



Minutes

*Ordinary Meeting of
Council*

*October
2016*

MINUTES
ORDINARY MEETING OF COUNCIL
Thursday 20th October 2016
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1. OFFICIAL OPENING

The Presiding Member declared the meeting open at 4:00pm

2. RECORD OF ATTENDANCE

PRESENT

Presiding Member President-Cr Truran

Members Deputy President- Cr W Della Bosca
Cr K Chrisp
Cr B Close
Cr J Della Bosca
Cr P Nolan
Cr D Pasini

Council Officers B Jones, Chief Executive Officer
J Bingham, Depute Chief Executive Officer
R Bosenberg, Executive Manager Infrastructure
N Warren, Manager Regulatory Services
L Della Bosca, Minute Taker

Apologies: Nil

Leave of Absence Nil

Observers: Nil

3. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTEREST

Nil

4. PUBLIC QUESTION TIME

Nil

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council Thursday 15th September 2016

102/2016

Moved Cr Close/Seconded Cr Pasini

That the minutes from the Ordinary Council Meeting held on the 15th September 2016 be confirmed as a true record of proceedings

Voting Requirements: Simple Majority

Carried (7/0)

5.2 Ordinary Council Meeting Thursday 15th September 2016 Action Sheet

103/2016

Moved Cr Pasini/Seconded Cr J Della Bosca

That the Action Sheet for the Council Meeting held on Thursday 15th September 2016 be received

Voting Requirements: Simple Majority

Carried (7/0)

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6. ANNOUNCEMENTS BY THE PRESIDNG MEMBER AND COUNCILLORS

Cr Truran Announce the following

- Attended the Southern Cross Swimming Pool Working Group meeting on the 21st September.
- Attended the Westonia Shires 100th Year Celebrations on the 14th October with the CEO
- On the 18th October attended the District Health Advisory Committee meeting.

Cr Chrisp announced that she attended the Southern Cross Swimming Pool Working Group Meeting on the 21st September

Cr Nolan announce the following

- Attended the Ag Care meeting on the 8th October 2016
- Attended a Webinar on Suicide Prevention for Local Government and Communities on the 20th October.

Cr W Della Bosca announced the following

- Attended a Bushfire training course on the 28th September followed by an officer meeting.
- The local bush fire brigade still has two light tankers to position at stations in the Yilgarn.
- Attended the Cliffs CRG on the 12th October. The meeting covered;
 1. The future of mining at Koolyanobbing which is believed to be secure for approximately 4 years.
 2. The dog proof grid and the need to reinstate it on the Koolyanobbing road, although consultation with DAFWA who own the dog proof fence is needed.
 3. Into 2018/19 the Windarling mine is going towards Fly in/Fly out.
 4. Looking into signage around the Koolynobbing mine to stop people going to the office for directions to travel out of the back of Koolyanobbing. However the tracks leading out of Koolynobbing and north are not maintained by the Shire.

Cr J Della Bosca announced that she attended the Southern Cross Swimming Pool Working Group Meeting on 21st September.

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Submission to:	Ordinary Council Meeting – Thursday, 20 th October 2016
Agenda Reference:	7.1
Subject:	Beverly Soaring Society – Southern Cross Airstrip
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report	Monday 10 th October 2016
Attachments	Nil

Background:

The Beverly Soaring Society will be visiting Southern Cross again this December, arriving on Monday 5th December and departing on Friday 16th December. This will be their eighth visit to Southern Cross, the first visit was in 2007 and they have visited every year since except for 2010 and last year 2015.

This year they have nominations from 15 to 17 gliders and will also be bringing two Pawnee Piper towplanes and will have in excess of 20 members here as glider pilots, towplane pilots and ground crew. They have booked accommodation at Sandalwood Lodge.

Comment:

The Beverly Soaring Society has requested if the Shire of Yilgarn could assist them by providing permission to operate from the Southern Cross Airstrip, make available a tie down area for the gliders at the airstrip and utilise the terminal building for their safety briefing meetings. This has been agreed to by the Shire.

They have also requested that Council waive the landing fees, which is the purpose of this report. Council's Fees & Charges for the use of the airstrip is \$17.50 per tonne for aircraft landing.

Statutory Environment

Local Government Act

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

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

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

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

(c) write off any amount of money, which is owed to the local government.

* Absolute majority required

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advises the Beverly Soaring Society that Council will waive the landing fees for their visit to Southern Cross in December 2016.

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104/2016

Moved Cr Chrisp/Seconded Cr Nolan

That Council advises the Beverly Soaring Society that Council will waive the landing fees for their visit to Southern Cross in December 2016.

Voting Requirements Absolute Majority

Carried (7/0)

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Submission to:	Ordinary Council Meeting – Thursday, 20 th October 2016
Agenda Reference:	7.2
Subject:	Intent to Initiate Local Law Review
File Reference:	2.3.2.11
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Monday 10 th October 2016
Attachments	Nil

Background:

Section 3.16 of the Local Government Act requires periodic reviews of Local Laws. A local government is to carry out a review of a Local Law to determine whether or not it considers that it should remain unchanged, be repealed or amended. The review is to be conducted within 8 years from the day each Local Law commenced, or from when a report of a review of the Local Law was accepted under s3.16.

The Shire of Yilgarn last resolved to undertake a review of its Local Laws in 2007, and a report on the review was accepted at the 19 April 2007 Ordinary Council meeting at which it was resolved to repeal the Buildings; Old Refrigerators & Cabinets; Parking; Prevention of Damage to Streets; Signs, Hoardings & Billpostings; Straying Stock; Cattle Poundage Fees; and Vehicle Wrecking local laws as obsolete and defunct.

The required preparation and gazettal of a local law to repeal the abovementioned obsolete and defunct local laws, following the 2007 review, was never actioned. This will be prepared and actioned following the current review and accordingly these local laws will not be included for the current review.

The Shire of Yilgarn has the following gazetted local laws:

Fencing	Gazette Date: 19/08/1983
Cemetery - Southern Cross	Gazette Date: 14/03/1980
Rubbish Clearing & Removal of	Gazette Date: 06/03/1992
Trading In Public Places	Gazette Date: 20/03/1992
Standing Orders	Gazette Date: 30/07/1997
Dogs	Gazette Date: 30/07/1997
Swimming Pool Complex	Gazette Date: 30/07/1997
Health	Gazette Date: 01/09/1997

Comment:

The following timeline is suggested for the local law review and local law making process:

Thu 20 Oct 2016	Council to resolve to advertise review of local laws Council to review WALGA pro forma local laws (after meeting)
	Advertise local laws review
	- West Australian Wed 26 Oct
	- Crosswords Wed 2 Nov
	- Website & Notice Board
	Submissions to close 12 noon Monday 12 December 2016
Fri 16 Dec	Report to Council with recommendations to repeal or amend local laws, with consideration of any submissions received

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Advertise proposed new local laws

- West Australian Wed 18 Jan 2017
- Crosswords Wed 18 Jan
- Website & Notice Board

Submissions to close 12 noon Monday 6 March 2017

Thu 16 Mar 2017 Report to Council recommending that Council make the proposed local laws

If approved by absolute majority send a copy to State Law Publisher and copy of Gazette to be sent to relevant Ministers

Explanatory Memorandum to be sent to the Joint Standing Committee on Delegated Legislation, signed and sealed by the Shire President and CEO.

Statutory Environment

Local Government Act 1995

3.16. Periodic review of local laws

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

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

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

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

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

(2a) A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.

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

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

* Absolute majority required.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council agrees to undertake a review of all of its Local Laws in accordance with the Local Government Act s3.16 and to give state wide and local public notice of its intent to undertake the review.

105/2016

Moved Cr W Della Bosca/Seconded Cr J Della Bosca

That Council agrees to undertake a review of all of its Local Laws in accordance with the Local Government Act s3.16 and to give state wide and local public notice of its intent to undertake the review.

Voting Requirements Simple Majority

Carried (7/0)

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Submission to:	Ordinary Council Meeting – Thursday, 20 th October 2016
Agenda Reference:	7.3
Subject:	Swimming Pool Entrance Fees
File Reference:	4.1.7.12
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Monday 10 th October 2016
Attachments	Nil

Background:

Council considered the need to redevelop the Southern Cross Swimming Pool at the September 2016 Council meeting and passed the following resolution:

That Council agree to appoint a working group to visit recently upgraded aquatic facilities and explore options for the upgrade of the aquatic facilities in Southern Cross that will best meet the long term needs of the community.

Cr O Truran, Cr K Chrisp, Cr J Della Bosca, the Manager Community Services and CEO met on Wednesday 21 September and undertook an inspection of the Southern Cross Swimming Pool. The current condition of the pool infrastructure has deteriorated to a poor condition (hence the need for a total refurbishment).

Comment:

It is recommended that Council agree to waive the admission costs to the Southern Cross Swimming Pool, for all users, for the 2016/17 season for the following reasons:

- ✓ To promote the patronage of the pool by all sectors of the community
- ✓ As recognition of the poor condition of the facility
- ✓ As a way of promoting recreation pursuits and increase the health of our community
- ✓ To reduce the administrative burden on collecting, receipting and banking small daily takings
- ✓ As an opportunity to promote the pool to visitors to the Shire

It is acknowledged that the cost to Council will be approximately \$6,000 and this needs to be considered against the benefits.

Statutory Environment

Local Government Act

6.16. Imposition of fees and charges

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

* Absolute majority required.

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

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

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

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

(c) write off any amount of money, which is owed to the local government.

* Absolute majority required.

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Policy Implications

Nil

Financial Implications

Council has budgeted for \$6,000 income from pool admissions in the 2016/17 Budget.

Recommendation

That Council agree to waive the admission costs to the Southern Cross Swimming Pool, for all users, for the 2016/17 season

106/2016

Moved Cr Chrisp/Seconded Cr J Della Bosca

That Council agree to waive the admission costs to the Southern Cross Swimming Pool, for all users, for the 2016/17 season

Voting Requirements Absolute Majority

Carried (7/0)

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Submission to:	Ordinary Meeting of Council – Thursday 20 th October 2016
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report	Thursday 13 th October 2016
Attachments	See attachment 8.1

Background:

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

The following reports are attached and have been prepared as at the 30 September, 2016:

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity
- Own Source Revenue Ratio

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.

During the 2012/2013 audit it was noted by the Shire's Auditors that the own source revenue was below acceptable. Council asked for the ratio to be monitored and is therefore included as part of this report.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorse the various Financial Reports as presented for the period ending 30th September, 2016.

107/2016

Move Cr Close/Seconded Cr Chrisp

That Council endorse the various Financial Reports as presented for the period ending 30th September, 2016.

Voting Requirements Simple Majority

Carried (7/0)

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Submission to:	Ordinary Meeting of Council – Thursday 20 th October 2016 2016
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report	Thursday 13 th October 2016
Attachments	See attachment 8.2

Background:

Municipal Fund – Cheque Numbers 40234 to 40262 totalling \$33,649.62, Municipal Fund-EFT Numbers 5434 to 5510 totalling \$440,050.46, Municipal Fund – Cheque Numbers 1293 to 1299 totalling \$253,780.24, Municipal Fund Direct Debit Numbers 11098.1 to 11133.12 totalling \$38,128.75, Trust Fund 402217 to 402228 totalling \$3,740.60 and Trust Fund – Cheque Numbers 6025 to 6029 (DPI Licensing), totalling \$54,374.45 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

Council has provided delegation to the Chief Executive Officer to make payments from the Shire of Yilgarn Municipal, Trust or other Fund.

Financial Implications

Drawdown of Bank funds

Recommendation

Municipal Fund – Cheque Numbers 40234 to 40262 totalling \$33,649.62, Municipal Fund-EFT Numbers 5434 to 5510 totalling \$440,050.46, Municipal Fund – Cheque Numbers 1293 to 1299 totalling \$253,780.24, Municipal Fund Direct Debit Numbers 11098.1 to 11133.12 totalling \$38,128.75, Trust Fund 402217 to 402228 totalling \$3,740.60 and Trust Fund – Cheque Numbers 6025 to 6029 (DPI Licensing), totalling \$54,374.45 are presented for endorsement as per the submitted list.

108/2016

Moved Cr Chrisp/Seconded Cr W Della Bosca

Municipal Fund – Cheque Numbers 40234 to 40262 totalling \$33,649.62, Municipal Fund-EFT Numbers 5434 to 5510 totalling \$440,050.46, Municipal Fund – Cheque Numbers 1293 to 1299 totalling \$253,780.24, Municipal Fund Direct Debit Numbers 11098.1 to 11133.12 totalling \$38,128.75, Trust Fund 402217 to 402228 totalling \$3,740.60 and Trust Fund – Cheque Numbers 6025 to 6029 (DPI Licensing), totalling \$54,374.45 are presented for endorsement as per the submitted list.

Voting Requirements Simple Majority

Carried (7/0)

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Submission to:	Ordinary Meeting of Council – 20 th October 2016
Agenda Reference:	10.1
Subject:	Shire of Westonia and Yilgarn Local Emergency Management Arrangements – 2016 Five Year Review
File Reference:	5.1.7.2
Author:	Nic Warren – Manager Regulatory Services
Disclosure of Interest:	Nil
Date of Report:	Thursday 13 th October 2016
Attachments:	Shire of Westonia and Yilgarn Local Emergency Management Arrangement Part A and Part B

Summary:

The Emergency Management Act 2005 (the Act) requires local governments to prepare and maintain a set of Local Emergency Management Arrangements (LEMAs), including a recovery plan, that are consistent with the State Emergency Management Polices produced by the State Emergency Management Committee.

The Shire of Yilgarn formed a Local Emergency Management Committee (LEMC) with the Shire of Westonia and various volunteer and private industry stakeholders, who meet every quarter to discuss emergency management preparedness within the jurisdiction.

Part of the LEMC's role is to review the LEMAs following an event or incident that requires activation of an Incident Support Group or significant recovery coordination; training or drills that exercise the arrangements; every five (5) years; or any other time that the local government or LEMC deem appropriate.

Background:

The Shire's current LEMAs had the last major review in 2011, and as such the arrangements are due for review by December 2016. The review commenced in May 2016; and involved discussions at LEMC meetings and email correspondence between committee members.

The final draft of the LEMAs was supplied to the District Emergency Management Committee for assessment against the Act's criteria, and has since been recommended to be put to Council for endorsement.

The Shire of Westonia will also be putting the document to their Council for endorsement.

Comment:

The Shire of Westonia and Yilgarn Local Emergency Management Arrangements have been attached for reading and come in two parts being:

- Local Emergency Management Arrangements - Shires of Westonia and Yilgarn - Part 1; and
- Local Emergency Management Arrangements - Shires of Westonia and Yilgarn - Part 2 – Recovery Plan

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The documents are required to be endorsed by Council.

Statutory Environment

Emergency Management Act 2005

Strategic Implications

Strategic Community Plan – Social

Goal - *An inclusive, secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term.*

Outcome - *Maintain a liveable, safe and secure community*

Strategy - *Continue to support the Local Emergency Management Committee and Plan (Yilgarn & Westonia)*

Policy Implications

Nil

Financial Implications

Nil

Recommendation:

That Council endorse the Shire of Westonia and Yilgarn Local Emergency Management Arrangements.

109/2016

Moved Cr W Della Bosca/Seconded Cr Close

That Council endorse the Shire of Westonia and Yilgarn Local Emergency Management Arrangements.

Voting Requirements Simple Majority

Carried (7/0)

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Submission to:	Ordinary Meeting of Council – 20 th October 2016
Agenda Reference:	10.2
Subject:	Application for Exploration Licence 77/2155 – Situated on Southern Cross Townsite
File Reference:	3.2.1.6
Author:	Nic Warren – Manager Regulatory Services
Disclosure of Interest:	Nil
Date of Report:	11 th October 2016
Attachments:	Tengraph of E77/2155

Summary:

The Shire of Yilgarn has received a request for comment from the Department of Mines and Petroleum in relation to an application for an exploration licence within the Shires townsite.

The map of the area is attached and shows the proposed tenement encroaches upon private land and Shire owned and vested land within the Southern Cross townsite.

Under Sections 23 to 26 of the Mining Act 1978, mining may be carried out on certain classes of land with the written consent of the Hon Minister for Mines and Petroleum. Where an application is within a townsite, the Minister must first consult and obtain the recommendation of the local government and the Minister for Lands.

The Department of Lands have advised they do not object to the granting of this licence.

The Department of Mines and Petroleum have requested the Shire provide a response, and if favourable, advise if the Shire agrees to have the following endorsement and condition imposed on the tenement:

Endorsement:

The grant of this lease does not include any private land referred to in Section 29(2) of the Mining Act 1978, except that below 30 metres from the natural surface of the land.

Condition:

Access to the surface of land within Southern Cross Townsite for mining purposes being subject to the approval of the local authority or relevant reserve vestees, and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the director, Environment, DMP.

Background:

The Department of Mines and Petroleum have been queried in relation to this application, specifically the applicants gaining access to Shire and Private land. The department advised the following:

In relation to private land over exploration licences, the detail is encapsulated within Division 3, Section 27 to 29 of the Mining Act 1978.

To summarise, no person shall enter or remain upon the surface of any private land unless he is the owner in occupation of that private land or is authorised to do so by a permit issued under section 30 of Mining Act, or by any other provision of this act or by virtue of a mining tenement.

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In section 29(2) it stipulates that consent is given in writing of the owner and the occupier of the private land concerned and it lists situations where by a mining tenement may not be granted in respect of the private land unless the mining tenement is granted not less than 30 m below the lowest part of the natural surface of that private land.

Regardless, the tenement holder may only enter the private land by obtaining consent in writing and/or upon reaching what is usually a compensation agreement with the land holder, which would subsequently require the holder of the tenement to include the land into his tenement holdings beyond entering into the aforementioned agreement.

Comment:

Whilst consent should not be granted to enter Shire owned or vested land, the applicants may want to enter into agreement with private landowners to explore on their land.

Statutory Environment

Mining Act 1978

Strategic Implications

Nil

Policy Implications

Policy 4.9 – Mining Tenements – states where a tenement encroaches upon a townsite the matter will be referred to council.

Financial Implications

Nil

Recommendation:

That Council advise the Department of Mines and Petroleum, the Shire does not object to the issuing of exploration licence 77/2155, including the proposed endorsement and condition set by the Department of Mines and Petroleum, on the following conditions:

- Applicants are not permitted to enter onto Council owned or vested land.
- Applicants are not permitted to enter onto privately owned land without the written consent of the landowners.

110/2016

Moved Cr Pasini/Seconded Cr Chrisp

That Council advise the Department of Mines and Petroleum, the Shire does not object to the issuing of exploration licence 77/2155, including the proposed endorsement and condition set by the Department of Mines and Petroleum, on the following conditions:

- ***Applicants are not permitted to enter onto Council owned or vested land.***
- ***Applicants are not permitted to enter onto privately owned land without the written consent of the landowners.***

Voting Requirements Simple Majority

Carried (4/3)

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Submission to:	Ordinary Meeting of Council – 20 th October 2016
Agenda Reference:	10.3
Subject:	Application for Dog Kennel Establishment – Lot 262 South Noongar Road, Moorine Rock
File Reference:	
Author:	Nic Warren – Manager Regulatory Services
Disclosure of Interest:	Nil
Date of Report:	12/10/2016
Attachments:	Site Map Floor plan

Background:

The Shire became aware of a property which housed more than the allowed number of dogs at a rural property, being Lot 262, South Noongar Road, Moorine Rock. An inspection determined there were nine (9) dogs being housed at the location. Under the Shires Local Laws Relating to Dogs (the Local Laws), no person is permitted to keep more than two (2) dogs over the age of three (3) months at one property and must either seek an exemption for up to six (6) dogs, or seek a kennel licence for anything over six (6) dogs.

The Shire received an application for a kennel establishment, to cater for the keeping of nine (9) dogs on the 8th June 2016. The application was rejected by the Manager of Regulatory Services due to issues with waste management and flooring.

The applicants referred the matter to the State Administrative Tribunal where direction hearings took place on the 17th August 2016 and the 21st September 2016. Through these hearings both parties were able to come to an arrangement that sufficed the requirements of the Shires Local Law Relating to Dogs.

A location map of the property and floor layout of the kennels has been provided.

Whilst the applicants do not own the property, they have provided the Shire with a letter from the owner indicating their approval for the proposal.

The establishment will only cater for the applicants pets, and will not be operated commercially.

Comment:

The Shire's Local Laws Relating to Dogs details the requirements for a kennel establishment, of which the applicant's submissions have indicated compliance with. Upon completion of minor works to the facility, and prior to being issued a kennel licence, an inspection will be undertaken by the Manager of Regulatory Services to ensure the premise is compliant with the Local Laws.

Lot 262 South Noongar Road is a rural property with the closest neighbouring property with a dwelling located 1.3 kilometers north-north/west. To date no nuisance complaints have been received relating to the property. The kennel facility will only be used to house the applicants own pets and will not be used commercially.

As there are no direct neighbours and the risk of a nuisance to another residential property is minimal, advertising of this proposal is deemed unnecessary.

Whilst all dogs are microchipped, the applicants are unable to register nine dogs at the one property, however pending this decision, the nine dogs will be required to be registered.

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There is an annual kennel registration fee that is applicable for the lifetime of the establishment.

The licence, if issued, will be valid only to the applicants listed on the licence and the property listed on the licence. Should the applicants relocate from the property, the licence will become invalid.

Statutory Environment

Dog Act 1976

Shire of Yilgarn Local Laws Relating to Dogs

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation:

That Council grants approval to issue a kennel licence for Location 262 South Noongar Road, Moorine Rock on the following conditions:

- A licence is not to be issued until such time as an inspection of the premises is undertaken by the Manager Regulatory Services and is deemed compliant with the relevant requirements of the Shires Local Law Relating to Dogs;
- The licence is for a maximum of nine (9) dogs
- All dogs kept at the premises are to be registered with the Shire of Yilgarn.
- The licence is only valid at Location 262 South Noongar Road, Moorine Rock and to the listed licence holders.

111/2016

Moved Cr Chrisp/Seconded Cr Close

That Council grants approval to issue a kennel licence for Location 262 South Noongar Road, Moorine Rock on the following conditions:

- ***A licence is not to be issued until such time as an inspection of the premises is undertaken by the Manager Regulatory Services and is deemed compliant with the relevant requirements of the Shires Local Law Relating to Dogs;***
- ***The licence is for a maximum of nine (9) dogs***
- ***All dogs kept at the premises are to be registered with the Shire of Yilgarn.***

The licence is only valid at Location 262 South Noongar Road, Moorine Rock and to the listed licence holders.

Voting Requirements Simple Majority

Carried (7/0)

MINUTES
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Submission to:	Ordinary Meeting of Council – 20 th October 2016
Agenda Reference:	10.4
Subject:	Planning Application – Home Business – Flowers and Stationery
File Reference:	3.1.3.3
Author:	Nic Warren – Manager Regulatory Services
Disclosure of Interest:	Nil
Date of Report:	10 th October 2016
Attachments:	Nil

Summary

Application has been made for a home business at 87 Altair Street, Southern Cross. The proposed business provides an ordering service for flowers and stationery; for use at weddings and functions.

The business will be run on a per order basis which means there will be limited storage onsite. Orders may be delivered direct to customer or collected at the premises, though customer access to the premises will be minimal.

The applicant wishes to place a small sign to the front fence advertising the business if approval is granted.

Background:

Under the Shires Town Planning Scheme 2 (DPS2), “Home Occupation” is listed as an AA use, meaning the use is not permitted unless granted permission from Council.

Section 5.2.4 of the TPS2 allows for a Home Occupation to have “One advertisement describing the nature of the home occupation” and is not to be any larger than 0.2m².

Comment:

The business will have minimal risk of nuisance to other neighbours.

There is adequate parking available to the front and side of the property.

Statutory Environment

Shire of Yilgarn Town Planning Scheme 2

Strategic Implications

Strategic Plan

Goal - *A prosperous future for our community*

Outcome - *Businesses in the Shire remain competitive and viable*

Strategy - *Support initiatives progressed by the local business community*

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Policy Implications

Nil

Financial Implications

Nil

Recommendation:

That Council approve the home occupation; providing wedding stationery and flowers on an as ordered basis at 87 Altair Street, Southern Cross, and allow a small 0.2m² sign to be displayed within the boundary of the property.

112/2016

Moved Cr Pasini/Seconded Cr Chrisp

That Council approve the home occupation; providing wedding stationery and flowers on an as ordered basis at 87 Altair Street, Southern Cross, and allow a small 0.2m² sign to be displayed within the boundary of the property.

Voting Requirements Simple Majority

Carried (7/0)

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- 11 **INFORMATION BOOK ITEMS**
- 12 **NOTICE FOR MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN**
- 13 **URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION**
- 14 **CONFIDENTIAL ITEMS**

113/2016

Moved Cr J Della Bosca / Seconded Cr K Chrisp

That Council proceeds behind closed doors to deal with a confidential staff matter

Carried 7/0

4.26pm All Shire staff left the room

Submission to:	Ordinary Meeting of Council – Thursday 20 th October 2016
Agenda Ref:	14.1
Subject:	CEO Performance Review - 2016
Author:	Cr Onida Truran – President
Disclosure of Interest:	Not applicable
Date of Report:	14 th October 2016

114/2016

Moved Cr D Pasini / Seconded Cr J Della Bosca

That Council:

- 1. Receives the Performance Review report and endorses the overall performance for Mr. Brian Jones as the Shire of Yilgarn's CEO, for the review period September 2015 to September 2016.*
- 2. Schedules the next review of performance to be commenced by the 1st of August 2017.*
- 3. Endorses the Key Result Areas as agreed to by the CEO and Council during the review.*
- 4. Increase the CEO's total reward package to the mid-point of the salary range and regional/isolation allowance as set by the Salaries and Allowances Tribunal, to take effect from the 3rd September 2016.*

Carried 4/3

Cr Nolan voted against the Council resolution

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15 **CLOSURE OF MEETING**

As there was no further business to discuss, the Shire President declared the meeting closed at **4.46pm**

I, Onida T Truran confirm the above Minutes of the Meeting held on Thursday, 20th October 2016, were confirmed on Thursday, 17th November 2016 as a true and correct record of the October Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT