

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th May 2011

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 20th May, 2011.

PRESENT

Cr P R Patroni, Shire President

Crs, W A Della Bosca, D Auld, J Della Bosca, D J Pasini & O Truran

Council Officers: J Sowiak, Chief Executive Officer
 R J Bosenberg, Manager for Works
 W J Dallywater, Manager Environmental Health & Building
 K Hastie, Director Westonia Operations
 J Merrick, Project Officer

The meeting was declared open for business at 2.01pm.

PUBLIC QUESTION TIME

None

APOLOGIES AND LEAVE OF ABSENCE

- Cr Gary Kenward
- Ms V Murty - Deputy Chief Executive Officer

DISCLOSURES OF INTEREST

None

PRESENTATION – SOUTHERN CROSS POLICE UPDATE

Sergeant Andy Allison updated Council on the general crime rate in the Southern Cross district which included; drug arrests, breaking and entering and speeding. He also discussed the current gun licence process. The Manager for Works asked the Sergeant if he was aware of an increase in road train activity in Antares street and if the police could monitor usage of the road, as Antares Street is not a heavy haulage route.

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

88/2011

Moved Cr W Della Bosca Seconded Cr Truran that the Minutes of the previous Meeting of Council held on Friday 15th April 2011, be confirmed as a true and correct record of that meeting.

CARRIED (6 /0)

Cr Pasini Arrived at 2.10pm

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MINUTES OF WESTONIA YILGARN REGIONAL COUNCIL MEETING

The minutes of the meeting of the WYRC held on 2nd May were tabled for adoption. The Shire President also tabled a draft letter to the Shire President of Westonia concerning the issues raised at the joint meeting and sought Council's endorsement of the this letter.

89/2011

Moved Cr Auld Seconded Cr Pasini that the Minutes of the Westonia Yilgarn Regional Council meeting held on Monday 2nd May 2011, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

90/2011

Moved Cr J Della Bosca Seconded Cr Auld that the draft letter to the Shire President of Westonia Shire be endorsed by Council.

CARRIED (6/0)

WEROC COUNCIL MEETING

91/2011

Moved Cr Truran Seconded Cr J Della Bosca that the minutes of the WEROC Council meeting held on 4th May, 2011 be received.

CARRIED (6/0)

TOURISM ADVISORY COMMITTEE MEETING

92/2011

Moved Cr Truran Seconded Cr Auld that the minutes of the Tourism Advisory Committee on the 9th May 2011 be received.

CARRIED (6/0)

Recommendation

That Council considers the following Townscape projects in their 2011/2012 budget deliberations:

- The numbering of the gravesites at the Southern Cross Cemetery.
- The cleaning up of the Bullfinch Cemetery site.
- Moving the Dozer from the farm to the Shire of Yilgarn Depot.
- Mining Exhibit to be staged over several years. 1st year restoration of mining equipment currently stored at the depot and museum, surveying site location and sourcing costings. 2nd and 3rd year developing site, preparing foundations and erecting Navoria head frame, connecting power and transferring equipment to display site.
- Vultee Vengeance crash site - concrete picnic table and seating to be installed 10/11 and interpretive sign to be developed, designed and installed 11/12.
- Erecting a new information bay on Emu Fence boundary (Yilgarn Shire) using the old information bay structure from the western information bay with upgraded maps.

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- Erecting an interpretative sign at Mt Palmer; listing the name of the residence who lived in the area and the locality of their properties and a town map listing the streets and points of interest e.g. Mt Palmer Hotel. In addition, have plough disks etched with the street names (used for street signs) to be installed at the entrance of the relevant streets so that the descendants of the families can locate the old family home.
- Gather School Site - to be cleaned up and beautified, with historical signs erected. An interpretative sign is required with names of the children who attended the school.
- Strawberry Rock School - Clean up and signage to be erected if necessary

93/2011

Moved Cr Truran seconded Cr J Della Bosca that Council agrees to consider the following Townscape projects in their 2011/2012 budget deliberations:

- *The numbering of the gravesites at the Southern Cross Cemetery.*
- *The cleaning up of the Bullfinch Cemetery site.*
- *Moving the Dozer from the farm to the Shire of Yilgarn Depot.*
- *Mining Exhibit to be staged over several years. 1st year restoration of mining equipment currently stored at the depot and museum, surveying site location and sourcing costings. 2nd and 3rd year developing site, preparing foundations and erecting Navoria head frame, connecting power and transferring equipment to display site.*
- *Vultee Vengeance crash site - concrete picnic table and seating to be installed 10/11 and interpretive sign to be developed, designed and installed 11/12.*
- *Erecting a new information bay on Emu Fence boundary (Yilgarn Shire) using the old information bay structure from the western information bay with upgraded maps.*
- *Erecting an interpretative sign at Mt Palmer; listing the name of the residence who lived in the area and the locality of their properties and a town map listing the streets and points of interest e.g. Mt Palmer Hotel. In addition, have plough disks etched with the street names (used for street signs) to be installed at the entrance of the relevant streets so that the descendants of the families can locate the old family home.*
- *Gather School Site - to be cleaned up and beautified, with historical signs erected. An interpretative sign is required with names of the children who attended the school.*
- *Strawberry Rock School - Clean up and signage to be erected if necessary*

CARRIED (6/0)

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ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:-

- That he along with Cr Auld and DCEO had met with Dr Graham Jacobs and his wife on Wednesday 11th May, to discuss several concerning issues including; Telstra blackspot areas, Gun Licences, Dog Fence funding through Royalties for Regions and the Health initiative.
- That he, the CEO and Manager for Works met with representatives from Southern Cross Gold Mining company, who are doing mining investigations around Marda Dam (Mt Jackson area) and have received optimistic findings so far. In addition, they have had good results south of Marvel Loch at British Hills. At the meeting they enquired about utilising Council roads to run road trains, the roads in question are Marvel Loch/Forrestonia Rd, Koolyanobbing Rd, Three Boys Rd, Cameron Rd and the Bullfinch/Everstan Rd. The Shire President asked the Manager for Works to liaise with representatives from Southern Cross Mining in the future.
- That Mr Clive Jones from Cazaly Resources was planned to present to Council today advising the progress towards their mining operations, but declined the invitation at the last moment. Unfortunately, their recent issues with gaining a port to export the Iron Ore were in the papers during the week and he felt there was nothing further to report on.
- That he and the CEO had attended a LEMC meeting on the 18th April and there was a very good turnout. The committee have made excellent progress towards developing a Local Emergency Arrangement Recovery Plan.
- That he and the Manager for Works attended a Sub Regional Road Group meeting in Mukinbudin on the 18th April. They were advised that regional road funding for 2025 roads will be trimmed by \$200,000 overall, the impact to our shire was approximately \$46,000 less in funding.
- That the CEO's Performance Review is scheduled to be held on the 27th June 2011 with the Review committee, who is made up of SP and Deputy SP from both Westonia and Yilgarn and an external facilitator Mr John Phillips from WALGA. In preparation for the meeting the Councilors will need to go into committee prior to the June Council meeting on the 17th June to discuss and gain feedback from all the Councilors regarding the CEO's review.

TIDY TOWN – NATIONAL AWARDS

The Shire President advised that representatives from the Shire of Westonia had attended the National Tidy Town Awards in Beechworth, Victoria and came aware as the winners of the "Community Action and Partnership" award.

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94/2011

Moved Cr Truran seconded Cr J Della Bosca that Council writes a letter of congratulations to the Shire of Westonia on their achievement of winning the national “Community Action and Partnership” award.

CARRIED (6/0)

Cr W Della Bosca advised that the Bullfinch Volunteer Fire Shed has been completed.

Cr Truran had attended a DEHAC meeting in Merredin, and advised that there is now a Doctor on call in Merredin and SX hospital will be making a funding application for an upgrade to the Tele-health system. The Southern Cross HSM has left and there is an interim HSM for a month.

Cr Truran also advised that she had attended a meeting at the Day Care Centre and was advised that children attendance has increased.

CHIEF EXECUTIVE OFFICER REPORT

Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	7.1
Subject:	Western Australian Local Government Association – Local Government Convention and Notice of Annual General Meeting
File Reference:	1.6.21.4
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 May 2011

Background

WALGA have forwarded Notice of the Annual General Meeting of the Association which will be held at the Perth Convention Exhibition Centre on Saturday, 6 August 2011. The Association also provides information on procedural information for submission of motions.

WALGA invites Member Local Governments to submit motions for inclusion on the Agenda for consideration at the 2011AGM. The closing date for submission of motions is **Monday, 13 June 2011.**

Comment:

The Local Government Convention will be held between Thursday 4th August and Sunday, 7 August 2011 and the tentative schedule for the Convention is as follows:-

Thursday, 4 August

Convention Opening & Sessions	9.00am – 5.00pm
Mayors & Presidents Reception (Council House)	5.30pm – 6.30pm

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Friday, 5 August

Convention Sessions	9.00am – 5.00pm
Sundowner	5.15pm – 6.30pm

Saturday, 6 August

ALGWA AGM & Breakfast	7.00am – 8.45am
Conference morning Sessions	9.00am – 12.00pm
Convention Keynote Address	11.00am – 12.00pm
Convention Gala Dinner	7.00pm – 11.00pm

Sunday, 7 August

State Council Meeting	10.30am – 12.30pm
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A partners program is also available for accompanying partners who wish to participate.

Councillors may wish to consider whether they will be attending Local Government Week, as at this stage 5 rooms have been booked with the Novotel on the evenings of Wednesday, 3, Thursday, 4 Friday, 5, and Saturday, 6 August with check out on the morning of Sunday, 7 August 2010.

Council is entitled to have two voting delegates and two proxy delegates and on this basis the usual nominees are the Shire President and Deputy President as voting delegates and others who are attending as proxies.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That should Council wish to submit motions for inclusion on the Agenda for consideration at the Association's AGM, they be provided to the CEO for forwarding to WALGA prior to 13 June 2010. Council in submitting motions must adhere to the guidelines in the formulation of motions.

Recommendation

That Councilors indicate their interest in attending Local Government Week 2011 which will allow the CEO to liaise with those Councilors when registrations are required to be submitted to WALGA.

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Voting Requirements

Simple Majority

Discussion:

The following Councilors indicated their interest in attending Local Government Week;

- Cr P R Patroni, Shire President Friday & Saturday only
- Cr W Della Bosca and Cr J Della Bosca are unsure
- Cr Auld is attending but staying in his flat for three days
- Cr Truran and Cr Pasini advised that they would not be attending.
- Cr Kenward was not present

95/2011

Moved Cr J Della Bosca Seconded Cr Truran that interested Councilors be authorised to attend the Local Government Week 2011 and that the CEO liaise with those Councilors concerning arrangements and registration.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	7.2
Subject:	Performance Review Joint CEO
File Reference:	1.1.10.1
Author:	Jeff Sowiak
Disclosure of Interest:	Nil
Date of Report:	6 th May 2011

Background

The Shire of Westonia and the Shire of Yilgarn have entered into a contract for the appointment of a Joint Chief Executive Officer and part of that Contract of employment is a requirement to undertake a formal performance and remuneration review on an annual basis.

Comment:

As reported to the recent meeting of the Westonia Yilgarn Regional Council, the appointment of a joint CEO is a new beginning for all parties involved in this process and there is no guidebook or map as to how such an appointment would operate. Westonia and Yilgarn Shires have had to write their own rule book so to speak on this issue.

The contract of employment for the appointment of a Joint CEO is a contract between two Local Government authorities and the person employed by those Local Governments, it is therefore important that all parties to the contract are aware of the role and function of the CEO and the contractual and statutory obligations in relation thereto. One important statutory obligation is the need to undertake an annual performance review.

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As each Council in its own right has appointed the CEO to that role, both Councils either jointly or separately must resolve to undertake the review and to adopt the recommendations from that review.

The CEO for his part in this statutory process must undertake the performance and remuneration review of other staff employed by both Local Governments, including the other Senior Staff and is to report to both Local Governments that Senior Staff have had a review and the annual remuneration of Senior Staff.

Given the number of Councilors involved and the nature of the contract that exists, it was proposed and has now been recommended to Council, that the review be conducted by a joint committee comprising members of both Local Governments. The meetings of this committee would be facilitated by an independent agreed to by all parties.

It is recommended that the review be undertaken in two stages. This first would involve all Councilors providing feedback and the second would involve the appointment of a small committee comprising two Councilors from each Council and a facilitator to undertake the review.

The committee would meet to discuss the feedback from the Councilors and would meet with the facilitator and then with the CEO to undertake the review. A report would then be prepared for submission to both Councils and the Shire of Yilgarn would be responsible for any changes agreed to by the Committee.

Mr John Phillips from WALGA has been approached and has indicated his preparedness to act for both Local Governments in undertaking the review. The cost of the external facilitator would have to be borne by both Local Governments equally.

A draft form has been prepared and is attached for consideration by the Council.

Recommendation

1. That Council adopt the recommendation of the WYRC and agree to establish an Executive Review Committee comprising the Shire Presidents and Deputy Presidents from both Local Governments and Mr John Phillips from WALGA to assist with undertaking the Joint CEO's performance and Remuneration review.
2. That the process for the review as outlined in the report and the draft form be endorsed by Council.

96/2011

Moved Cr W Della Bosca Seconded Cr Auld That Council adopts:

1. ***The recommendation of the WYRC and agree to establish an Executive Review Committee comprising the Shire Presidents and Deputy Presidents from both***

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Local Governments and Mr John Phillips from WALGA to assist with undertaking the Joint CEO's performance and Remuneration review.

- 2. That the process for the review as outlined in the report and the draft form be endorsed by Council.*

Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	7.3
Subject:	Sporting Precinct Redevelopment
File Reference:	1.3.8.14
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil.
Date of Report:	9 th May 2011

Background

This report outlines the progress to date in relation to the contract with Midland Constructions for the construction of the Southern Cross Bowling and Tennis Clubhouse and the current status of the grant from royalties for regions.

Comment:

In accordance with the previous decision of Council, Midcon has been advised that Council has reserved its right to terminate this contract during the period of voluntary administration, in the hope that the Company would prepare the working drawings and building application for Council approval and then resume normal trading operations.

Council has also advised that it will not process any claim for payment unless they are supported by the declarations as required under the contract as this is to ensure that Council only pays for works completed and is not subject to claims from others in the event that the Company becomes insolvent.

Council may exercise its right to terminate the contract should any further “Insolvency Events” occur after or during the period of voluntary administration.

Council has now received advice from the Administrator that the Company Directors wish to enter into a “Deed of Company Arrangement” between the Company and its creditors.

The DOCA would provide for the full and final settlement of the companies debts and is supported by legal advice concerning the likely success of legal action to recover amounts due to the company from the Minister for Works.

The documentation and report to creditors is over 60 pages and includes the legal advice. I have forwarded an electronic copy to Councillors with the agenda.

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In summary, the documentation supporting a meeting of creditors held on 11th May indicates that the best option for creditors is for the Company to continue trading and the Administrators has recommended to creditors :

“Therefore, on a commercial basis, I recommend creditors accept the Directors’ proposal for a DOCA.As this provides the potential for a greater and more certain return to creditors than would result from an immediate winding up of the company.”

At the meeting of creditors a decision was made to accept the Deed of Company Administration which now effectively hands back management of the company to the Director. The Director , David Afflick has contacted Council to thank Council for its support during this difficult time and to advise that the preparations of plans is well underway.

In terms of the status of the grant from the Royalties for Regions, Council would be aware that \$305,000 must be expended by 30th June, 2011.

At this stage the following commitments are due to be paid prior to that date:

Berry Bowling Systems Initial payment on contract	\$130,049
Payment to Midcon for Design work	TBA

The DCEO will provide an update at the meeting on the current expenditure from the grant to date as a decision may need to be made on changing the allocation if it is not certain that the funds can be expended prior to 30th June, 2011.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

There are financial risks associated with all options that the Council pursues.

Recommendation

That Council note the advice from the administrators of Midcon Constructions and consider if necessary the determination of an alternative project to acquit the Royalties for Regions 2008/2009 allocation if necessary.

The CEO advised that at this time it would appear that the proposed payments that will become due and payable prior to 30th June will be sufficient to exceed the grant funds. If this situation changes then Council could consider a change in purpose of the grant funds at the June meeting.

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97/2011

Moved Cr Pasini Seconded Cr W Della Bosca that Council received the advice from the administrators of Midcon Constructions and will consider if necessary the determination of an alternative project to acquit the Royalties for Regions 2008/2009 allocation if necessary.

CARRIED (6/0)

98/2011

Moved Cr Truran seconded Cr Pasini that the Committee of the Yilgarn Bowling and Tennis club nominate up to three people to assist CEO with selection of colours etc for fit-out of clubrooms.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	7.4
Subject:	Merger Update
File Reference:	2.5.2.3
Author:	Project Officer
Disclosure of Interest:	Nil
Date of Report:	10 May 2011

Background:

This report is to provide Council and members of the community with an overview of the current status of the merger discussions with the Shire of Westonia and the activities that have been undertaken to date.

Comment:

Local Laws

A preliminary review of existing Local Laws shows that the last gazettal occurred in 1997 in Yilgarn and 1998 in Westonia, and that staff at both authorities have not had cause to administer these laws at any time since.

Because there is a formal statutory process to follow in regard to the enactment, repeal and gazettal of Local Laws, I would suggest that this process be deferred until a formal declaration has been made in respect of the merger.

Human Resources Management

Sue Bosenberg has done a fantastic job in sourcing, collating and completing the entire suite of documentation required to provide a compliant, ‘best practice’ example of modern HR Management process, and which will serve both Yilgarn and Westonia well into the future, regardless of merger outcomes.

Every Position Description has been reviewed and standardised, the Staff Policy Manual has been updated, and a compliant Induction Manual completed. Other relevant documentation has been developed and filed together to provide a virtual ‘procedures

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manual' for all things pertaining to the recruitment and ongoing management of staff across both organisations and includes;

- a) Advertising vacancies
- b) Application package
- c) Offer of employment
- d) New employee package
- e) Performance review documentation
- f) Handbook
- g) Examples of letters for acknowledgment, offers and unsuccessful applicants,
- h) Forms for leave, banking details, emergency contacts, super, timesheets, deductions, claims, salary sacrificing and training requirements.

IT Development

I continue to work closely with the CEO on progress towards implementing an integrated system for both Shires and which involves on-going dialogue with internet providers, IT managers and consultants to come up with the most beneficial result. We remain hopeful of a solution in the short term.

Next Three Months

The Regional Business Plan is currently being developed by Morrison Low Consultants and is to be presented to the Local Government Advisory Board for its hearings towards the end of August, as agreed by both Councils.

As I have completed most of my initial tasks, there is little more I can do until after the Board has conducted its hearings and resolved its recommendation as to the merger. I have been approached by WALGA to relieve as CEO at the Shire of Upper Gascoyne until the middle of August when the new CEO will commence duties. After discussion with Jeff, we feel that it may be mutually beneficial for me to accept this appointment, continue progressing outstanding issues as they arise, and return in the lead up to the Board's recommendation in August.

Statutory Environment:

Local Government Act 1995 and guidelines published by the Department for Local Government.

Policy Implications:

Nil

Financial Implications:

Funding for the Merger has been provided by the Department of Local Government.

Recommendation:

That the report be received.

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Voting Requirements

Simple Majority

99/2011

Moved Cr Auld Seconded Cr Pasini that the report be received.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 20 th May, 2011
Agenda Reference:	7.5
Subject:	Cazaly Iron Pty Ltd- Road Usage Deed
File Reference:	6.1.1.038, 6.3.2.2
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 th May 2011

Background

Council has adopted a policy that relates to heavy vehicle haulage on shire roads and in accordance with that policy the Chief Executive Officer and Manager of Works have negotiated an agreement relative to a new mine and haulage project with Cazaly Iron Pty Ltd that is recommended for endorsement by Council.

Comment

Cazaly Iron Pty Ltd are in the process of developing a new iron ore mine in the Mt Caudan area of the Shire and once operational will be using RAV vehicles to haul ore from the mine to the railway near Moorine Rock.

The estimated quantity of ore is \$28.3million tonnes over 10 years and the proposed deed attached, details the arrangements between the Council and the company relating to approvals for road haulage and reconstruction.

The agreement provides for the construction and sealing of 22.8klm of Parker range road from Mt Caudan to Panizza Road and the reconstructing and widening of a further 28 klm of Parker Range road to a 7 metre wide sealed road of sufficient strength to manage 23.5 t tri-axle group .

The agreement also provides for an annual contribution from the company to compensate the Council for damage done to the roads as a consequence of heavy haulage. The Heavy Vehicle Road Improvement Contribution (HVRIC) of \$542,000 is to be phased in over three years and is broken down into two components.

A ‘Capital Contribution for Improvements’ of \$322,107 , this must be paid to Council on an annual basis and is utilised by Council to undertake major reconstruction of roads that have been damaged by heavy vehicle road haulage.

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The second component is a “Maintenance Contribution” of \$220,266 which is used to undertake repairs and maintenance to failed or worn sections as well as intermediate repairs related to heavy vehicle haulage.

As the company will be reconstructing and building new roads, the agreement has provision for a 50% reduction in the actual HVRIC for the first three years of operation of the mine. This is consistent with the likely maintenance requirements given that the road will be reconstructed.

Statutory Environment

Nil

Policy Implications

Council policy for Heavy Vehicle Road Improvement Contributions.

Financial Implications

The funds derived from the HVRIC can only be used for maintenance or reconstruction of the roads for which the contributions have been received. The net impact is a contribution of \$271,180 for three years, and then \$542,373 thereafter based on current estimates of ore to be hauled over Shire roads.

Recommendation

That Council

1. Endorse the draft Road Haulage Deed with Cazaly Iron Ore Ltd relating to the establishment of a new iron ore mine in the Mt Caudan area and the use of RAV vehicles for road haulage and
2. Authorise the execution of the agreement under Council seal.

Voting Requirements

Simple Majority

Discussion:

Council has been advised that Cazaly are currently unable to gain access to a port for their products so this will impact on final outcomes of negotiations.

100/2011

Moved Cr Auld Seconded Cr Truran that Council :

- 1. Endorses the draft Road Haulage Deed with Cazaly Iron Ore Ltd in principal relating to the establishment of a new iron ore mine in the Mt Caudan area and the use of RAV vehicles for road haulage and*
- 2. Authorise the execution of an agreement and any possible agreed to revisions if and when it is required, under Council seal.*

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 20 th May, 2011
Agenda Reference:	7.6
Subject:	Business Planning for Merger
File Reference:	2.5.1.1
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th May 2011

Background

Council has engaged Morrison Low Consultants to undertake the development of a business plan for the merger and consequently they will be holding a series of meetings both with the WYRC and the communities as part of that process.

Comment:

At the last meeting of the Westonia Yilgarn Regional Council (WYRC) regional transition group the decision was made to authorise the CEO to engage Morrison Low Consultants to undertake the process required for the preparation of a Business plan for the merger.

As reported to the committee, Morrison Low Consultants (MLC) have extensive experience in the preparation of the Business Plan templates for the Department and have prepared the reports for the Midwest Council RTG and the Broomehill/Tambellup Group. They are an approved consultant as identified by the Department of Local Government for this type of consultancy.

The CEO has reached agreement with MLC to undertake the work for a fee proposal of \$35,000 plus GST and outgoings. Ms Alison Dalziel is the Senior Consultant for this project and has proposed a number of meetings both with the WYRC Group and the community to progress the plan.

The first of these meetings is with the WYRC group and is to be held on Thursday 9th June in Southern Cross, commencing at 7.00pm. The purpose of this meeting is to :

- directly hear the RTG's objectives and perspectives on the advantages and disadvantages of amalgamation
- share any preliminary points of note from the work to that point
- go over the plans for community engagement.

The Consultant will then prepare a draft report for discussion with the WYRC via teleconference at its meeting in Southern Cross on Monday 27th June. That meeting to commence with lunch at 12.30pm.

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Following from this meeting a draft document would then be circulated to the community and a community meetings will then be held with the Consultants on 7th July.

This first meeting will be in Westonia, commencing at 4.00pm and then followed by a second community meeting to be held in Southern Cross that night commencing at 7.30pm.

Both meetings will be advertised and will provide an opportunity for members of the community to have a say on the proposed merger, for inclusion into the draft Business Plan.

The Consultants would then consider any matters arising from the public consultation process and deliver a report in person to the WYRC group at its meeting on Monday 18th July in Westonia, commencing at 1.00pm. (Lunch from 12.30pm)

This timeline should ensure that the final Business Plan is completed in time for the arrival of the Local Government Board and any public hearings associated with that process.

Financial Implications

This project is funded from the grant.

Recommendation

The Council endorse the appointment of Morrison Low Consultants to undertake the Business Planning process for the merger and the timelines for completion of the Business Plan for presentation to the community and the Local Government Board.

Voting Requirements

Simple Majority

101/2011

Moved Cr Pasini Seconded Cr Auld that Council endorses the appointment of Morrison Low Consultants to undertake the Business Planning process for the merger and the timelines for completion of the Business Plan for presentation to the community and the Local Government Board.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 20th May 2011
Agenda Reference:	7.7
Subject:	Tourism Promotion Strategy
File Reference:	1.3.10.3
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	13 th May 2011

Background

The Council has been asked By WEROC to provide additional funding for the operation of the visitor centre in Merredin and by the local tourism Committee to consider the option of a promotional video either in addition to or in substitution for the additional contribution.

Comment

Council at its meeting in November resolved to support proposals from WEROC for additional expenditure on tourism promotion which included the reprint of the Central Wheatbelt Visitor Map and tourism marketing.

At the time the proposals from WEROC included :

1. include an amount of \$22,000 in the 2011/2012 WE-ROC budget for the purpose of tourism marketing across WE-ROC region;
2. include an amount of \$12,000 in the 2011/2012 WE-ROC budget for the purpose of revising and reprinting the Central Wheatbelt Map and Visitor Guide; and
3. Approach NEWROC and RoeROC on the potential for a joint implementation of the recommendations contained in the Central Wheatbelt Tourism Strategy 2009-2014.

Since that time there has been discussion both at WEROC and at Council Tourism level concerning the funds needed to manage the visitor information centre at Merredin. The withdrawal of Tammin from WEROC has also impacted on the overall contribution required from member Councils for both the operation of WEROC and the Visitor information centre.

The Council's Tourism Committee at its meeting in April asked Council to evaluate the benefit that the Yilgarn district gets from contributing to the Merredin Visitors Centre, compared to Yilgarn using the funds internally and organising TV promotions and developing the Yilgarn Visitor Centre further at the Shire Office or CRC.

On that basis a proposal was received from GWN7 for a promotional video and advertisements across the GWN& Network. The proposal from GWN& includes 441 30 second commercial and the preparation of a 30 second promotional video. The cost of the video is 1,100 plus travel and accommodation costs. The cost of a monthly advertising

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campaign over six months is \$38,669.40 and there are variations on this pricing that the DCEO will present to Council.

The promotional video does not substitute for having someone on the ground to deal with inquiries and the current service officered by Merredin is to have an office that provides information to passing visitors heading East or in the area for a period.

The option of extending the current tourism office in the Shire office or at the CRC has not been costed as it would involve a decision about how this would operate if it would be open on weekends and public holidays as well as office alterations or other options.

In terms of where we are at present the WEROC committee have agreed on a draft budget which would see the total allocation for the visitor centre increase from \$8,200 to \$50,000. The difference across four Council's is an increase of \$8,000. This Council's commitment for operation for the visitor centre would increase from \$1,400 to \$10,000.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Any changes would need to be incorporated into the 2011/2012 budget.

<p>Recommendation</p>

<p>That Council consider and provide direction for future budget consideration.</p>

Discussion:

Suggestions received from Council included:

- that Council defer consideration of matter to WYRC so that both Councils can consider.
- that we involve the tourism committee in the advertising project, including getting the business community involved in advertising in the video.

Voting Requirements

Simple Majority

102/2011

Moved Cr Auld Seconded Cr Truran that Council defer consideration of tourism promotions and the contribution for WEROC tourism promotion for discussion with the Tourism Advisory Committee and then submit any recommendations to the joint meeting of the Councils on 27th June for consideration of a joint tourism promotional strategy.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	7.8
Subject:	Lease – 6 Libra Place
File Reference:	10.2.1.7
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	13 th May 2011

Background

The Council currently leases a staff house at 6 Libra place to the Housing Authority for police staff housing and this lease has come up for renewal and they have requested a two year lease.

Comment

The house is currently surplus to Council's immediate needs due to a Senior Staff member being housed in their own home. The lease is for two years at an initial rental of \$340 per week. There is an opportunity to review the rental to market at the end of twelve months.

The lease needs to be executed under Council seal.

Statutory Environment

Policy Implications

Nil

Financial Implications

Any changes would need to be incorporated into the 2011/2012 budget.

Recommendation

That Council authorise the execution of a new residential lease agreement with the Housing Authority for the lease of 6 Libra Place for Police Staff Housing for two years at \$340 per week under Council seal.

Voting Requirements

Simple Majority

103/2011

Moved Cr Pasini Seconded Cr Truran that Council authorises the execution of a new residential lease agreement with the Housing Authority for the lease of 6 Libra Place for Police Staff Housing for two years at \$340 per week under Council seal.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council - 20 th May 2011
Agenda Reference:	7.9
Subject:	Wild Dog Fence - MOU DAFWA
File Reference:	8.2.6.18, 1.6.2.3
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	16 th May 2011

Background

The Council has been asked by the Dept of Agriculture & Food (DAFWA) to enter into a Memorandum of Understanding (MOU) involving acceptance of money to fund works on the Wild Dog Fence.

Comment

Council's application for funding under the Country Local Government Fund has been submitted on the understanding that the DAFWA would provide materials and undertake the necessary survey and design work.

The Dept has now asked Council to accept the transfer of \$370,000 to the Shire of Yilgarn for the purposes of construction and maintenance of the State Barrier Fence. The work to be undertaken includes"

- statutory approval processes ,
- Services for required surveys including Flora, fauna and heritage values.
- Replacement construction of the SBF (Not the Yilgarn Gap)
- Fence materials acquisition for replacement construction of the SBF (Not the Yilgarn Gap)
- Other purposes identified by DAFWA.

The funds are required to be held by the Shire in trust until fully acquitted.

The MOU would enable the Dept to set aside funding for the work to be undertaken between now and the 31st December and this would be in addition to any funds provided for the actual construction of the fence. (Yilgarn Gap)

Departmental staff will organise the necessary contracts and engage contractors and sign off on any payments required to be made. This is not a grant but a contribution to be administered by the Council on behalf of DAFWA.

It is one way that the Dept can ensure that the funds are held for the purposes of the Wild Dog fence and Councils support and endorsement of the MOU would facilitate the work to be undertaken.

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Council would not be able to claim any cost relative to supervision or administration of these funds, however given that the work is necessary to facilitate a larger grant there are significant benefits to be derived from assisting in this manner.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Any changes would need to be incorporated into the 2011/2012 budget.

Recommendation

That Council authorise the execution of a MOU with the DAFWA for \$370,000 in funding for the undertaking of survey and related works associated with the Wild Dog Fence.

104/2011

Moved Cr Pasini seconded Cr Auld that Council authorises the execution of the MOU with DADFA for \$370,000 in funding for the undertaking of survey and related works associated with the Wild Dog Fence.

CARRIED 6/0

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DEPUTY CHIEF EXECUTIVE OFFICER

Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	8.1
Subject:	Proposed Draft Budget Timetable – 2011/2012
File Reference:	8.2.5.5
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th May 2011

Background

Work has commenced in preparation of Council's 2011/2012 Annual Budget. A timetable has been established, with key milestones identified as follows:

- Mon 9th May 2011 Preparations to be well under way on the budget in terms of obtaining quotations for products and estimates of Capital Works Projects.
- Mon 16th May 2011 Road Construction, Road Maintenance and Townscape Budgets to be completed by the Manager for Works and forwarded to Deputy CEO for inclusion in the Draft Budget.
- Mon 16th May 2011 Staff Housing Budget to be completed by the Manager Environmental Health and Building Services and forwarded to Deputy CEO for inclusion in the Draft Budget.
- Wed 18th May 2011 Senior Management to hold their first budget deliberation meeting.
- * Fri 20th May 2011 Ten-Year Strategic Plant Replacement Programme presented by Manager for Works to Council for consideration and adoption.
- Fri 20th May 2011 Estimate of Rates Income to be determined with different scenarios established displaying increases / decreases applicable.
- *Fri 20th May 2011 Council endorses application by Deputy CEO to advertise Differential Rates and make application to the Minister for Local Government.
- Wed 25th May 2011 Advertising for Council's Proposed Differential Rates commences for the required period of 21 days, closing for public comment on Friday 15th June 2010 at 4pm.
- Mon 30th May 2011 Further deliberation meeting to be held, identifying major projects to be included and a list of excluded items prepared and updated.

- Mon 13th June 2011 Final Draft Budget deliberation meeting with Team Executive. All expenditure accounted and Rating Scenarios finalised with the preferred option considered by the Deputy CEO included in the Draft Budget.
- Wed 15th June 2011 Period for submissions on Differential Rates is exhausted.
- Wed 15th June 2011 List of Priority Items is finalised by Executive Management Team.
- *Mon 20th June 2011 Circulate final Draft Budget to Councilors and Executive Team.

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*Mon 27th June 2011 Draft Budget Workshop – Committee meeting with Councilors to be held at 4.30pm after the joint of councils held in SX. Recommendations to be brought to the Council meeting on the 15th July 2011.

*Fri 15th July 2011 Council Adopt the 2011/2012 Annual Budget at the Ordinary Meeting of Council to be held on this day.

Items marked with an (*) indicate matters which are specific to Council.

Comment

As can be seen from the above timetable, there is a requirement to hold a committee meeting to discuss the Draft Budget on Monday 27th June 2011. This meeting will commence at 4.30pm in Council Chambers (after the joint meeting of Councils), with dinner provided afterwards.

Statutory Environment

Sections 2.7 and 3.1 of the Local Government Act 1995 relating to general functions and provisions

Policy Implications

None

Financial Implications

Will see the completion of Councils 2011/2012 Budget

Strategic Implications

None

Voting Requirements

Simple Majority Required

Recommendation

That the proposed Draft Budget Timetable is noted, and Council hold a committee meeting to review the 2011/2012 Draft Budget on Monday 27th June 2011, commencing at 4.30pm in the council chambers.

Discussion:

Council discussed the date for the committee meeting and asked if this could be moved to the Tuesday to allow for socialising with Westonia Councillors after joint meeting.

105/2011

Moved Cr Pasini Seconded Cr W Della Bosca that the proposed Draft Budget Timetable has been noted, and Council holds the Draft Budget committee meeting to review the 2011/2012 Draft Budget on Tuesday 28th June 2011, commencing at 6.00pm in council chambers.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	8.2
Subject:	Proposal to impose Differential Rates for the year ending 30th June 2012
File Reference:	8.1.1.5
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th May 2011

Background

It is proposed to impose Differential Rates for the year ending 30th June 2012 under the various rating categories within the Shire of Yilgarn.

Under Section 6.33 (3) of the Local Government Act 1995, a Local Government is not, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

With the Differential General Rates proposed in the 2011/2012 Budget, as has been the practice in previous years, Council falls under the umbrella of this section of the Act. Accordingly, Ministerial approval is required and the proposal to impose this rate must be advertised for a period of not less than 21 days.

Comment

Treatment of UV Rural - Rates Creditors

In 2009/2010 Council adopted a rate in the dollar for UV Rural that was different from the rate that was used in the production of the rate notices. The impact of the change in rate was that Council recovered an additional \$28,373 in rates for the year ended 30th June, 2010 than was originally proposed. The error occurred in relation to the rate type UV-Rural where the ad valorem rate as adopted by Council was \$0.0144 , whereas the rates notices show a rate of \$ 0.0147. This meant that the “adopted Council rate “and the “rate notice rate” differed by a factor of \$0.0003 or 2%.

The CEO addressed this issue at the October 2010 Council meeting and the following resolution was made:

266/2010

Moved Cr Pasini Seconded Cr Kenward that Council agrees in accordance to Section 6.39 and 6.40 of the Local Government Act resolves to fix the UV – Rural ad valorem rate for the year ended 30th June 2010 as being \$ 0.0147 on the rateable value and when formulating the rate budget for the 2011-2012 apply a 2% discount to the ad valorem rate for category UV-Rural.

CARRIED BY ABSOLUTE MAJORITY (7/0)

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In the rate modelling process I have factored a reduced rate in the dollar for the UV Rural category to ensure that a discount of \$28,373 is achieved, calculations are shown below based on \$1,463,895 levied in 2010/2011:

	<u>UV Rural -</u>
	<u>Increase</u>
	<u>in</u>
	<u>Revenue</u>
	<u>by</u>
88,272.88	6.0%
<u>59,805.86</u>	4.1%
<u>28,467.01</u>	Discount
	Existing
	Rate
28,373.00	Creditors

Proposed Differential Rates

Initial estimates have indicated the following proposed Differential Rates for the year ended 30th June 2012 would be appropriate:

<i>Land Category</i>	<i>Proposed Rate</i>	<i>Last Year's Rate</i>	<i>% Adjustment</i>
GRV – Residential	0.0935	0.0888	5.7%
GRV – Commercial	0.0640	0.0600	6.5%
GRV – Improved Mining Tenement	0.3376	0.3200	5.4%
GRV – Single Persons Quarters	0.3376	0.3200	5.3%
UV – Rural	0.0160	0.0154	4.1%
UV – Unimproved Mining Tenement	0.1688	0.1600	9.8%

As has been the case in the past, the Rate in the Dollar for UV Unimproved Mining Tenement has been based on 50% of the Rate in the Dollar applicable GRV Transient Staff Accommodation and the proposed minimum has been increased by 1% from \$345 per assessment to \$350. The overall additional rates revenue that will be levied for 2011/2012 should these rates be adopted is \$229,401, an overall increase of 6%.

There were several factors taken into consideration when setting the proposed Differential Rates for 2011/2012:

1. Ensuring that Council Rates are kept in line with the Local Government Cost index which has been forecast between 3.5% - 4.5% for 2011/12.
2. Ensuring that the scheduled 8% increase in premiums relating to property and motor vehicle insurances are factored into revenue collection to cover this type of recurring costs.
3. Ensuring increases in future wages and construction costs are considered. When hiring employees, Local Governments compete not only with each other but other

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sectors in particular the booming mining industry in Western Australia, it is essential that we have competitive salary packages to offer.

4. Ensuring that Council builds reserve funds, in particular for Asset Management. The Department of Local Government are insisting that Councils develop Integrated Financial Plans, which will be a statutory requirement by July 2013. Part of this plan involves asset management of Buildings, Infrastructure & Plant and funding the gap between existing maintenance and renewal and what is required to effectively maintain Shire assets.
5. Ensuring that necessary revenue to fund proposed capital expenditure for 2011/12 highlighted in the Forward Capital works plan and Plan for the future are considered.

Summary

The advertising requirement for the proposal to impose Differential Rates will be carried out on Wednesday 25th May 2011, with submissions to be received by 4pm on Friday 15th June 2011.

The final determination of Rates in the Dollar will not be made until the Draft Budget committee meeting on Tuesday the 28th June 2011.

Statutory Environment

Section 6.33 of the Local Government Act 1995 relating to levying Differential General Rates

Policy Implications

None

Financial Implications

Will form the basis of the Rate in the Dollar for Council's 2011/2012 Rating Year

Strategic Implications

None

Voting Requirements

Absolute Majority Required

Recommendation

That Council propose the following Differential General Rates for the year ending 30 June 2012:

Land Category	Proposed Rate in \$	Proposed Minimum
GRV – Residential	0.0935	\$350
GRV – Commercial	0.0640	\$350
GRV – Improved Mining Tenement	0.3376	\$350
GRV – Single Person Quarters	0.3376	\$350
UV – Rural	0.0160	\$350
UV – Unimproved Mining Tenement	0.1688	\$350

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106/2011

Moved Cr Auld Seconded Cr Truran that Council agrees to propose the following Differential General Rates for the year ending 30 June 2012:

<i>Land Category</i>	<i>Proposed Rate in \$</i>	<i>Proposed Minimum</i>
<i>GRV – Residential</i>	<i>0.0935</i>	<i>\$350</i>
<i>GRV – Commercial</i>	<i>0.0640</i>	<i>\$350</i>
<i>GRV – Improved Mining Tenement</i>	<i>0.3376</i>	<i>\$350</i>
<i>GRV – Single Person Quarters</i>	<i>0.3376</i>	<i>\$350</i>
<i>UV – Rural</i>	<i>0.0160</i>	<i>\$350</i>
<i>UV – Unimproved Mining Tenement</i>	<i>0.1688</i>	<i>\$350</i>

CARRIED BY ABSOLUTE MAJORITY (6/0)

Submission to:	Ordinary Meeting of Council – 20 th May 2011
Reference:	8.3
Subject:	LGIS Insurance Declaration for 2011/2012 Renewals
File reference:	8.2.7.10
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	11 th May 2011

Background

The Shire of Yilgarn’s insurance policies are due to expire on the 30th June 2011, at the end of March the Insurance Declaration and associated schedules were received from LGIS outlining the Council’s current insurance cover and itemised asset listings including sum insured.

The DCEO in consultation with the Manager for Works and Manager Environmental Health & Building Services have reviewed the Council’s assets and insurance needs to ensure that the Council is adequately covered.

Comment

The Insurance Declaration for 2011/2012 from LGIS requires the signature of the Chief Executive Officer and for Councils Common Seal to be placed on the document.

Statutory Environment:

Nil

Policy Implications:

Councils Policy 1.8 deals with the use of Council’s Common Seal

Financial Implications:

Nil

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Voting Requirements
Simple Majority

Recommendation

That Council endorses the CEO signing and placing of the Shire of Yilgarn's Common Seal on LGIS Insurance Declaration for 2011/12, authorising the upcoming year's insurance requirements for the Shire of Yilgarn.

107/2011

Moved Cr J Della Bosca Seconded Cr Pasini that Council endorses the CEO signing and placing of the Shire of Yilgarn's Common Seal on LGIS Insurance Declaration for 2011/12, authorising the upcoming year's insurance requirements for the Shire of Yilgarn.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	8.4
Subject:	2011/2012 Schedule of Fees and Charges
File Reference:	8.2.5.5
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th May 2011

Purpose of Report

Request that Council adopts the 2011/2012 Schedule of Fees and Charges, commencing from 1 July 2011.

Background

The Local Government Act 1995 requires fees and charges that are to be imposed during a financial year be adopted with the annual Budget. However as the Budget will not be adopted until 15th July 2011 and the majority of fees and charges will be applied from 1 July 2011 this report has been brought forward for Council's consideration.

Section 6.16 of the Local Government Act 1995 states:

“Fees and charges are to be imposed when adopting the annual budget but may be –

- (a) imposed during a financial year; and
- (b) amended from time to time during a financial year.”

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Discussion

In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors:

- (a) The cost to the local government of providing the service or goods.
- (b) The importance of the service or goods to the community.
- (c) The price at which the service or goods could be provided by an alternative provider.

All fees and charges have been reviewed and the 2011/2012 Schedule of Fees and Charges are stated in Appendix 8.4.1A

Statutory Environment

Section 6.16 of the Local Government Act 1995.

Financial Implications

As specified in Appendix 8.4.1A attached.

Voting Requirements

Absolute majority required.

<p>Recommendation</p>

<p>That Council adopts the 2011/2012 Schedule of Fees and Charges as per appendix 8.4.1A</p>
--

Discussion;

Council considered that this matter could be reviewed as part of the Draft Budget Committee Meeting.

108/2011

Moved Cr Pasini Seconded Cr W Della Bosca that Council defer consideration of the proposed fees and charges for discussion at the budget committee meeting

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	8.5
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	12 th May 2011

Background

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

The following reports are enclosed and have been prepared as at the 30th April 2011:

- Rates Receipt Statement (prepared to 6th May 2011)
- Statement of Investments,
- Amalgamation Financial Summary
- Monthly Statement of Financial Activity

Councillors will be aware that it is normal practice for all financial reports to be indicative of Council's current Financial Position as at the end of each month.

Statutory Environment

Local Government (Financial Management) Regulations 1996 Regulation 34(i)(a) and Regulation 17.

Policy Implications

None

Financial Implications

None

Strategic Implications

None

Voting Requirements

Simple majority required

Recommendation

That the Various Financial Reports for the period ending 30th April 2011 as presented, be received.

109/2011

Moved Cr Auld Seconded Cr Truran that the Various Financial Reports for the period ending 30th April 2011 as presented, be received.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 20 th May 2011
Agenda Reference:	8.6
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	12 th May 2011

Background

Municipal Fund – Cheque Numbers 36433 to 36617 totalling \$588,971.16 Municipal Fund – Cheque Numbers 987 to 989 totalling \$176,886.00, Trust Fund – Cheque Number 401918 to 401922, totalling \$3,289.98 and Trust Fund – Cheque Numbers 5726 to 5730 (DPI Licensing), totalling \$73,838.05 are presented for endorsement as per the submitted list.

Statutory Environment

Sections 5.42 and 5.44 of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, Regulation No 12 and 13.

Policy Implications / Delegation Register

Council has provided delegation to the Chief Executive Officer, Deputy Chief Executive Officer, Manager of Environmental Health and Building Services and/or Manager for Works to make payments from the Shire of Yilgarn Municipal, Trust or other Fund.

Financial Implications

Reduction to Bank Accounts balances.

Strategic Implications

Nil.

Voting Requirements

Simple majority.

Recommendation

That Council endorse the accounts covered by Municipal Fund – Cheque Numbers 36433 to 36617 totalling \$588,971.16 Municipal Fund – Cheque Numbers 987 to 989 totalling \$176,886.00, Trust Fund – Cheque Number 401918 to 401922, totalling \$3,289.98 and Trust Fund – Cheque Numbers 5726 to 5730 (DPI Licensing), totalling \$73,838.05 are presented for endorsement as per the submitted list.

110/2011

Moved Cr Auld Seconded Cr Truran that Council endorse the accounts covered by Municipal Fund – Cheque Numbers 36433 to 36617 totalling \$588,971.16 Municipal Fund – Cheque Numbers 987 to 989 totalling \$176,886.00, Trust Fund – Cheque Number 401918 to 401922, totalling \$3,289.98 and Trust Fund – Cheque Numbers 5726 to 5730 (DPI Licensing), totalling \$73,838.05 are presented for endorsement as per the submitted list.

CARRIED (6/0)

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Council adjourned at 3.40pm and resumed at 3.50pm.

PRESENTATION POLARIS METALS – MR SHANNON GREEN

Mr Shannon Green and Ms Amanda Ogden from Polaris Metals made a presentation to Council concerning new mine operations extracting Iron Ore from the Carina Mine on the board of the Shire of Yilgarn and Shire of Coolgardie.

Resumption of Council meeting 4.30pm.

WORKS MANAGER

Submission to:	Ordinary Meeting of Council - 20th May 2011
Agenda Reference:	9.1
Subject:	Shire of Yilgarn Plant Replacement Program 2011/2012 – 2020/2021
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.4.1.5
Author:	Robert Bosenberg - Manager for Works
Disclosure of Interest:	N.A.
Date of Report:	28th April 2011

Background

A review of Councils Plant replacement is carried out on an annual basis, with the attached Plant Replacement Program being for a ten year period. The proposed Plant Replacement Program is expected to provide council with a Strategic Plant Replacement Program that will result in optimum return on both operating and change over costs of Councils Plant and Equipment.

In the past Council has used the following life cycles for the replacement of equipment and plant. This has resulted in Council achieving minimal costly down time and optimum trade prices of the respected plant items.

Graders/Loaders	8 years or 10,000 hours
Rollers	10 years or 12,000 hours
Prime Movers/Tip Trucks	8 years or 200,000km
Small Loader/Backhoe	12 years or 9,000 hours
Light Tip Trucks/Personal Carries	5 years or 150,000kms
Landcruiser Utilities	3 years or 110,000kms
Executive Vehicles	1.5 - 2 years
Community Bus	80,000km

Comments

In the 2011/2012 Plant Replacement Program it is proposed to replace councils current Caterpillar 563D Steel Drum Roller, John Deere Tractor, Mitsubishi Eight Wheel Tip

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Truck, Community Bus, Mitsubishi Light Tip Truck, 1 x Landcruiser Utility, 1 x additional 4x4 utility and a Line Marker.

The Steel Drum Roller that is proposed to be replaced in the 2011/2012 plant replacement program is a Caterpillar 563D Smooth Drum Steel Roller equipped with an interchangeable padfoot shell. This roller was purchased in 2002 and is a vital piece of road building equipment to achieve compaction rates on road sub-grades and gravel base-course layers as well as rolling of aggregate on bitumen reseal programs. It is currently being utilised by council road construction staff on major road upgrade programs. With the interchangeable padfoot shell council staff have the option to select from a smooth drum roller configuration (bitumen reseals or final trim finish) or a padfoot configuration (subgrade compaction)

Also included in the 2011/2012 Plant Replacement Program is the replacement of council's John Deere 2250 Tractor of which was purchased in 1990. This vehicle is utilised by council staff with a dual purpose, coupled to a rotary slasher for slashing of road verges and reserves for weed growth control or coupled to a roadbroom for bitumen resealing and bitumen prime-seal programs.

The light tip truck that is proposed to be replaced in the 2011/2012 Plant Replacement Program is a Mitsubishi Canter tip truck. This vehicle is currently being utilised by council staff for bitumen road maintenance. It was purchased in 2005 and has travelled 100,000 kilometres.

Also included in the 2011/2012 Plant Replacement is the change over of a Mitsubishi Eight Wheel Tip Truck. The Mitsubishi Tip Truck was purchased in 2003 and has speedometer reading of 160,000 kilometres. This vehicle has multiple purposes within council's road building plant. These been but not limit to, gravel/sand carting, utilised as a water truck on road construction programs and when required it is fitted with a metal spreader box for the application of granite aggregate on bitumen sealing programs carried out on council roads.

It is also proposed to replace a Landcruiser Utility which was purchased in 2007. This vehicle is currently been utilised by councils mechanical staff for servicing of road construction and road maintenance equipment.

Also included in the 2011/2012 Plant Replacement Program is an allocation for purchasing an additional 4x4 utility. This vehicle will be shared between councils Parks & Gardens staff and councils newly appointed Environmental Officer.

The Community Bus has also been included in the Plant Replacement Program. This vehicle was purchased in 2004 and has travelled 83,000km.

Included in the Plant Replacement Program is a monetary allocation of \$15,000 for the purchase of a line marking machine.

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For Council to be compliant with Civil Aviation Safety Authority (CASA) regulations for registered airstrips there is a requirement for the apron, taxiway and turning nodes to line marked for aircraft operations and these lines to be maintained annually.

Council has just recently engaged Aerodrome Management Services (AMS) to carry out initial surveying and line marking at the airstrip of which cost council \$8,000 of which will be required to be remarked annually. Quote received from AMS to carry out the annual line marking maintenance required at the airstrip is approximately \$5,500 per year (*does not include surveying and setting out of the line marking areas*).

If council purchased a line marking machine it would give council staff the ability to carry out the annual line marking maintenance required at the airstrip resulting in Council having an approximate annual saving of \$3,000. Council would also be gaining an asset that would be used for line marking of parking bays and regulatory holding lines on councils roads, The line maker will also be utilised in assisting sporting bodies and schools in line marking sporting venues required for sporting events.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Ten Year Plant Replacement Programs will form the basis of Capital Plant Replacement Purchases in future Budgets. Initial indications show the Plant Replacement Programme for 2011/2012 will cost (net) \$700,500. This cost excludes Executive Vehicles which will be costed directly within the Budget.

Strategic Implications

Ten-Year Plan will provide Council with a Strategic Plant Replacement Program that will result in optimum return on investment of Plant and Equipment.

Recommendation

That the Ten Year Plant Replacement Program for the period 1st July 2011 to 30th June 2021 as attached, be adopted.

Voting Requirements

Simple Majority

111/2011

Moved Cr Auld seconded Cr J Della Bosca that the Ten Year Plant Replacement Program for the period 1st July 2011 to 30th June 2021 as attached, be considered for adoption at the Draft Budget Committee meeting on the 28th June 2011.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council, May 20 th 2011
Agenda Reference:	9.2
Subject:	Driver Reviver Caravan
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.3.1.2
Author:	Robert Bosenberg - Manager for Works
Disclosure of Interest:	N.A.
Date of Report:	29th April 2011

Comment

A successful Driver Reviver campaign was once again run in Southern Cross over the 2011 Easter Period. The Driver Reviver campaign was run in conjunction with the Health Agencies of the Yilgarn (HAY committee), Road Wise committee and Shire of Yilgarn on Wednesday 20th Thursday 21st, Friday 22nd and Tuesday 26th April 2011. The Driver Reviver Van was manned for 28 hours over this period.

The Driver Reviver caravan was once again located at the premises of Bernie's Mobile Mechanic Services. Mr. Bernie Dorazio, the proprietor of Bernie's Mobile Mechanic Services also made available at no cost, power to run the fridge/hot water urn and amenity rooms for travelers taking advantage of the Driver Reviver campaign.

The Health Agencies of the Yilgarn (HAY committee) through Mrs. Pat Dal Busco organized volunteers and rosters for the running of the Driver Reviver campaign. Twenty three members of the Yilgarn district generously gave up there valuable time to assist with the running of this campaign: Margaret Harrison, Carla Della Bosca, Pauline Eifler, Josie Pollard, John & Betty Williamson, Bill & Jenny Dixon, Olwen Beaton, Lisa Boso, Dianne Della Bosca, Onida Truran, Sally & Holly Panizza, Wendy & Rachel Taylor, Bernie Dorazio, Cheryl Auld, Geoff & Alix Metzke, Jason & Kirsty Mara and Pat Dal Busco.

Over the 28 hour period the Driver Reviver campaign was running, a total of 69 vehicles stopped with drivers and passengers taking advantage of refreshments and hospitality offered by volunteers manning the van and the amenity rooms made available by Mr. Bernie Dorazio.

Correspondence has been forward to Mr. Bernie Dorazio (Bernie's Mobile Mechanic Services), Mr. Bruce Dalgety (donation of bottled water courtesy of Water Corporation) and Mrs. Pat Dal Busco (Health Agencies of the Yilgarn) thanking them for their much appreciated involvement in the Driver Reviver campaign both through the organizing of volunteers, and the use of amenity rooms and area for the set up of the Driver Reviver Van.

Information Received by Council

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ENVIRONMENTAL HEALTH & BUILDING SERVICE

Submission to:	Ordinary Meeting of Council – 20 th May, 2011
Agenda Reference:	10.1
Subject:	Planning Application – Renew Lease
Location/Address:	Lot 28 Great Eastern Highway, Yellowdine
Name of Applicant:	Department of Regional Development and Lands – Ms Kerrie Bridger
File Reference:	1.6.17.4
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	11 th May, 2011

Background

The Department of Regional Development and Lands (DRDL) has written to the Shire advising that the lease (K135815) for Lot 28 Great Eastern Highway, Yellowdine expired on 30th June 2010. The DRDL is proposing to issue a new lease to the current lessee, Hislop WA Pty Ltd, for a period of 10 years for the purpose of “Truck Parking”. See attached copy of the letter and location map.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 Lot 28 is zoned “Townsite” as it is within the townsite of Yellowdine. This lot is basically vacant land used for trucks to park for a break during their journey. Generally it is only the north-eastern portion of the lot that is used for this purpose. The majority of the lot is not actually used.

Behind the Yellowdine Service Station/Roadhouse there is a large pile of rubble/rubbish that Mr Hislop pushed up shortly after purchasing the Service Station/Roadhouse and the taking over of this lease as part of the clean-up of the area. It is unsure whether the pile is situated on Lot 28 or on Lot 25 which Mr Hislop also leases from DRDL. Mr Hislop advised when previously asked about this rubble/rubbish that he intended to dispose of the waste by burying it on-site. It was suggested that Mr Hislop first seek permission to bury this waste before doing so. This may be the reason that the pile of rubble/rubbish is still there.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2.

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council advise the Department of Regional Development and Lands that it has no objections to a new 10 year lease being offered to the current lessee, Hislop WA Pty Ltd, for Lot 28 Great Eastern Highway, Yellowdine for the purpose of “Truck Parking” provided that the lessee disposes of the pile of rubble/rubbish situated behind the Yellowdine Service Station/Roadhouse which may be located fully on or partially on Lot 28.

Voting Requirements

Simple Majority.

112/2011

Moved Cr Pasini seconded Cr J Della Bosca that Council advises the Department of Regional Development and Lands that it has no objections to a new 10 year lease being offered to the current lessee, Hislop WA Pty Ltd, for Lot 28 Great Eastern Highway, Yellowdine for the purpose of “Truck Parking” provided that the lessee disposes of the pile of rubble/rubbish situated behind the Yellowdine Service Station/Roadhouse which may be located fully on or partially on Lot 28.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 20 th May, 2011
Agenda Reference:	10.2
Subject:	Development Assessment Panels – Request Local Government Nominations
Location/Address:	Central/Eastern Wheatbelt Region
Name of Applicant:	Minister for Planning; Culture & the Arts; Science & Innovation – Hon John Day
File Reference:	1.6.26.8
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	11 th May, 2011

Background

The Planning and Development (Development Assessment Panels) Regulations 2011 (the Regulations), which establish the operational framework for Development Assessment Panels (DAPs), were gazetted on 24th March 2011. On 1st July 2011 fifteen DAPs will become operation. Each DAP will consist of 5 members comprising 3 specialist members, 1 being the presiding member, and 2 local government members.

Council is being requested to nominate 4 elected members of Council to sit on the local DAP for our Region. Two of the 4 nominated members will be local members and two will be alternate local members. The Minister will consider the nominations and appoint nominees for up to a 2 year term, expiring on 26th April 2013. All nominated members

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are required to attend training sessions before they sit on a DAP. Nominated members are entitled to payment of sitting, training, and State Administrative Tribunal attendance fees unless they are a Federal, State, Local Government employee, an active or retired judicial officer, or an employee of a public institution. See attached copy of this letter.

Council will be advised of the specialist member appointments by mid-May 2011.

Nominations are to be received by 13th June 2011.

Comment

I am unsure whether the term of appointment can be shorter than 2 years to allow for the fact that the Shires of Yilgarn and Westonia plan to merge on 1st July 2012. If this is not possible it may be worth nominating 2 Councillors and 2 Shire Administration employees to be Council's DAP nominees.

Statutory Environment

Compliance with the Planning and Development (Development Assessment Panels) Regulations 2011.

Policy Implications

Nil

Financial Implications

Unknown

Recommendation

That Council nominates Cr Pasini, Cr J Della Bosca, Ms W Dallywater and Mr Bosenberg to be the nominees to represent Council on the local Development Assessment Panel and that these names are forwarded to the Minister for Planning for his consideration and appointment.

Voting Requirements

Simple Majority.

113/2011

Moved Cr Auld Seconded Cr Truran that Council nominate Cr Pasini, Cr J Della Bosca, Ms Wendy Dallywater, Mr Robert Rosenberg to be the nominees to represent Council on the local Development Assessment Panel and that these names are forwarded to the Minister for Planning for his consideration and appointment.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 20 th May, 2011
Agenda Reference:	10.3
Subject:	Application to Conduct Exploration Drilling – For Mineral Deposits
Location/Address:	Yilgarn Shire
Name of Applicant:	McMahon Mining Title Services Pty Ltd on behalf of Talga Gold Limited and HR Forrester Pty Ltd
File Reference:	3.2.1.6
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th May, 2011

Background

- 1) McMahon Mining Title Services Pty Ltd has submitted an application on behalf of Talga Gold Limited for Exploration Licence E77/1945 which is located in the “Carinta” station area east of the Standard Gauge Railway Line and mainly within Class A Reserve 36918 Location 1513 Conservation of Flora & Fauna. There are no Council roads within this area however it does extend into a Class “A” Reserve. See attached letter, application and map.
- 2) McMahon Mining Title Services Pty Ltd has submitted two applications on behalf of HR Forrester Pty Ltd for:-
 - a) Exploration Licence E77/1950 which extends in two blocks south of Bennett Road, east of Moorine South Road, to Eiffler Road and Green Road. Within this exploration area are the following Council roads – Bennett Road, Moorine South Road, McKenzie Road, Bodallin South Road, Sandalwood Rock Road, Eiffler Road, and Green Road. Included within this Licence area is the Mt Hampton Hall lot plus Gravel Reserve 35401 Location 956 adjoining the north boundary of Bennett Road near the McKenzie Road intersection.
 - b) Exploration Licence E77/1951 which extends to the east of Exploration Licence E77/1950. Within this exploration area are the following Council roads – Bennett Road, small section of the east end of Bodallin South Road, Grace Road, Guerini Road, Southern Cross South Road, and Central Road.

It is unknown whether drilling is to occur on any Council controlled roads, however, the two applications from McMahon Mining Title Services Pty Ltd do state that the applications affect private property.

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Comment

Under the Mining Act any works within a gazetted townsite or within 2Kms of the boundary of a gazetted townsite requires comment from the Local Government. In these instances, the proposed drilling operations will be well outside any designated townsite, and there may be proposed drilling operations along the road reserves within the exploration licence areas. The abovementioned roads are all controlled by the Shire.

In line with similar applications previously received from other applicants, Council should grant approval to each applicant to carry out any roadside drilling based on the following general conditions:-

- 1) That dust suppression is carried out so that others are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
- 3) Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread;
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;
- 6) A fire fighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
- 7) No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram;
- 8) Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/ visitors;
- 9) All drill holes are to be capped as soon as possible/practical after drilling;
- 10) If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.; and
- 11) That the proposed drilling work is advertised in the local newsletter "Crosswords" prior to any work commencing to notify the general public of this work.

In addition to the abovementioned standard conditions the following condition should apply to HR Forrestania Pty Ltd:-

- 12) No drilling is to occur within a minimum of 500 metres of the Mt Hampton Hall and Tennis Courts; and
- 13) No drilling is to occur within Gravel Reserve 35401 Location 956 north on Bennett Road near the McKenzie Road intersection.

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The Manager of Works is aware of these applications and has raised concerns in regards to any drilling taking place within Gravel Reserve 35401 Location 956, but otherwise has no other concerns provided they meet the Shire's standard conditions.

In addition to the standard conditions, applicants will be advised of Council's Heavy Vehicle Road Improvement Contribution Policy and that in the future this Policy may affect them.

Statutory Environment

Compliance with the Environmental Protection (Noise) Regulations 1997, and the Environmental Protection Act 1986.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants approval to McMahon Mining Title Services Pty Ltd for Talga Gold Limited (E77/1945), and for HR Forrester Pty Ltd (E77/1950 and E77/1951) that they may carry out drilling along sections of Council controlled road reserves with their respective Exploration Licence areas as shown on the attached maps on the following conditions:-

- 1) That dust suppression is carried out so that others are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
- 3) Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread;
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;
- 6) A fire fighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
- 7) No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram;
- 8) Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/ visitors;
- 9) All drill holes are to be capped as soon as possible/practical after drilling;
- 10) If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;

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- 11) That the proposed drilling work is advertised in the local newsletter "Crosswords" prior to any work commencing to notify the general public of this work;
- 12) No drilling is to occur within a minimum of 500 metres of the Mt Hampton Hall and Tennis Courts; and
- 13) No drilling is to occur within Gravel Reserve 35401 Location 956 north on Bennett Road near the McKenzie Road intersection.

Voting Requirements

Simple Majority.

114/2011

Moved Cr Truran Seconded Cr Pasini that Council grants approval to McMahon Mining Title Services Pty Ltd for Talga Gold Limited (E77/1945), and for HR Forrestania Pty Ltd (E77/1950 and E77/1951) that they may carry out drilling along sections of Council controlled road reserves with their respective Exploration Licence areas as shown on the attached maps on the following conditions:-

- 1) That dust suppression is carried out so that others are not adversely affected;*
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;*
- 3) Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread;*
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;*
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;*
- 6) A fire fighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;*
- 7) No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram;*
- 8) Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/ visitors;*
- 9) All drill holes are to be capped as soon as possible/practical after drilling;*
- 10) If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;*
- 11) That the proposed drilling work is advertised in the local newsletter "Crosswords" prior to any work commencing to notify the general public of this work;*
- 12) No drilling is to occur within a minimum of 500 metres of the Mt Hampton Hall and Tennis Courts; and*
- 13) No drilling is to occur within Gravel Reserve 35401 Location 956 north on Bennett Road near the McKenzie Road intersection.*

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 20 th May, 2011
Agenda Reference:	10.4
Subject:	Itinerant Food Vendor Licence – Muka Meats
Location/Address:	Bernie’s Mobile Mechanical Service – Lot 757 Cnr Orion & Spica Streets, Southern Cross
Name of Applicant:	Mr & Mrs Evan & Ruth Maddock – Muka Meats
File Reference:	4.1.5.3
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th May, 2011

Background

Mr & Mrs Evan & Ruth Maddock of Mukinbudin have written to the Shire in regards to trading as an itinerant food vendor once a month in Southern Cross. The Maddocks have recently commenced operations to sell bulk lamb and some fillets of fish through their business “Muka Meats”. The Maddocks wish to visit Southern Cross and trade on the same day and times as Mr Joe Licciardello of Donnybrook who trades as Golden Mile Orchards selling fresh vegetables and fruit.

Comment

The lamb product is grown by the Maddocks on their farm in Mukinbudin. Lambs are processed at the abattoir in Tammin and then sent to a butchers premises in Perth to be cut up for sale. The lamb will be sold as a full carcass or half carcass but cut into standard cuts for home use, and all the packs will be frozen.

The fish fillets are purchased from the fish markets in Perth already filleted and frozen. Currently the Maddocks only sell a small range of fish fillets and do not plan to extend the range into shellfish products.

The Maddocks intend to commence trading on Friday 13th May 2011 arriving around 8:30 a.m.. I will be inspecting the vehicle and produces at this time. If there are no issues/concerns raised from the inspection then the Maddocks will be able to trade and an Itinerant Food Vendor Licence issued to them.

Statutory Environment

Compliance with the Food Act 2008, the Food Regulations 2009, and the Shire of Yilgarn Health Local Laws 1997.

Policy Implications

Nil

Financial Implications

There is a licence fee of \$180.00 which is an annual licence fee.

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Recommendation

For Council's information.

Received

Submission to:	Ordinary Meeting of Council –20 th May, 2011
Agenda Reference:	10.5
Subject:	Relief Environmental Health & Building Officer while on Leave for end-May & June 2011
Location/Address:	Shire of Yilgarn
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	1.1.10.10
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th May, 2011

Comment

I wish to advise Council that I will be away on 5 weeks holiday commencing on Monday 23rd May until Friday 24th June 2011 inclusive. This is part of my Long Service Leave that is currently available and due to me.

While I am away Messrs William Hardy & Antony Cox will be based in Southern Cross as relief Environmental Health & Building Officers. Each gentleman will be in Southern Cross for 2 weeks at a time, starting on Monday 23rd May and concluding on Friday 17th June 2011.

Messrs Hardy & Cox are currently employed full-time by the Shire of Ashburton and are based in Tom Price. Due to both having some accumulated leave owing to them they are able to have the time to relief for me.

The Shire car, YL252, and the mobile telephone will be available for their use while in the Yilgarn or Westonia Shires.

I will be in Perth during the fifth week of my leave and I can be contacted on 9383 3161 and messages can be left.

A letter will be forwarded to the Executive Director Health Department of Western Australia advising that Messrs Hardy & Cox will be the relief Environmental health Officers for the Shires of Yilgarn and Westonia during this period.

Statutory Environment

Compliance with Sections 27 & 28 of the Health Act 1911 for appointing an Environmental Health Officer.

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Financial Implications

Expenses will be covered within the current Budget.

Recommendation

That Council endorses the actions of the administration staff regarding Mr Anthony Cox and Mr William Hardy's appointment.

Voting Requirements

Simple Majority.

115/2011

Moved Cr J Della Bosca seconded Cr Pasini that Council endorses the actions of the administration staff regarding Mr Anthony Cox and Mr William Hardy's appointment.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 20 th May, 2011
Agenda Reference:	10.6 - Late Item
Subject:	Proposed New Single Persons Camp
Location/Address:	Old Railway Land Lot 966 Sirius Street, Southern Cross
Name of Applicant:	Mr David Forman of Rakkan Pty Ltd T/As DR & KB Forma Plumbing Contractors
File Reference:	3.1.3.1
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	19 th May, 2011

Background

I refer to Agenda Item 10.1 of the Ordinary Meeting of Council held on 18th February, 2011 when Council considered the concept plans for the proposed single persons village facility or camp as well as monetary conditions regarding the lease of land to Mr Forman. At this Meeting Council passed the following motions:-

“That Council advise Mr Dave Forman that it grants planning approval for the overall design/layout and concept plans for the proposed accommodation camp facility, and approves the design of the transportable units/buildings that will be used in the proposed accommodation camp facility on the condition that as shown in the concept plans there are verandahs attached along the front of each unit/building that is a single skillion roof to give an appearance that the roof is a pitched roof and therefore will look less like a “donga”, and that the external colour scheme for the buildings is approved by the Manager Environmental Health & Building Services prior to manufacture of the units/buildings.”

and

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“That Council agrees to lease a 9,000 square metres section of Lot 966 Sirius Street, Southern Cross to Mr David Forman for the purpose of develop the site as an accommodation camp facility/village based on the following costs:-

- that Mr Forman will be required to pay rates for the accommodation camp/village at the SPQ rate currently at 32 cents in the dollar;
- that Mr Forman will be responsible for paying all costs associated with the drawing up of the lease document;
- that Mr Forman will bear all costs associated with the clearing of the site at the end of the lease period unless Mr Forman had since sold the lease to another party of which Council has approved; and
- that Mr Forman is offered to lease the site for a ground rent of \$108,000 per annum based on the value of \$12.00 per square metre, and that to assist Mr Forman with the development that in the first year until occupancy of the facility this fee is reduced to 10% of the fee.”

Mr Forman has written to Council in response to the Shire letter outlining the abovementioned motions. Mr Forman, after discussing Shire’s letter with his/Rakkan Pty Ltd’s financiers, advises that:-

- 1) the suggested \$108,000.00 annual lease for the land is unviable and is proposing that he/Rakkan Pty Ltd pays \$10,000.00 per annum for 10 years at a flat rate with an option for a further 10 years with an increase in line with CPI, and that this lease fee would not be payable until the camp is completed and starts to be occupied;
- 2) Rakkan agrees to pay all costs of drawing up the lease documents;
- 3) Rakkan agrees to the clearing of the site at the end of the lease or as per Council’s requirements;
- 4) Rakkan would like more clarification of the SPQ rate of 32 cents in the dollar in regards to annual rates paid to Council;
- 5) Rakkan seeks advice as to what condition will the land be in when leased to Rakkan – is it clear of all rubbish and rubble? – if not will Council assist with the clearing of the land?
- 6) Rakkan has asked for information on the location of services to the land;
- 7) Rakkan asks if there is additional land associated with Lot 966 Sirius Street that can be used for the parking of heavy vehicles so that these vehicles are not parked around the camp and possible detract from the camp’s appearance or cause disruptions?
- 8) Rakkan currently has 10 units each with 4 rooms with Ensuites and if Council approves its request it will bring one unit to Southern Cross for Council to view and inspect. The remaining rooms will be double bedrooms plus a couple of semi-self-contained family rooms but these are still to be manufactured.

See attached copy of the letter from Mr Forman.

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Comment

The following are responses to Mr Forman/Rakkan's questions listed above. The number at the start of each paragraph of the responses below corresponds to the item above.

- 1) After discussing Mr Forman/Rakkan's counter proposal the Administration Management Staff agree that the previously suggested annual lease of \$108,000.00 is excessive. In light of what Council is likely to receive from the rates on this land once the development is completed, the counter proposal of \$10,000 per annum lease fee is probably acceptable however, we would recommend that the sum is to be fixed in line with CPI increases and is not a flat rate.

- 4) The Single Persons Quarter rate of 32 cents in the dollar is not fixed to the mining industry, is used to identify the higher density occupation of land and the higher use of services such as deep sewer, rubbish, roadways, and other Council infrastructure/services. Once the development is completed the building plans will be forwarded to the Valuer General to set a value, which is unknown at this time. Based on similar developments in Southern Cross and Marvel Loch Council could expect to receive between \$20,000 and \$40,000 in rates each year.

- 5) The proposed site is clear of rubble but has a light growth of grasses/weeds and a number of trees both in health and dead. In discussion with the Manager of Works it would not take a lot of work to remove the few dead trees and maybe trim a few others.

- 6) We can provide some information in regards to services and their connection points on the lot.

- 7) The Manager of Works suggests that heavy vehicles could be parked on the north-east side of Lot 966 Sirius Street with access off Arcturus Street. Some trees in this area would need to be removed and trimmed to provide the parking area, plus a cross-over off Arcturus Street will need to be constructed with culvert pipe to allow for the storm water drain.

- 8) I believe that Mr Forman/Rakkan would set-up a 4 bedroom unit on Forman Brothers Plumbing Service's property in Arcturus Street for Council to visit and make comment on.

Statutory Environment

Compliance with Section 3.58 of the Local Government Act 1995.

Policy Implications

Nil

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Financial Implications

Mr Forman/Rakkan and Council are still negotiating the sum of the annual lease and the value of the completed development is known at this time. Once the negotiations have been completed and agreed to by both parties, the proposed lease will need to be advertised in accordance with Section 3.58 of the Local Government Act 1995.

Recommendation

That Council advise Mr David Forman/Rakkan Pty Ltd that:-

- a) it will accept \$10,000.00 per annum as the lease fee for a period of 10 years but that the fee is to be in line with CPI;
- b) the option of a further 10 years would have the lease fee in line with CPI;
- c) Rakkan is provided more advice on the Single Persons Quarter Rating;
- d) Rakkan is advised that the Council is willing to assist with the proposed development by removing the dead trees on-site and trim up a few others;
- e) Rakkan is advised on the suitability of using the land to the north-east of the site for the heavy vehicle parking with access onto and off Arcturus Street and possibly Sirius/Spica Street; and
- f) Council request Rakkan to bring a 4 bedroom unit to Southern Cross for Council's inspection and comment.

Voting Requirements

Absolute Majority.

116/2011

Moved Cr Pasini seconded Cr Truran that Council advises Mr David Forman/Rakkan Pty Ltd that:-

- a) it will accept \$10,000.00 per annum as the lease fee for a period of 10 years but that the fee is to be in line with CPI;*
- b) the option of a further 10 years would have the lease fee in line with CPI;*
- c) Rakkan is provided with more advice on the Single Persons Quarter Rating;*
- d) Rakkan is advised that the Council is willing to assist with the proposed development by removing the dead trees on-site and trim up a few others;*
- e) Rakkan is advised on the suitability of using the land to the north-east of the site for the heavy vehicle parking with access onto and off Arcturus Street and possibly Sirius/Spica Street; and*

Council request Rakkan to bring a 4 bedroom unit to Southern Cross for Council's inspection and comment

CARRIED BY ABSOLUTE MAJORITY (6/0)

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CEMETERY EXTENSION

Cr Patroni asked for the Manager for Works to investigate the possibility of extending the grave lots west in the vacant area, between the existing Anglican section and the Rotunda. Also, extending the grave plots west in the vacant area, between the Catholic section and the Niche Wall.

117/2011

Moved Cr Pasini Seconded Cr J Della Bosca that council authorises the proposed changes to the cemetery. To backfill areas to the West of the current cemetery plots and undertake work as required.

CARRIED (6/0)

WHEATBELT GP MEDICAL

The CEO distributed the current status report from the Wheatbelt GP Medical practice which discussed the practice activities and expenses and reported a profit being made at the end of the last quarter. The Shire President asked if the CEO to arrange a meeting with Dr Paul West from Wheatbelt GP network to discuss the current status of the doctor recruitment, operation of the clinic and the arrangements with WA Health. In addition, if he could invite Dr Sally Simpson to lunch with Council at the June meeting.

There being no further business to discuss, the Shire President declared the meeting closed at 5.35pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 20th May 2011, are confirmed on Friday the 17th June 2011 as a true and correct record of the May Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT