved policy.

(3) Despite anything in this section —

(a) if the CEO is satisfied that, as a result of environmental circumstances having changed, the environment or an environmental value of the area concerned requires a higher level of protection than would be provided by the standards required by or under any approved policy, the CEO may grant or amend a clearing permit so as to make the permit subject to conditions which specify standards that are more stringent than those required by or under the approved policy;

(b) if the CEO is satisfied that, as a result of the approval under section 31(d) of a new approved policy or as a result of an approved policy as amended being confirmed under section 37, any condition to which an existing clearing permit is subject is inconsistent with that approved policy, the CEO may amend that permit to make it consistent with that approved policy.

(4) Without limiting section 51F(5) or 51KB(3), subsection (3) does not authorise the imposition of a condition that is contrary to, or not in accordance with, a Ministerial statement.

[Section 51P inserted: No. 54 of 2003 s. 110(1); amended: No. 40 of 2020 s. 56.]

Strategic Implications

Nil.

Policy Implication

There is no Shire policy applicable to this report.

Financial Implications

There are no financial implications associated with the officer's recommendation.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood	Mitigation Action
Health/People	Increased vehicle and machinery movements may present minor safety risks.	Low (2)	Compliance with WHS and traffic management requirements.
Financial Impact	Potential costs from damage to Shire roads or infrastructure.	Low (3)	Proponent responsible for impacts associated with mining activities.
Service Interruption	Minor potential disruption to local roads or access	Low (1)	Coordinate with the Shire where activities affect Shire infrastructure.
Compliance	Clearing requires relevant State environmental and mining approvals.	Moderate (6)	Shire support subject to all required statutory approvals
Reputational	Community concern may arise regarding native vegetation clearing	Moderate ((6)	Ensure appropriate environmental assessment and conditions are applied.
Property	Heavy vehicles may impact Shire roads or assets.	Low (4)	Monitor impacts and require rectification where necessary
Environment	Clearing up to 30 ha may impact native vegetation, habitat and biodiversity	Moderate (9)	Minimise clearing and require appropriate environmental management and rehabilitation

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

109/2026
Moved Cr Bradford/Seconded Cr Stephen
Council endorse the application from Myamba Minerals Pty Ltd to clear up to 30 Ha of Native Vegetation on mining tenements M77/582, M77/545, M77/585, M77/912 and M77/911 for mineral exploration and mining infrastructure.

CARRIED (5/0)

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

9.1.7 Request for Consent to Mine Within Southern Cross Townsite

Disclosure of Interest	**None**
Voting Requirements	**Simple Majority**
Author	**Kelly Watts - Regulatory Services Officer**
Attachments	**1. M77-535 Letter of Referral to Shire**
	2. M77-535 Shire Referral Map
	3. M77-552 Letter of Referral to Shire
	4. M77-552 Shire Referral Map

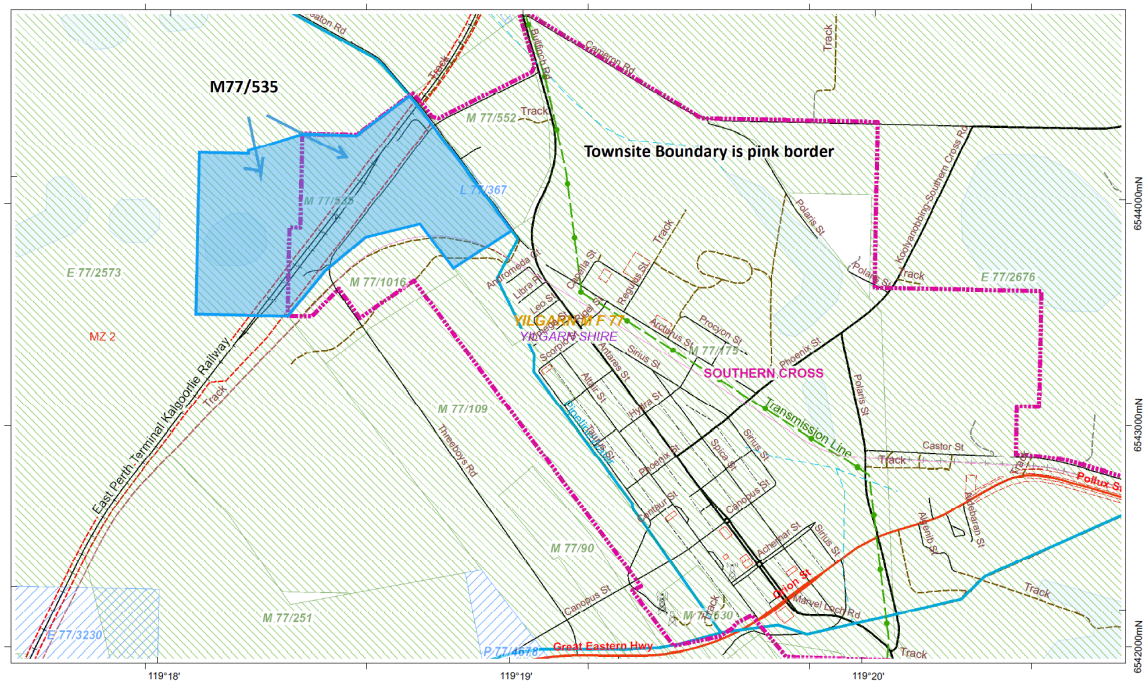
Purpose of Report

The Department of Mines, Petroleum and exploration (DMPE) is seeking the Shire of Yilgarn's comments and approval for Cygnet Gold Pty Ltd (ACN 660 841 252) (Cygnet) to access and undertake mining activities within the Southern Cross Townsite, as required per the conditions of Mining Leases M77/535 and M77/552.

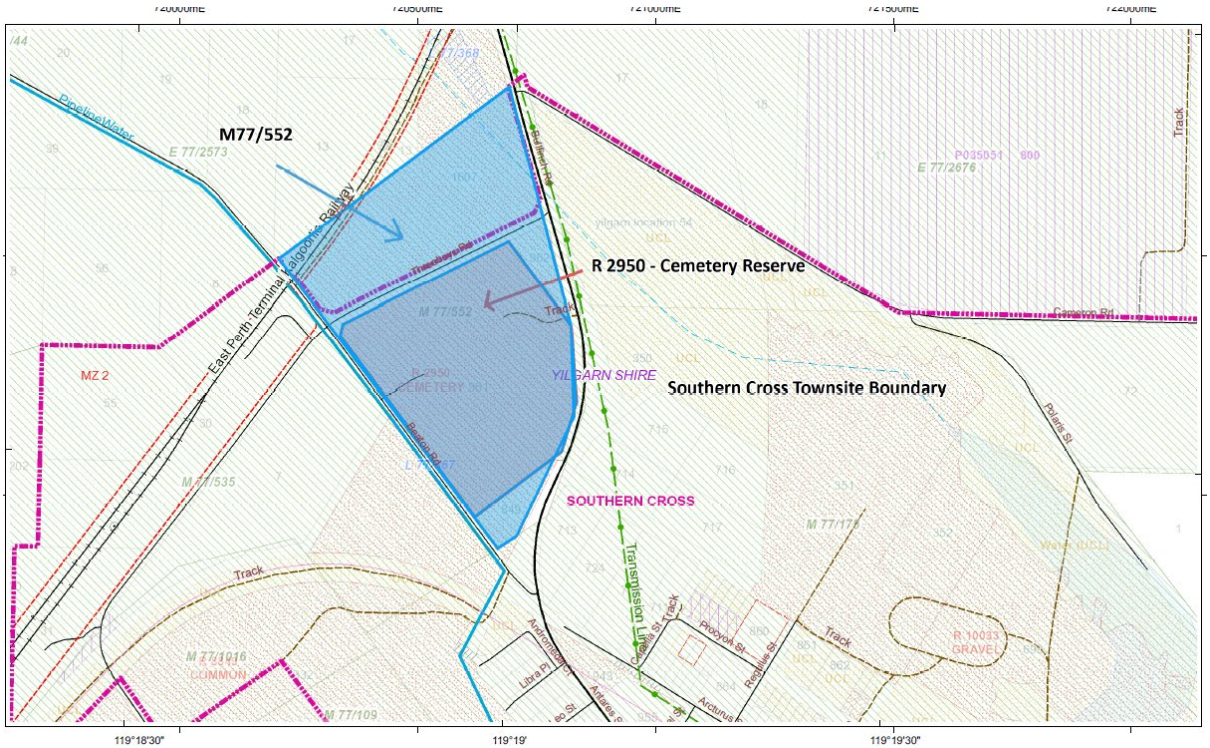
Background

Cygnet, as the current holder of mining leases M77/552 and M77/535, has submitted a letter to DMPE requesting 'consent to mine' on the aforementioned two leases, the maps of which are included below. The proposed mining activities will require access to Railway Reserve 12095 and Cemetery Reserve 2950 located within the Southern Cross Townsite. Cygnet has previously advised Council of this project, whereby the proposed 'mining activities' are strictly in relation to the installation of a dewatering pipeline from the Golden Pig mine to lake Koorkoordine.

Lease M77/535



Lease M77/552



Comment

DMPE have confirmed that the use of 'consent to mine' in the letters to Council is generic terminology that the Department uses to broadly refer to *any* mining activity or infrastructure. Both DMPE and Cygnet have confirmed without reservation that the two applications refer solely to the dewatering pipeline.

Statutory Environment

Mining Act 1978

26A. Mining tenements within townsites

(1) Where any land that is a townsite within the meaning of the *Land Administration Act 1997* is the subject of a mining tenement and the Minister considers that the land or a part of the land is required for community purposes, the Minister may, by notice in writing given to the holder of the mining tenement, require the holder to surrender the land specified in the notice to a depth of 15 m from the lowest part of the natural surface of that land, within a period of 30 days after the giving of the notice.

(2) Where the holder of a mining tenement fails to surrender land when required to do so under subsection (1), the land specified in the notice shall, on the expiry of the period referred to in that subsection, be deemed to have been surrendered and a memorial to that effect shall be entered in the register.

(3) Where land is surrendered or deemed to have been surrendered under this section, the holder of the mining tenement in respect of that land may, while the mining tenement remains in force —

(a) with the approval of the Minister and subject to such terms and conditions as the Minister thinks fit, explore for minerals on that land;

(b) if that land ceases to be a townsite within the meaning of the *Land Administration Act 1997*, or otherwise with the approval of the Minister, apply to have that land or a part of that land reincorporated in the mining tenement.

(4) The Minister shall consider an application under subsection (3)(b) and may —

(a) grant the application, and the mining tenement shall be endorsed to reincorporate the land to which the application relates; or

(b) refuse the application.

(5) Subject to subsections (3)(a) and (4), land surrendered or deemed to have been surrendered under this section is not open for mining while the mining tenement in respect of that land remains in force.

(6) Where part of land the subject of a mining tenement is surrendered pursuant to subsection (1), section 95(4) and (5) apply, with such modifications as the circumstances require, for the purpose of that surrender.

(7) Where part of land the subject of a mining tenement is deemed to have been surrendered pursuant to subsection (2), section 95(5) applies, with such modifications as the circumstances require, for the purpose of that surrender.

(8) Where land the subject of a mining tenement is surrendered or deemed to have been surrendered under this section the holder of the mining tenement is entitled to claim and receive compensation under Part 10 of the *Land Administration Act 1997* as if the land had been taken by the Crown under that Act.

(9) Section 205 of the *Land Administration Act 1997* applies to a claim for compensation referred to in subsection (8) except that the compensation payable is limited to compensation for actual loss sustained through damage to buildings or other structures on the surface of the land.

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Mining and dewatering activities near the townsite may create public safety risks, including vehicle movements, access to work areas, noise and dust.	High (12)	Mining and dewatering activities near the townsite may create public safety risks, including vehicle movements, access to work areas, noise and dust.
Financial Impact	The Shire may incur costs if its roads, reserves or infrastructure are damaged or if additional resources are required to manage the works.	Moderate (9)	Require Cygnet to meet costs associated with damage caused by its activities and complete pre/post-work inspections.
Service Interruption	Mining access or dewatering may affect roads, drainage or access to the cemetery and other public areas.	Moderate (9)	Agree access routes and work arrangements with Cygnet and maintain public and cemetery access.
Compliance	Activities may occur on or affect Shire-controlled land without appropriate consent or outside the agreed scope of works.	High (12)	Clearly define the Shire's consent and require Cygnet to obtain all other required approvals.
Reputational	Community complaints about mining impacts may result in the Shire being perceived as responsible for impacts outside its control.	Moderate (9)	Establish clear communication and complaint-management arrangements with Cygnet and the community.
Property	Mining activities or vehicle access could damage Shire roads, reserves, fencing or	High (12)	Undertake condition inspections, control access and require Cygnet to repair

	cemetery infrastructure.		damage caused by its activities.
Environment	Dewatering may affect groundwater, drainage, vegetation or nearby Shire land through water discharge or other environmental impacts.	High (12)	Obtain details of the dewatering arrangements, require monitoring and ensure incidents affecting Shire land are reported promptly.

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

110/2026
Moved Cr Bradford/Seconded Cr Rose
That Council provide its consent to mine to Cygnet Gold Pty Ltd within the Southern Cross townsite boundary for mining leases M77/552 and M77/535, to the sole extent that the mining activities undertaken relate to the installation, maintenance and removal of the dewatering pipeline from Golden Pig mine site.

CARRIED (5/0)

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

10.2 Reporting Officer - Executive Manager Corporate Services

10.2.1 Accounts for Payment - July 2026

File Reference	**8.2.1.2**
Disclosure of Interest	**Nil**
Voting Requirements	**Simple Majority**
Author	**Steven Chilcott - Finance Officer**
Attachments	**Accounts for Payment July**

Purpose of Report

To consider the Accounts Paid under delegated authority.

Background

- Municipal Fund - Cheque 41377 to 41388 totalling $4,500.00
- Municipal Fund - EFT 18327 to 18445 totalling $954,254.42
- Municipal Fund - Cheques 2872 to 2889 totalling $320,311.35
- Municipal Fund - Direct Debit Numbers:
    - 20613.1 to 20613.15 totalling $36,268.11
    - 20613.1 to 20623.15 totalling $36,288.21
- Trust Fund - Cheque 41389 totalling $500.00

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 sub regulation (1) or (2) is to be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting.

Strategic Implications

Nil.

Policy Implications

Council Policy 3.11 - Timely Payment of Suppliers

Financial Implications

Drawdown of Bank funds.

Risk Implications

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

Risk Matrix						
Consequence		**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

111/2026
Moved Cr Bradford/Seconded Cr Stephen

- ***Municipal Fund - Cheque 41377 to 41388 totalling $4,500.00***
- ***Municipal Fund - EFT 18327 to 18445 totalling $954,254.42***
- ***Municipal Fund - Cheques 2872 to 2889 totalling $320,311.35***
- ***Municipal Fund - Direct Debit Numbers:***
    - ***20613.1 to 20613.15 totalling $36,268.11***
    - ***20613.1 to 20623.15 totalling $36,288.21***
- ***Trust Fund - Cheque 41389 totalling $500.00***

The above are presented for endorsement as per the submitted list

CARRIED (5/0)

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

10.2.2 Financial Reports - July 2026

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

Purpose of Report

For Council to receive and endorse the financial statements for the month ended 31 July 2026.

Background

Enclosed for Council's information are the monthly financial statements and associated reports that detail Council's financial position as at 31 July 2026.

Comment

Council's closing funding surplus for the month ended 31 July 2026 was $6,118,426 with cash on hand of $20,693,223 including $14,999,448 of restricted reserves.

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 sub regulation (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 sub regulation (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	Risk of misstatement of Council's financial position	Moderate (4)	Multiple redundant oversight mechanisms for financial statements and associated 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		**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

112/2026
Moved Cr Bradford/Seconded Cr Rose
That Council endorse the financial statements for the month ended 31 July 2026.

CARRIED (5/0)

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

11.3 Reporting Officer - Executive Manager Infrastructure

11.3.1 Route Determination - Cramphorne Road PBSTD3B.3

Disclosure of Interest	**Nil**
Voting Requirements	**Simple Majority**
Author	**Glen Brigg - Executive Manager Infrasturcture**
Attachments	**Nil**

Purpose of Report

To seek Council's consideration of a request from Main Roads Heavy Vehicle Services (HVS) to add Cramphorne Road, SLK 0.00 to SLK 24.27, to the PBSTD3B.3 Restricted Access Vehicle (RAV) Network.

Background

Main Roads Heavy Vehicle Services has received an application from MASON Enterprises (WA) Pty Ltd seeking a Route Determination to add Cramphorne Road, SLK 0.00 to SLK 24.27, to the PBSTD3B.3 Restricted Access Vehicle Network.

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

Cramphorne Road is currently approved for high productivity heavy vehicle access, including RAV Network 7.3 combinations, and is approved at AMMS Level 3.

Tandem Drive Category 7 RAVs				
Category	Vehicle Description	Length	Max. Mass	Approved Network
7A	AB-Triple (Prime Mover, Semi-trailer & B-Double)	>27.5 m ≤36.5 m	115 t	Tandem Drive Network 7
7B	BA-Triple (B-Double & Dog Trailer)	>27.5 m ≤36.5 m	115 t	Tandem Drive Network 7

The proposed PBSTD3B.3 Route Determination would permit access by Performance Based Standards (PBS) combinations up to approximately 42 metres in length.

Following a request from the Shire for further information regarding the proposed freight task, the applicant advised that the intended operation is primarily the transport of grain to CBH Merredin during the annual harvest period.

The applicant advised that the estimated grain freight task is approximately 5,000 tonnes per annum, with approximately three loaded movements per day, generally operating from approximately 25 October to 5 January.

As part of its assessment, HVS has also considered the Cramphorne Road/Merredin, Narembeen Road intersection and advised that the existing 36.5 metre prescriptive combinations and Level 3 PBS combinations are able to negotiate the intersection lane correct.

HVS has subsequently advised of changes to the Accredited Mass Management Scheme (AMMS), including the introduction of a Network Sustainability Condition (NS1). Where NS1 is applied to a road approved for AMMS Level 2 or 3, the process provides for the Road Manager to determine whether a Road Maintenance Agreement is required for a particular transport task.

Comment

Cramphorne Road is already approved for high productivity heavy vehicle access, including RAV Network 7.3 combinations. The proposed PBSTD3B.3 combination does not represent a significant change in vehicle configuration when compared with heavy vehicle combinations already permitted to operate on the road.

On this basis, there is considered to be limited justification for restricting PBSTD3B.3 access on Cramphorne Road solely to the annual grain harvest period. Full, time PBSTD3B.3 access on Cramphorne Road is therefore considered supportable, subject to the road continuing to meet the applicable HVS requirements.

HVS has recently revised the Accredited Mass Management Scheme (AMMS) to introduce a Network Sustainability Condition (NS1) for roads approved for AMMS Level 2 and 3 concessional mass limits. The condition may be applied at the request of the Road Manager and provides a mechanism for the Shire to determine whether a Road Maintenance Agreement is required for a particular transport task.

HVS has confirmed that where a Road Maintenance Agreement is considered necessary and the relevant party fails to enter into a reasonable agreement with the Road Manager, AMMS Level 2 and 3 mass limits may be suspended or cancelled for that particular transport task.

While the current application has arisen primarily from the applicant's grain haulage requirements, the Shire is aware that the operator also undertakes lime haulage outside the grain harvest period. This may involve different transport routes and surrounding Shire roads that are not part of the current application.

The potential use of surrounding Shire gravel roads for lime haulage is of greater concern from an asset management perspective. The condition, construction standard and capacity of gravel roads within the surrounding network vary considerably. Regular heavy vehicle movements associated with lime haulage may result in pavement deterioration and increased grading, re-sheeting and maintenance requirements.

These surrounding roads have not been assessed as part of the current Route Determination and Council should not be taken to have formed a position on their suitability for PBSTD3B.3 or associated AMMS operations through its consideration of Cramphorne Road.
It is therefore important that Council's support is expressly confined to Cramphorne Road, SLK 0.00 to SLK 24.27.

Any future Route Determination seeking PBSTD3B.3 access to adjoining or surrounding Shire, controlled roads should be referred to the Shire and assessed separately on its individual merits. Such assessment should consider the proposed vehicle combination, freight task, annual tonnage, frequency of movements, road geometry, pavement construction and condition, seasonal conditions and potential maintenance and asset impacts.

AMMS Level 2 and 3 access should be considered separately through the applicable HVS Network Sustainability process, having regard to the particular transport task, freight generator, route, product, duration and likely impact on the Shire's road assets. Where appropriate, the Shire may request that HVS apply the NS1 condition. Where NS1 applies, the Shire may determine whether a Road Maintenance Agreement is required for the particular transport task.

This approach allows Council to support improved heavy vehicle productivity on Cramphorne Road where the road is considered suitable, without creating an implied approval for broader PBSTD3B.3 or AMMS access across the surrounding Shire Road network.

Statutory Environment

Road Traffic (Vehicles) Act 2012

Road Traffic (Vehicles) Regulations 2014

Main Roads Western Australia administers the Restricted Access Vehicle Network and associated Route Determination and AMMS approval processes.

The Shire, as the relevant local road manager, is consulted by Main Roads Heavy Vehicle Services in relation to proposed changes to heavy vehicle access on Shire controlled roads.

Strategic Implications

The proposal is consistent with the Shire's objective of providing a safe, efficient and sustainable local road network that supports agricultural and commercial activity.

Supporting suitable higher productivity vehicle combinations can improve freight efficiency and reduce the number of individual vehicle movements required to transport a given freight task.

The proposed approach also recognises Council's responsibility to protect the condition and long, term sustainability of its road assets by ensuring that future access to surrounding roads is assessed having regard to the particular freight task and likely asset impacts.

Policy Implications

The Shire's Assessing Applications to Operate Restricted Access Vehicles Policy applies to this application. The Policy provides guidance for the assessment of applications to add or amend roads on the Restricted Access Vehicle Network, including consideration of road suitability, network connectivity, public safety and asset protection.

The Policy provides that support for an application to amend a RAV route is a decision of Council.

Cramphorne Road is already approved for AMMS Level 3. The current application relates only to the addition of PBSTD3B.3 access and does not seek to alter the existing AMMS level.

Financial Implications

There are no immediate direct financial implications arising from supporting the Route Determination for Cramphorne Road.

Heavy vehicle access to surrounding gravel roads may, however, have significant future maintenance and asset renewal implications depending on the vehicle configuration, mass, freight task, annual tonnage and frequency of movements.

Requiring future access proposals for surrounding roads to be assessed separately provides the Shire with the opportunity to consider these financial and asset management implications before supporting additional heavy vehicle access.

Risk Implications

Risk Category	Description	Rating	Mitigation Action
Health / People	Increased interaction between heavy vehicles and other road users.	Low (2)	HVS route assessment and existing road controls.
Financial Impact	Heavy vehicle use may increase road maintenance costs.	Moderate (6)	Approval limited to Cramphorne Road; other roads assessed separately.
Service Interruption	Heavy vehicle use may contribute to road deterioration.	Low (2)	Monitor road condition and undertake maintenance as required.
Compliance	Approval may be interpreted as applying to surrounding roads.	Low (2)	Clearly limit support to Cramphorne Road SLK 0.00 to 24.27.
Reputational	Community concern regarding heavy vehicle impacts on local roads.	Low (2)	Clearly define approved access and separately assess future requests.

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

That Council:

1. ***Supports the application to add Cramphorne Road, SLK 0.00 to SLK 24.27, to the PBSTD3B.3 Restricted Access Vehicle Network.***

2. ***Advises Main Roads Heavy Vehicle Services that Council's support applies only to Cramphorne Road, SLK 0.00 to SLK 24.27, and does not constitute support or approval for PBSTD3B.3 access on any adjoining or surrounding Shire controlled roads.***

3. ***Requests that any future Route Determination seeking PBSTD3B.3 access on adjoining or surrounding Shire controlled roads be referred to the Shire for separate assessment and consideration.***

4. ***Notes that AMMS Level 2 and 3 access remains subject to the applicable Main Roads Heavy Vehicle Services AMMS requirements and that the Shire, as Road Manager, may request that HVS apply the Network Sustainability Condition (NS1) where appropriate to manage the additional road wear associated with a particular transport task.***

AMENDED MOTION

Proposed by Cr Close
113/2026
Moved Cr Bradford/Seconded Cr Rose

That Council:

1. ***Supports the application to add Cramphorne Road, SLK 0.00 to SLK 24.27, to the PBSTD3B.3 Restricted Access Vehicle Network.***

2. ***Advises Main Roads Heavy Vehicle Services that Council's support applies only to Cramphorne Road, SLK 0.00 to SLK 24.27, and does not constitute support or approval for PBSTD3B.3 access on any adjoining or surrounding Shire controlled roads.***

3. ***Requests that any future Route Determination seeking PBSTD3B.3 access on adjoining or surrounding Shire controlled roads be referred to the Shire for separate assessment and consideration.***

4. ***Notes that AMMS Level 2 and 3 access remains subject to the applicable Main Roads Heavy Vehicle Services AMMS requirements and that the Shire, as Road Manager, may request that HVS apply the Network Sustainability Condition (NS1) where appropriate to manage the additional road wear associated with a particular transport task.***

5. ***Requests HVS to add the following conditions:***
    a. ***Not to be used as a through route; only for local delivery pick-up and garaging within an area only accessible via this road. Drivers must carry documentation as proof of local delivery, pickup or garaging address.***
    b. ***Access approved for the transport agricultural products and inputs only (including grain, hay, livestock and fuel).***

THE AMENDMENT BECAME THE MOTION
THE MOTION WAS DULY PUT AND CARRIED (5/0)

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

<u>Reason for Amended Motion</u>

Per the EMI's recommendation, additional conditions were added as part of Council's consent.

11.3.2 Proposed PBSTD5.3 and N10.3 Heavy Vehicle Route - Emu Fence, Threeboys, Cameron and Koolyanobbing, Southern Cross Roads

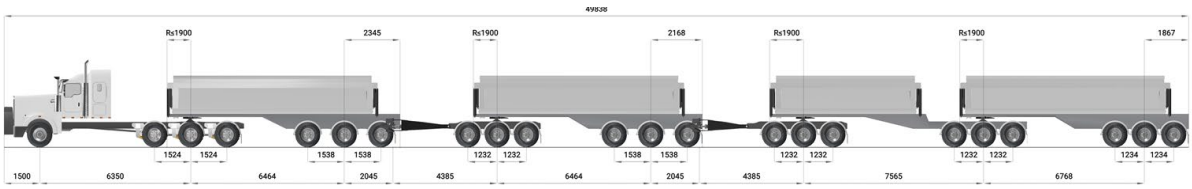
Disclosure of Interest	**Nil**
Voting Requirements	**Simple Majority**
Author	**Glen Brigg - Executive Manager Infrastructure**
Attachments	**Nil**

Purpose of Report

To inform Council of a proposed application by P&E Total Solutions Pty Ltd for Restricted Access Vehicle Network 10.3 (N10.3) and Tri Drive Network 5.3 (TD5.3) access over sections of Parker Range Road, Emu Fence Road, Great Eastern Highway, Threeboys Road, South Cross CBH Wheat Bin Road, Bullfinch Road, Cameron Road, Koolyanobbing Southern Cross Road and Dowd Road, and to seek Council's position on the proposed route.

Background

Main Roads Heavy Vehicle Services (HVS) acknowledged an application from P&E Total Solutions Pty Ltd on 8 July 2026 seeking a Route Determination for Restricted Access Vehicle Network 10.3 (N10.3) and Tri Drive Network 5.3 (TD5.3) access over the roads identified above.



Road	Section
Parker Range Road	SLK 50.02 to 51.20
Emu Fence Road	SLK 39.21 to 75.93
Great Eastern Highway	SLK 365.08 to 385.06
Threeboys Road	SLK 0.00 to 2.91
South Cross CBH Wheat Bin Road	SLK 0.00 to 0.53
Bullfinch Road	SLK 2.79 to 3.06
Cameron Road	SLK 0.00 to 2.16
Koolyanobbing–Southern Cross Road	SLK 1.13 to 52.28
Dowd Road	SLK 0.00 to 1.40

In its acknowledgement to P&E Total Solutions Pty Ltd, HVS advised that the request would be forwarded to the Shire of Yilgarn for input and that the Shire would be requested to respond within a four, week timeframe.

At the time of preparing this report, the Shire has not received the Route Determination referral from HVS.

The Shire became aware of the application through correspondence provided by P&E Total Solutions Pty Ltd. Given the scale of the proposed access and the interaction between Shire controlled roads and the Main Roads network, Administration has undertaken a preliminary assessment of the proposed route rather than waiting for the formal HVS referral.

Administration has also commenced discussions with Main Roads regarding those sections of the proposed route that interface with or utilise the State Road network and has requested further information from P&E Total Solutions Pty Ltd regarding the proposed vehicle movements and intersection requirements.

Comment

The proposed route extends across both Shire controlled and Main Roads controlled infrastructure and should therefore be considered as a complete transport route rather than individual road sections in isolation.

For the route to operate as proposed, N10.3 and TD5.3 vehicle combinations must be capable of safely and lawfully negotiating all roads and intersections forming part of the route. This requires consideration of road geometry, intersection configuration, pavement condition, drainage, roadside constraints and connectivity between the local and State Road networks.

Administration has discussed the proposal with Main Roads because the route includes sections of Great Eastern Highway and Bullfinch Road and requires movements between the State and local road networks. Based on discussions to date, Main Roads has not indicated support for accommodating N10.3 and TD5.3 movements over the proposed route and associated intersections.

This represents a significant unresolved issue with the viability of the route in its current configuration. There is limited benefit in supporting individual Shire, road sections where the complete transport route cannot currently be demonstrated as capable of accommodating the proposed vehicle combinations.

Emu Fence Road

Emu Fence Road has previously carried significant heavy vehicle operations and there are existing road condition and maintenance issues associated with historical haulage activities.
The suitability of Emu Fence Road for the proposed N10.3 and TD5.3 transport task needs to consider the existing condition of the road, outstanding maintenance and rehabilitation requirements, and the additional impact of the proposed freight task.

Previous heavy vehicle access does not, in itself, demonstrate that the road is suitable for the level of access now being sought.

Threeboys Road

Threeboys Road provides a connection between Great Eastern Highway and the local road network and needs to be considered as part of the complete proposed transport route.

Its suitability is dependent not only on the road itself but also on the ability of the proposed vehicle combinations to safely negotiate the Great Eastern Highway interface and the connecting local road network.

Cameron Road

Cameron Road and its intersection with Bullfinch Road have been identified by Administration as a significant constraint on the proposed route.

The existing intersection is at an acute angle rather than a conventional intersection arrangement. Existing heavy vehicle tracking indicates trailers track toward the power pole on the outside of the turn, raising concerns regarding the suitability of the existing geometry for the proposed N10.3 and TD5.3 vehicle combinations.

The intersection is also located within a Salt Lake environment with known poor subgrade and drainage constraints. Existing drainage and roadside infrastructure further limit opportunities for straightforward realignment.

Administration has requested turning templates from P&E Total Solutions Pty Ltd to demonstrate the swept paths of the proposed vehicle combinations through the intersection. Until appropriate swept path analysis and engineering assessment are provided,

Administration does not consider that the suitability of this intersection for the proposed access has been demonstrated.

Koolyanobbing Southern Cross Road

Koolyanobbing Southern Cross Road currently accommodates significant heavy vehicle, traffic, however the standard of the road varies considerably along its length.

Sections closer to Southern Cross have been upgraded, while substantial sections of the older road remain narrow and include single lane sealed pavement. Previous pavement investigations undertaken by the Shire have also identified areas of weak subgrade and insufficient pavement depth for sustained high volume heavy vehicle operations.

The Shire is progressively undertaking pavement strengthening, shoulder, drainage and other improvement, works along the road. Any additional significant freight task needs to be considered in the context of the existing condition, planned improvements and long, term management of the asset.

Complete Route Assessment

The current proposal cannot be resolved solely through consideration or improvement of individual Shire roads.

The route relies on connectivity between the Shire and Main Roads networks, including Great Eastern Highway and Bullfinch Road. Unless the complete route and these interfaces can

accommodate N10.3 and TD5.3 vehicle combinations, approval of individual Shire Road sections would not establish a viable transport route.

Any proposed road or intersection modifications should be supported by appropriate engineering assessment using the actual vehicle configurations for which access is being sought. This should include swept path assessment, intersection geometry, pavement suitability, drainage, roadside constraints and any infrastructure upgrades required.

Alternative Route

Administration does not consider that the issues identified with the current proposal prevent an appropriate heavy vehicle route ultimately being established for the Yilgarn Iron transport task.

Alternative routing may provide a more practical and sustainable solution and should be investigated in consultation with P&E Total Solutions Pty Ltd, Main Roads, HVS and the Shire.

Any alternative route should be considered as a complete transport route and demonstrate that all roads, intersections and State and local road network interfaces can safely and sustainably accommodate the proposed N10.3 and TD5.3 vehicle combinations and associated freight task.

Given the unresolved Main Roads interfaces and the road geometry, pavement and asset management concerns identified on the proposed route, Administration does not recommend that Council provide in principle support for the route in its current configuration.

This position does not represent opposition to the Yilgarn Iron transport task. Rather, it provides an opportunity for an alternative route and or appropriate infrastructure improvements to be investigated before Council considers supporting the proposed level of heavy vehicle access.

Statutory Environment

Road Traffic (Vehicles) Act 2012
Road Traffic (Vehicles) Regulations 2014

Main Roads Western Australia administers the Restricted Access Vehicle Network and associated Route Determination process.

The Shire, as the relevant Road Manager for Shire controlled roads, is consulted by Main Roads Heavy Vehicle Services when changes to Restricted Access Vehicle access are proposed.

At the time of preparing this report, the proposed N10.3 and TD5.3 Route Determination has not been formally referred to the Shire by HVS for assessment.

Strategic Implications

The proposal relates to the provision of safe, efficient and sustainable transport infrastructure supporting mining and economic activity within the Shire.

Higher productivity heavy vehicle combinations can provide freight efficiencies; however, the complete transport route must be capable of safely and sustainably accommodating the proposed vehicle combinations and freight task.

Consideration of alternative routes and appropriate infrastructure improvements provides an opportunity to establish a long, term transport solution while protecting the Shire's road assets and maintaining connectivity with the State Road network.

Policy Implications

The Shire's Assessing Applications to Operate Restricted Access Vehicles Policy is relevant to the proposed Route Determination. The Policy provides guidance for assessing proposed changes to the RAV Network, including road suitability, network connectivity, alternative routes, public safety, physical constraints and potential impacts on Shire Road assets. The Policy provides that support for an application to amend a RAV route is a decision of Council.

The Road Construction Policy is also relevant to heavy haulage associated with mining and extractive industries and provides for consideration of the most appropriate route to a State controlled road and the fitness for purpose of the affected roads.

The recommendation is consistent with these policies by requiring the proposed transport route, including alternative routing where appropriate, to be demonstrated as suitable before Council provides support.

Financial Implications

The proposed transport task has the potential to increase road maintenance, rehabilitation and renewal requirements.

The extent of these costs will depend on the final transport route, vehicle configurations, operating masses, freight volumes and condition of the affected roads.

Any alternative route or infrastructure upgrade proposal should identify the works required to accommodate the proposed transport task and responsibility for funding those works.

Where AMMS Level 2 or 3 access is proposed, the applicable HVS Network Sustainability process provides a separate mechanism for consideration of additional pavement wear and whether a Road Maintenance Agreement is required.

Risk Implications

Risk Category	Description	Rating	Mitigation Action
Health / People	Current route and intersections may not safely accommodate the proposed vehicles.	Moderate (6)	Do not support current route, require engineering assessment.
Financial Impact	Heavy haulage may increase road maintenance and renewal costs.	Moderate (6)	Assess route impacts and upgrade requirements before support.
Service Interruption	Heavy haulage may accelerate road deterioration.	Moderate (6)	Identify a suitable route and required improvements.
Compliance	Proposed route may not satisfy RAV access requirements.	Low (4)	Require complete route and swept path assessment.
Reputational	Supporting an unsuitable route may create community or industry concern.	Low (4)	Establish a clear Council position and consider alternatives.
Property	Roadside infrastructure may require modification.	Low (2)	Identify requirements through engineering design.

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

114/2026
Moved Cr Stephen/Seconded Cr Bradford
That Council:

1. ***Notes that Main Roads Heavy Vehicle Services has acknowledged an application from P&E Total Solutions Pty Ltd for Restricted Access Vehicle Network 10.3 (N10.3) and Tri Drive Network 5.3 (TD5.3) access over the proposed transport route identified in this report; however, the application has not been formally referred to the Shire for assessment.***

2. ***Does not provide in principle support for the proposed N10.3/TD5.3 transport route in its current configuration, having regard to identified road geometry, intersection, pavement and asset management concerns and the unresolved interfaces with the Main Roads Western Australia road network.***

3. ***Advises P&E Total Solutions Pty Ltd that Council is prepared to consider an alternative transport route and or appropriate road and intersection upgrades capable of safely and sustainably accommodating the proposed N10.3/TD5.3 vehicle combinations and freight task.***

4. ***Requests that any revised route be developed in consultation with Main Roads Western Australia, Main Roads Heavy Vehicle Services and the Shire of Yilgarn and include appropriate engineering assessment demonstrating that the complete transport route, including all intersections and State and local road network interfaces, can accommodate the proposed N10.3/TD5.3 vehicle combinations.***

CARRIED (5/0)

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

12. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Close sought a leave of absence for the September Ordinary Council Meeting

115/2026
Moved Cr Guerini/Seconded Cr Rose
That Council granted Cr Close a leave of absence for the September Ordinary Council Meeting.

CARRIED (5/0)

Cr's For: Close, Guerini, Bradford, Rose, Stephen
Cr's Against: 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

Statutory Environment

Local Government Act 1995 – Section 5.23

(2) Despite subsection (1), if any of the following matters is to be dealt with at a meeting, the council or committee must close the meeting to members of the public to the extent necessary to ensure that the matter is dealt with at the meeting on a confidential basis —

(b) a matter relating to the recruitment or employment of the CEO or a senior employee, including the following —

(i) the termination of employment;

(ii) a review of performance under section 5.38;

(4) Despite subsection (1), if any of the following information is to be dealt with at a meeting, the council or committee may close the meeting to members of the public to the extent necessary to ensure that the information is dealt with at the meeting on a confidential basis –

(a) legal advice, or other information, over which the local government holds legal professional privilege;

Officer Recommendation and Council Decision

116/2026
Moved Cr Guerini/Seconded Cr Rose
That Council close the meeting to public, under Sections 5.23(2)(b) and 5.23(4)(a) of the Local Government Act 1995, so that is can discuss the terms of the CEO's employment.

CARRIED (5/0)

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

C Watson, T Prue, P McBain, A Peters and J Kent left the chambers at 5:58pm.

15.1 Chief Executive Officer 2026-2027 KPIs

File Reference	**8.2.1.2**
Disclosure of Interest	**Nil**
Voting Requirements	**Simple Majority**
Author	**Ben Forbes - Chief Executive Officer**
Attachments	**CEO Key Performance Indicators, August 2026**

Purpose of Report

For Council to consider and endorse the Key Performance Indicators (KPIs) proposed by the Chief Executive Officer (CEO).

Officer Recommendation and Council Decision

117/2026
Moved Cr Rose/Seconded Cr Stephen
That Council endorse the attached list of Key Performance Indicators for the Chief Executive Officer for the 12 months ending August 2027.

CARRIED (5/0)

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

16. MEETING OPEN TO THE PUBLIC

Statutory Environment

Local Government Act 1995 - Section 5.23

(8) If a decision is made to close a meeting to members of the public under subsection (2), (3) or (4), the following must be recorded in the minutes of the meeting —

(a) the decision
(b) the subsection under which the decision is made and, if that subsection is subsection (2) or (4), the paragraph of that subsection under which the decision is made;
(c) if the provision recorded under paragraph (b) is subsection (2)(c) or (4)(g) — the applicable regulation (including any applicable sub regulation or paragraph)
(d) if the provision recorded under paragraph (b) is subsection (2)(d) or (4)(h) — a statement that a direction was given under section 5.23AA (1) or (2) (as the case requires)
(e) an explanation of how the matter or information to which the decision relates falls within the scope of the provision recorded under paragraph (b);
(f) a summary of the steps taken to ensure that the closure to members of the public is for no longer than required or authorised under the provision recorded under paragraph (b);
(g) any prescribed information.

Officer Recommendation and Council Decision

118/2026
Moved Cr Bradford/Seconded Cr Rose
That the Ordinary Meeting of Council be re-opened to the public.

CARRIED (5/0)

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

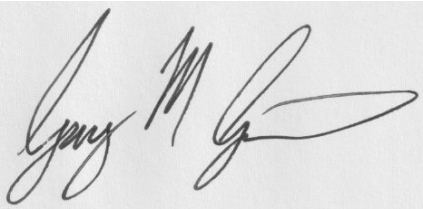
C Watson, T Prue, P McBain, A Peters and J Kent returned to the chambers at 6:02pm.

Following the meeting being re-opened to the public, the Presiding Member read aloud the resolution of Council for the confidential items considered.

17. CLOSURE

As there was no further business to discuss, the Shire President declared the meeting closed at 6:04pm.

I, Gary Guerini, confirm the above Minutes of the Meeting held on Thursday 20 August 2026, are confirmed on Thursday 17 September 2026 as true and correct record of the August 2026 Ordinary Meeting of Council.



Cr Gary Guerini
DEPUTY SHIRE PRESIDENT