



Shire of  
YILGARN

*“good country for hardy people”*

# *Council Meeting Agenda*

*17<sup>th</sup> April  
2019*

# SHIRE OF YILGARN NOTICE OF MEETING



Councillors:  
Please be advised that the

## **APRIL 2019 ORDINARY MEETING OF COUNCIL**

Will be held in the Council Chambers on  
Wednesday, 17<sup>th</sup> April 2019  
Commencing at **4pm**

### **COUNCILLORS PLEASE NOTE:**

- *The Discussion Session will commence at 3pm*
- *The Ordinary meeting of Council will commence at 4pm*
- *Adaman Resources will present to Council following the commencement of the meeting.*

**Peter Clarke**  
**Chief Executive Officer**

17/04/2019

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at \_\_\_\_\_pm

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

## 3. ATTENDANCE

|                   |  |  |
|-------------------|--|--|
| Presiding Member  | Cr O Truran  | President  |
| Members           | Cr W Della Bosca<br>Cr B Close<br>Cr G Guerini<br>Cr P Nolan<br>Cr D Pasini  | Deputy President   |
| Council Officers  | P Clarke<br>C Watson<br>R Bosenberg<br>N Warren<br>J Gemund<br>L Della Bosca | Chief Executive Officer<br>Executive Manager Corporate Services<br>Executive Manager Infrastructure<br>Executive Manager Regulatory Services<br>Manager Community Services<br>Minute Taker |
| Apologies:        | Cr S Shaw  |  |
| Observers:        |  |  |
| Leave of Absence: |  |  |

## 4. DECLARATION OF INTEREST

## 5. PUBLIC QUESTION TIME

## 6 CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council, Thursday 21<sup>st</sup> March 2019 - (Minutes Attached)

### Recommendation

**That the minutes from the Ordinary Council Meeting held on the 21<sup>st</sup> March 2019 be confirmed as a true record of proceedings.**

**Voting Requirements:** Simple Majority

6.2 Annual Electors Meeting Minutes, Thursday 21<sup>st</sup> March 2019- (Minutes Attached)

Recommendation

**That the minutes from the Annual Electors Meeting held on the 21<sup>st</sup> March 2019 be confirmed as a true record of proceedings.**

**Voting Requirements:** Simple Majority

6.3 Great Eastern Country Zone (GECZ) Meeting Minutes-Monday, 18<sup>th</sup> March 2019- (Minutes Attached)

6.4 Yilgarn History Museum Advisory Committee Minutes-Wednesday 3<sup>rd</sup> April 2019- (Minutes Attached)

Recommendation

**That the minutes from the Great Eastern Country Zone and the Yilgarn History Advisory Committee meeting be received.**

**Voting Requirements:** Simple Majority

**7. PRESENTATIONS, PETITIONS, DEPUTATIONS**

Drew Bradshaw from Adaman Resources will present to Council regarding Corinthia, dewatering and future plans.

**8. DELEGATES' REPORTS**

## 9 OFFICERS REPORTS

### 9.1 Officers Report – Chief Executive Officer

#### 9.1.1 Resignation/Appointment of Central East Aged Care Alliance (CEACA) Representative

|                               |                        |
|-------------------------------|------------------------|
| <b>File Reference</b>         | <b>1.3.3.18</b>        |
| <b>Disclosure of Interest</b> | <b>None</b>            |
| <b>Voting Requirements</b>    | <b>Simple Majority</b> |
| <b>Attachments</b>            | <b>Nil</b>             |

#### Purpose of Report

To advise Council of the resignation of Cr Truran as Council's representative on CEACA and the requirement to appoint a new representative of the Shire of Yilgarn.

#### Background

The Shire President has advised the CEO in writing that she has made the decision to resign as one of the Shire of Yilgarn's representatives on CEACA as she is unable to fully commit to this position due to unforeseen circumstances.

#### Comment

Council is currently represented on CEACA by Crs Truran, with Cr Della Bosca as its Deputy Member. Both Crs Truran and Della Bosca, together with the CEO as an observer, attend all CEACA meetings however, Cr Truran is the only voting delegate in accordance with CEACA's Constitution when the above Council delegates attend meetings.

With Cr Truran resigning from her position, Council now needs to nominate Cr Della Bosca as its Member on CEACA, if he wishes to undertake this role, and appoint a new Deputy Member. The Deputy Member position could come from another Councillor interested in this role or alternatively, the CEO could be appointed to the position in acknowledgment of the CEO's participation and knowledge of the CEACA project to date.

Whilst the CEACA Housing project is nearing completion, the ongoing role of CEACA will continue as it will be the liaison organisation with the Property Managers charged to tenant the housing. Since CEACA's establishment it has always been premised on actioning as many of the Verso Report's recommendations as possible with the Report detailing all the areas in which CEACA could assist in making each of its communities more age friendly.

#### Statutory Environment

CEACA Constitution relating to appointment of Members.

### Strategic Implications

Shire of Yilgarn Strategic Plan 2016-2026 – Social – High Quality and well maintained Aged Care facilities.

### Policy Implications

Nil

### Financial Implications

Nil.

### Officer Recommendation

***That Council: -***

- 1. Acknowledges with regret, Cr Truran's resignation as the Shire of Yilgarn's Member on CEACA and that as a replacement Member for Cr Truran's position, Cr Della Bosca be appointed as the Shire of Yilgarn's voting Member on CEACA.***
- 2. That unless a Councillor wishes to be appointed as the Shire of Yilgarn's Deputy Member on CEACA, the CEO be appointed to this role.***



## 9.1 Officers Report – Chief Executive Officer

### 9.1.1 Blue Tree Project

|                               |  |
|-------------------------------|--|
| <b>File Reference</b>         | <b>1.3.5.3</b>   |
| <b>Disclosure of Interest</b> | <b>None</b>  |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>   |
| <b>Attachments</b>            | <b>Location Map and Photographs of the tree earmarked for painting</b> |

#### Purpose of Report

To advise Council of the proposal by the South Moorine Rock community to “paint a tree blue” to raise awareness of mental health and suicide.

#### Background

Ms Linda Warren, on behalf of the Moorine Rock community, has written to Council seeking approval to “paint a tree blue” that has been identified on the west side of Moorine South Road, approximately 200 metres north of the Frog Rock-Marvel Loch Road turnoff.

Ms Warren advises that there has been discussion within the community and families of South Moorine Rock which has revealed much enthusiasm and support for such a project and as a result, the above dead tree has been chosen for a “blue lease on life”.

#### Comment

The “Blue Tree” project was first started in Mukinbudin following the tragic death of a young man by a suicide after struggling with mental health issues. Through social media, the “Blue Tree” went viral and since that time it has grown into a movement with people in WA, Queensland, NSW and UK painting trees blue in the name of mental health.

The tree identified by Ms Warren, (see attached location map and photos) is located within the Moorine South Rd road reserve and is situated on a relatively straight section of that road.

Whilst staff can see no major problems with the tree being painted “Blue”, it should be noted that Main Roads WA have some concerns regarding these proposals on its own road reserves which relate to the trees causing a distraction to motorists and environmental issues.

#### Statutory Environment

Nil

#### Strategic Implications

Shire of Yilgarn Strategic Plan 2016-2026 – Social – Continue to implement and support community programs.

### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation

*That Council approves the painting of a dead tree "blue" located on the west side of Moorine South Road, approximately 200 metres north of the Frog Rock-Marvel Loch Road turnoff by the South Moorine community, to promote mental health issues on the proviso that the proponents prepare a Traffic Management Plan to the satisfaction of the Executive Manager Infrastructure to ensure the safety of all motorists when the painting is being undertaken.*

RECEIVED  
= 4 APR 2019

BY: 1-3-5-3  
ICR1914324

Nulla Nulla Sth Rd

MOORINE ROCK 6425

3<sup>rd</sup> April, 2019

Chief Executive Officer

Shire of Yilgarn

SOUTHERN CROSS WA 6426

Dear Mr. Clarke,

**RE: BLUE TREE PROJECT**

I am writing to request permission from the Shire of Yilgarn to "Paint a Tree" blue.

As you are probably aware, blue trees are popping up all over the State and in particular, the wheatbelt area. The initiative behind the Blue Tree Project, is to raise awareness of Mental Health and Suicide.

Discussion within the community and families of South Moorine Rock has revealed much enthusiasm and support for such a project and as a result, a dead tree has already been chosen for a "blue lease on life"!

The tree is situated on the West side of the Moorine South Rd, approximately 200 metres north of the Frog Rock – Marvel Loch Road turnoff. Map attached.

I have also enclosed photographs of the said tree.

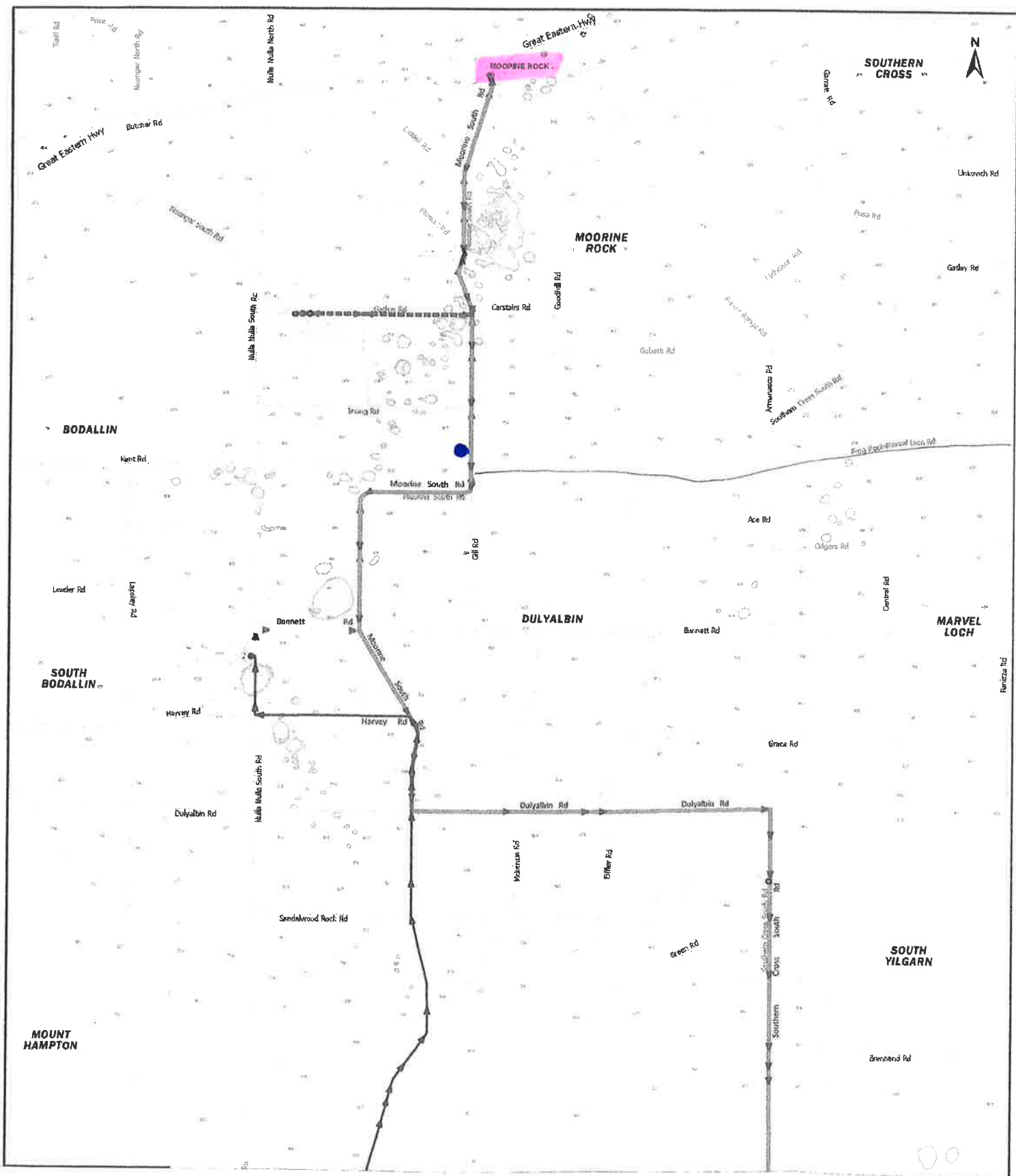
Consideration and subsequent consent for us to proceed with this project, would be very much appreciated.

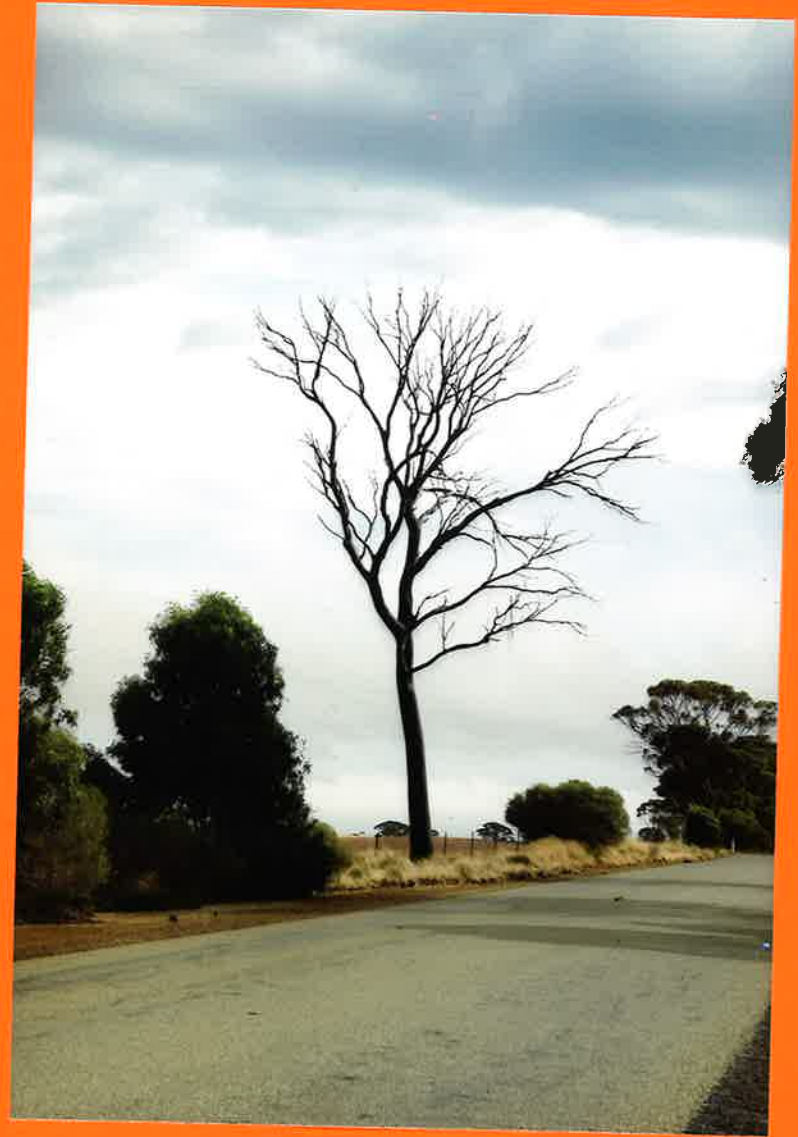
Yours sincerely,



Linda Warren

PH: 0428304038





## 9.1 Officers Report – Chief Executive Officer

### 9.1.3 Minjar Gold/Hampton Transport – Copperhead Ore Haulage Proposal

|                               |  |
|-------------------------------|--|
| <b>File Reference</b>         | <b>3.2.1.24, 6.1.1.086 &amp; 6.1.1.201</b> |
| <b>Disclosure of Interest</b> | <b>None</b>                                |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>                     |
| <b>Attachments</b>            | <b>Nil</b>                                 |

#### Purpose of Report

To inform Council of the ongoing discussions/negotiations relating to Minjar Gold/Hampton Transport's proposal to utilise the Southern Cross-Bullfinch Road, Southern Cross CBH Bin Road, Three Boys Road, Great Eastern Highway and Marvel Loch/Southern Cross Road for the haulage of ore from the Copperhead Mine in Bullfinch.

#### Background

At the February 2019 Ordinary meeting of Council, Minjar Gold and Hampton Transport presented the proposal to haul stockpiled ore from the Copperhead Mine in Bullfinch utilising the Southern Cross-Bullfinch Road, Southern Cross CBH Bin Road, Three Boys Road, Great Eastern Highway and the Southern Cross South Road.

In respect to the above request, Council resolved the following at the February meeting:-

**6/2019**

***Move Cr Close/Seconded Cr Della Bosca***

***That Council grants approval for Minjar Gold to utilise the following Council Controlled Roads associated with its haulage of ore from their Copperhead Bullfinch Mine Site to the Marvel Loch Mill subject to the following conditions: -***

- 1. That a financial contribution for future maintenance costs be applied to Minjar Gold in accordance with Council Policy 5.2 on the sealed section of the Southern Cross CBH Bin Road (0.0 – 0.52SLK);***
- 2. That a financial contribution for future maintenance costs be applied to Minjar Gold in accordance with Council Policy 5.2 on the sealed section of the Three Boys Road (0.0 – 2.91SLK);***
- 3. That a 50 metre Asphalt seal be prepared and laid on Three Boys Road prior to the intersection with the Great Eastern Highway;***
- 4. That a 50 metre Asphalt seal be prepared and laid on Southern Cross South Road prior to the intersection with the Great Eastern Highway;***



5. *That a financial contribution for future maintenance and construction costs be applied to Minjar Gold in accordance with Council Policy 5.2 on the sealed section of the Southern Cross South Road to the exiting Haul Road (0.0 – 3.00SLK);*
6. *That a 50 metre Asphalt seal be prepared and laid on Minjar Gold's Haul Road as it approaches Southern Cross South Road west and widening of the Southern Cross South Road to 10.7m to accommodate turning vehicles into the Haul Road;*
7. *That Minjar Gold be advised that a 1hr curfew on haulage will apply in the morning and afternoon to coincide with school bus times on the Southern Cross South Road.*
8. *That Minjar Gold liaises with Main Roads WA regarding improvements to the Great Eastern Highway, Three Boys Road and Southern Cross South Road intersection to accommodate truck configurations entering and exiting the Highway; and*
9. *That a formal agreement relating to the above approvals and conditions be prepared for signing by Minjar Gold and Council with the added condition that haulage operations do not commence until the upgrading and treatment works have been completed to the satisfaction of Council's Chief Executive Officer and Executive Manager Infrastructure.*

**CARRIED (6/0)**

#### **Comment**

Following the above resolution and their investigations into costs associated with road upgrades, in particular the upgrade requirements set by Main Roads WA on the Great Eastern Highway, Minjar Gold and Hampton Transport considered that it was financially unviable for them to proceed with the haulage operations.

Minjar Gold and Hampton Transport representatives then contacted Shire staff to ascertain whether there were other options or routes in relation to the transportation of ore from Minjar's Copperhead operations in Bullfinch to their Mill at Marvel Loch.

Following the above discussions, staff indicated that there was the possibility of transporting the ore via the same route to which Adaman Resources operates, that being turning left onto GEH and entering the Southern Cross town site and then turning right at the Palace Hotel, using the Southern Cross/Marvel Loch Road until they then accessed their own Haul Road. In applying for this route, Minjar Gold and Hampton Transport were advised that they would have to reduce their road train configuration to 27.5 metres and working a day shift only operation.

Based on the above discussions, Minjar Gold and Hampton Transport have re-submitted their application as detailed below:-

*"Hampton Transport Services in conjunction with Minjar Gold seek Council approval to haul a 20,000 tonne parcel of gold ore from Bullfinch to Marvel Loch."*

*The route we are seeking to haul on involves the following roads:-*

- *Bullfinch – Three Boys intersection*
- *Three Boys bypass – Great Eastern Highway*
- *Great eastern Highway to Marvel Loch Road turning at the Palace Hotel*
- *Marvel Loch Road from Great Eastern Highway to Cornishman intersection.*

*Planned schedule is to operate 2 x double trailer configured road train's 27.5 metre long working day shift only, 4 trips per unit per day".*

The Southern Cross-Bullfinch Road, Great Eastern Highway and Marvel Loch-Southern Cross Road are MRWA controlled roads and therefore, Minjar Gold and Hampton Transport, will have to again negotiate with MRWA Northam staff regarding the use of these roads.

In respect to the Southern Cross CBH Bin Road and Three Boys Road being part of the proposed haulage route, these are Council controlled roads and necessary upgrading/treatment works and financial contributions under Council Policy 5.2 relating to "Heavy Haulage on Local Roads" will apply.

#### **Statutory Environment**

Nil

#### **Strategic Implications**

Shire of Yilgarn Strategic Community Plan 2018-2028 – Economic – A Prosperous Future for Our Community – Safety and Quality of Transport Networks are Maintained and Improved.

#### **Policy Implications**

Council Policy No.5.2 – "Heavy Haulage on Local Roads"

#### **Heavy Vehicle Cost Recovery**

*If any party plans to run a defined vehicle freight task that is deemed an extraordinary load that is likely to cause damage resulting in extraordinary expenses to the Shire, the Shire may negotiate a relevant charge in accordance with the Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads or enter into an Agreement (if unsealed) in accordance with the Road Traffic (Administration) Act.*

#### **Financial Implications**

Nil



### Officer Recommendation

*That Council grants approval for Minjar Gold/Hampton Transport to utilise Council controlled roads being, the Southern Cross CBH Bin Road and Three Boys Road for the haulage of a 20,000 tonne parcel of gold ore from the Copperhead Bullfinch Mine Site to the Marvel Loch Mill subject to the following conditions: -*

- 1. That a financial contribution for future maintenance costs be applied to Minjar Gold in accordance with Council Policy 5.2 on the sealed section of the Southern Cross CBH Bin Road (0.0 – 0.52SLK);*
- 2. That a financial contribution for future maintenance costs be applied to Minjar Gold in accordance with Council Policy 5.2 on the sealed section of the Three Boys Road (0.0 – 2.91SLK);*
- 3. That a 50 metre Asphalt seal be prepared and laid on Three Boys Road prior to the intersection with the Great Eastern Highway at Minjar Gold/Hampton Transport's expense;*
- 4. That Minjar Gold/Hampton Transport liaises with Main Roads WA regarding the revised route to seek the necessary approvals; and*
- 5. That a formal agreement relating to the above approvals and conditions be prepared for signing by Minjar Gold/Hampton Transport and Council with the added condition that haulage operations do not commence until the upgrading and treatment works have been completed to the satisfaction of Council's Chief Executive Officer, Executive Manager Infrastructure and Main Roads WA.*

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.1 Financial Reports

|                               |                          |
|-------------------------------|--------------------------|
| <b>File Reference</b>         | <b>8.2.3.2</b>           |
| <b>Disclosure of Interest</b> | <b>Nil</b>               |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>   |
| <b>Attachments</b>            | <b>Financial Reports</b> |

#### Purpose of Report

To consider the Financial Reports

#### Background

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

The following reports are attached and have been prepared as at the 31<sup>st</sup> March 2019.

- 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.

#### Comment

Nil

#### Statutory Environment

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

#### Strategic Implications

Nil

#### Policy Implications

Nil

### **Financial Implications**

Nil

### **Officer Recommendation**

*That Council endorse the various Financial Reports as presented for the period ending 31<sup>st</sup> March 2019*

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.2 Accounts for Payment

|                               |                             |
|-------------------------------|-----------------------------|
| <b>File Reference</b>         | <b>8.2.1.2</b>              |
| <b>Disclosure of Interest</b> | <b>Nil</b>                  |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>      |
| <b>Attachments</b>            | <b>Accounts for Payment</b> |

#### Purpose of Report

To consider the Accounts for Payment

#### Background

Municipal Fund – Cheque Numbers 40760 to 40770 totalling \$6,590.62, Municipal Fund-EFT Numbers 8586 to 8678 totalling \$375,809.11, Municipal Fund – Cheque Numbers 1495 to 1503 totalling \$196,176.61, Municipal Fund Direct Debit Numbers 13524.1 to 13524.11 totalling \$21,132.23, Trust Fund 402411 to 402417 totalling \$3,646.41 and Trust Fund – Cheque Numbers 6166 to 6169 (DPI Licensing), totalling \$45,171.50 are presented for endorsement as per the submitted list.

#### Comment

Nil

#### 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

#### Strategic Implications

Nil

#### 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

### Officer Recommendation

*Municipal Fund – Cheque Numbers 40760 to 40770 totalling \$6,590.62, Municipal Fund-EFT Numbers 8586 to 8678 totalling \$375,809.11, Municipal Fund – Cheque Numbers 1495 to 1503 totalling \$196,176.61, Municipal Fund Direct Debit Numbers 13524.1 to 13524.11 totalling \$21,132.23, Trust Fund 402411 to 402417 totalling \$3,646.41 and Trust Fund – Cheque Numbers 6166 to 6169 (DPI Licensing), totalling \$45,171.50 are presented for endorsement as per the submitted list.*

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.3 Audit Committee – Audit Entrance Meeting with Auditors

|                               |  |
|-------------------------------|--|
| <b>File Reference</b>         | <b>2.1.2.9</b>   |
| <b>Disclosure of Interest</b> | <b>Nil</b>   |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>   |
| <b>Attachments</b>            | <b>Office of the Auditor General, Audit Practice Statement</b> |

#### Purpose of Report

To convene Councils Audit Committee to hold a formal audit entrance meeting with Councils Auditors.

#### Background

Recent amendments to the Local Government Act 1995 and relevant associated Regulations require Local Governments in Western Australia to be audited by the State Governments Office of the Auditor General (OAG).

The Auditor General will begin local government financial audits in a staged approach, as existing audit contracts expire. The Shire of Yilgarn's first audit by the OAG will be at the completion of the 2020/21 financial year.

#### Comment

Even though Council has two more audits with its current auditors, Moore Stephen's, a familiarisation process has been implemented by Moore Stephens to pave the way for a smooth transition to audits being undertaken by the OAG. Part of this is the holding audit entrance meetings (as indicated in the OAG's "*Audit Practice Statement, Page 13*") with Councils auditors.

#### Statutory Environment

Local Government Act 1995 –

##### s5.25. Regulations about council and committee meetings and committees

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to —
  - (g) the giving of public notice of the date and agenda for council or committee meetings; and
  - .
  - .
  - .

Local Government (Administration) Regulations 1996 –

**12. Meetings, public notice of (Act s. 5.25(1)(g))**

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
  - (a) the ordinary council meetings; and
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

The recommendation that follows is consistent with the legislative requirements.

**Strategic Implications**

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

**Policy Implications**

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

**Financial Implications**

A cost of approximately \$550 will be incurred by having Councils auditor attend via teleconference.

**Officer Recommendation**

*That Council approves the holding of an Audit Committee meeting on Thursday 2<sup>nd</sup> May 2019 commencing at 5:00pm for the purpose of having an audit entrance meeting as per the Office of the Auditor General's Audit Practice Statement.*

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.1 2018/2019 Plant Replacement Program – Tender N° 11 /2018-2019

|                               |                               |
|-------------------------------|-------------------------------|
| <b>File Reference</b>         | <b>6.4.1.5 &amp; 6.6.1.10</b> |
| <b>Disclosure of Interest</b> | <b>Nil</b>                    |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>        |
| <b>Attachments</b>            | <b>Nil</b>                    |

#### Purpose of Report

To consider the disposal of Councils existing 2016 Toyota Kluger Grande Sedan (YL-1) currently utilised by Chief Executive Office and to a purchase new replacement vehicle

#### Background

The changeover of Councils current Toyota Kluger Sedan is included in Councils 2018/2019 Plant Replacement Program with a monetary allocation been allowed for in 2018/2019 Financial Year Budget to purchase a new vehicle. The replacement vehicle is to be a similar type executive class vehicle.

Tenders were invited to supply and deliver one only executive type vehicle and to trade or the outright purchase (Alternative Tender) of Councils current Toyota Kluger Sedan.

The current Kluger sedan was purchased in 2016 has speedometer reading of 77,500 as of March 2019.

#### Comment

In accordance to Councils Finance Policy 3.5 Purchasing and Tendering and the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and 3.58 Disposing of Property (3), Tender N° 11/2018-2019 was advertised for a period of not less than fourteen days in the Kalgoorlie Miner and local Crosswords with the closing date been 5<sup>th</sup> April 2019.

The following response was received for the Outright Purchase of Councils current 2016 Toyota Kluger Grande Sedan AWD *GST inclusive*:

|                      |                 |
|----------------------|-----------------|
| <b>Dutton Garage</b> | <b>\$36,000</b> |
|----------------------|-----------------|

The following responses were received for the trade-in of Councils current 2016 Toyota Kluger Grande (AWD) sedan and to supply a new replacement vehicle *GST Inclusive*:

#### Merredin Toyota

|   |                     |
|---|---------------------|
| Toyota Kluger Grande (all-wheel drive) V6 Wagon | \$ 63,375.00        |
| Less trade-in 2016 Kluger Sedan                 | \$ 35,000.00        |
| Net change-over                                 | <b>\$ 28,375.00</b> |



### **Merredin Toyota**

|                                 |                     |
|---------------------------------|---------------------|
| Toyota VX Prado                 | \$ 64,990.02        |
| Less trade-in 2016 Kluger Sedan | \$ 35,000.00        |
| Net change-over                 | <b>\$ 29,990.02</b> |

### **Golden City Motors**

|  |                     |
|--|---------------------|
| Holden Acadia LTZV AWD (all-wheel drive) | \$ 53,834.85        |
| Less trade-in 2016 Kluger Grande Sedan   | \$ 35,234.85        |
| Net change-over                          | <b>\$ 18,600.00</b> |

### **Golden City Motors**

|  |                     |
|--|---------------------|
| Holden Acadia LTZV RWD (front wheel drive) | \$ 50,960.80        |
| Less trade-in 2016 Kluger Grande Sedan     | \$ 35,160.80        |
| Net change-over                            | <b>\$ 15,800.00</b> |

As it can be seen from the above, the tendered prices submitted by Golden City Motors are considerably cheaper than that submitted by Merredin Toyota for the changeover of council's 2016 Kluger Grande Sedan. It is considered that it would be preferable to maintain a like for like vehicle.

Council's Chief Executive Officer, preference is for a vehicle very similar to the Toyota Kluger that is currently being utilised, therefore it will be proposed that council consider the offer from Merredin Toyota for the Toyota Kluger Grande (AWD)

Councils Regional Price Preference Policy No 3.5 (A) as stated below provides a 10% preference to local suppliers and a 5% preference to suppliers within the Wheatbelt area, therefore the tender for the trade of councils 2016 Toyota Kluger Grande of \$35,000 meets the requirements of the policy against the outright purchase price of \$36,000 offered by Dutton Garage for this vehicle

### **Statutory Environment**

In accordance to the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and Section 3.58 Disposing of Property (3)

### **Strategic Implications**

Councils Ten Year, Plant Replacement Program

### **Policy Implications**

"Finance Policy 3.5 Purchasing and Tendering"

"Regional Price Preference Policy 3.5(A)"

## OBJECTIVES

- To support local and regional businesses as much as possible
- To achieve value for money when purchasing goods and services

## POLICY

The following price preference will be applied to regional tenders and is the percentage by which the regional price bid will be reduced for purpose of assessing the tender.

**Goods and Services** - up to a maximum price reduction of \$50,000 unless a lesser amount is stipulated in the tender document

### Stipulated Area

10% to all suppliers located within the Shire of Yilgarn

5% to all suppliers located within the Wheatbelt region

2.5% to all suppliers located within the Goldfield region

## Financial Implications

A monetary allocation of \$63,000 has been allowed for the purchase of a new executive class vehicle in Council's 2018-2019 Financial Year Budget and an estimated monetary trade income of \$32,000 allowed for in Councils Ten Year Plant Replacement Program for Councils current 2016 Toyota Kluger Grande

## Officer Recommendation

*That Council accepts the tender submitted by Merredin Toyota to purchase the Toyota Kluger Grande (AWD) for the quoted purchase cost of \$63,375 (GST inclusive) and trade Council's existing 2016 Toyota Kluger sedan for the quoted trade price of \$35,000 (GST inclusive), resulting in a change-over cost of \$28,375 (GST inclusive).*

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.2 - 2018/2019 Plant Replacement Program – Tender N° 12/2018-2019

|                               |                               |
|-------------------------------|-------------------------------|
| <b>File Reference</b>         | <b>6.4.1.5 &amp; 6.6.1.10</b> |
| <b>Disclosure of Interest</b> | <b>Nil</b>                    |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>        |
| <b>Attachments</b>            | <b>Nil</b>                    |

#### Purpose of Report

To consider the disposal of Councils existing 2016 4x4 Ford Ranger Dual Cab (YL-252) currently utilised by Executive Manager Regulatory Services and to a purchase new replacement vehicle

#### Background

The changeover of Councils current 4x4 Ford Ranger Dual Cab Utility is included in Councils 2018/2019 Plant Replacement Program with a monetary allocation been allowed for in 2018/2019 Financial Year Budget to purchase a new vehicle. The replacement vehicle is to be a similar type vehicle.

Tenders were invited to supply and deliver one only 4x4 Dual Cab Utility and to trade or the outright purchase (Alternative Tender) of Councils current 4x4 Ford Ranger Dual Cab.

The current 4x4 Ford Ranger Dual Cab Utility was purchased in 2016 has speedometer reading of 61,500 as of March 2019.

#### Comment

In accordance to Councils Finance Policy 3.5 Purchasing and Tendering and the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and 3.58 Disposing of Property (3), Tender N° 12/2018-2019 was advertised for a period of not less than fourteen days in the Kalgoorlie Miner and local Crosswords with the closing date been 5<sup>th</sup> April 2019.

The following response was received for the Outright Purchase of Councils current 2016 4x4 Ford Ranger Dual Cab Utility *GST inclusive*:

|                      |                 |
|----------------------|-----------------|
| <b>Dutton Garage</b> | <b>\$27,000</b> |
|----------------------|-----------------|

The following response was received for the trade-in of Councils current 2016 4x4 Ford Ranger Dual Cab Utility and to supply a new replacement vehicle *GST Inclusive*:

#### Merredin Toyota

|   |                     |
|---|---------------------|
| Toyota Hilux 4x4 Dual Cab SR (SAT NAV upgrade)      | \$ 47,633.98        |
| Less trade-in 2016 4x4 Ford Ranger Dual Cab Utility | \$ 30,000.00        |
| <b>Net change-over</b>                              | <b>\$ 17,633.98</b> |

### **Merredin Toyota**

|  |                     |
|--|---------------------|
| Toyota Hilux SR 4x4 Dual Cab (SAT NAV and Alloy Wheel upgrade) | \$ 48,150.00        |
| Less trade-in 2016 4x4 Ford Ranger Dual Cab Utility            | \$ 30,000.00        |
| Net change-over  | <b>\$ 18,150.00</b> |

### **Golden City Kalgoorlie**

|   |                     |
|---|---------------------|
| Holden Colorado LTZ 4x4 Dual Cab            | \$ 44,036.30        |
| Less trade-in 2016 4x4 Ford Ranger Dual Cab | \$ 33,036.30        |
| Net change-over                             | <b>\$ 11,000.00</b> |

### **Statutory Environment**

In accordance to the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and Section 3.58 Disposing of Property (3)

### **Strategic Implications**

Councils Ten Year, Plant Replacement Program

### **Policy Implications**

"Finance Policy 3.5 Purchasing and Tendering"

### **Financial Implications**

A monetary allocation of \$53,000 has been allowed for the purchase of a new vehicle in Council's 2018-2019 Financial Year Budget and an estimated monetary trade income of \$25,000 allowed for in Councils Ten Year Plant Replacement Program for Councils current 2016 Ford Ranger Dual Cab Utility

### **Officer Recommendation**

*That Council accepts the tender submitted by Golden City Motors to purchase the Holden Colorado LTZ 4x4 Dual Cab for the quoted purchase cost of \$44,036.30 (GST inclusive) and trade Council's existing 2016 4x4 Ford Ranger Dual Cab Utility for the quoted trade price of \$33,036.30 (GST inclusive), resulting in a change-over cost of \$11,000.00 (GST inclusive).*

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.3 - 2018/2019 Plant Replacement Program – Tender N° 13/2018-2019

|                               |                               |
|-------------------------------|-------------------------------|
| <b>File Reference</b>         | <b>6.4.1.5 &amp; 6.6.5.10</b> |
| <b>Disclosure of Interest</b> | <b>Nil</b>                    |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>        |
| <b>Attachments</b>            | <b>Nil</b>                    |

#### Purpose of Report

To consider the disposal of Councils existing 2013 4x2 Mazda Tray Top Utility (YL-363) currently utilised by Councils Building Maintenance Staff and to a purchase new replacement vehicle

#### Background

The changeover of Councils current 4x2 Mazda Tray Top Utility is included in Councils 2018/2019 Plant Replacement Program, with a monetary allocation been allowed for in 2018/2019 Financial Year Budget to purchase a new vehicle. The replacement vehicle is to be a similar type vehicle.

Tenders were invited to supply and deliver one only 4x2 Tray Top Utility and to trade or the outright purchase (Alternative Tender) of Councils current 4x2 Mazda Tray Top Utility.

The current 4x2 Mazda Tray Top Utility was purchased in 2013 has speedometer reading of 55,500km's as of March 2019.

#### Comment

In accordance to Councils Finance Policy 3.5 Purchasing and Tendering and the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and 3.58 Disposing of Property (3), Tender N° 13/2018-2019 was advertised for a period of not less than fourteen days in the Kalgoorlie Miner and local Crosswords with the closing date been 5<sup>th</sup> April 2019.

The following response was received for the Outright Purchase of Councils current 2013 4x2 Mazda Tray Top Utility *GST inclusive*:

|                      |                |
|----------------------|----------------|
| <b>Dutton Garage</b> | <b>\$9,000</b> |
|----------------------|----------------|

The following response was received for the trade-in of Councils current 2013 4x2 Mazda Tray Top Utility and to supply a new replacement vehicle *GST Inclusive*:

#### Northam Autos

|   |                     |
|---|---------------------|
| Supply new BT50 4x2 Space Cab XT              | \$ 37,606.00        |
| Less trade-in 2013 4x2 Mazda Tray Top Utility | \$ 12,000.00        |
| Net change-over                               | <b>\$ 25,606.00</b> |

### Northam Autos

|   |                     |
|---|---------------------|
| Supply new Colorado Space Cab LS 4x4          | \$ 38,194.00        |
| Less trade-in 2013 4x2 Mazda Tray Top Utility | \$ 12,000.00        |
| Net change-over                               | <b>\$ 26,194.00</b> |

### Golden City Motors

|   |                     |
|---|---------------------|
| Supply new BT50 4x2 Space Cab XT              | \$ 38,800.00        |
| Less trade-in 2013 4x2 Mazda Tray Top Utility | \$ 17,800.00        |
| Net change-over                               | <b>\$ 21,000.00</b> |

### Statutory Environment

In accordance to the Local Government Act 1995 Section 3.57 Tenders for Providing Goods and Services (1) and Section 3.58 Disposing of Property (3)

### Strategic Implications

Councils Ten Year, Plant Replacement Program

### Policy Implications

"Finance Policy 3.5 Purchasing and Tendering"

### Financial Implications

A monetary allocation of \$49,500 has been allowed for the purchase of a new vehicle in Council's 2018-2019 Financial Year Budget and an estimated monetary trade income of \$18,000 allowed for in Councils Ten Year Plant Replacement Program for Councils current 2013 Mazda Tray Top Utility

### Officer Recommendation

*That Council accepts the Tender submitted from Golden City Motors to purchase the BT50 4x2 Space Cab XT for the quoted purchase cost of \$38,800.00 (GST inclusive) and trade Council's existing 2013 4x2 Mazda Tray Top Utility for the quoted trade price of \$17,800.00 (GST inclusive), resulting in a change-over cost of \$21,000.00 (GST inclusive).*

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.4 – Gold Fields Technical Services – Marvelloch Forrestania Road Re-Alignment

|                               |                            |
|-------------------------------|----------------------------|
| <b>File Reference</b>         | <b>6.1.1.004</b>           |
| <b>Disclosure of Interest</b> | <b>N/A</b>                 |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>     |
| <b>Attachments</b>            | <b>Two Map Attachments</b> |

#### Purpose of Report

To consider proposed Marvel Loch Forrestania Road re-alignment to accommodate the expansion of the Centenary and Buffalo/Spring Hill Gold Mines.

#### Background

Correspondence has been received from Goldfields Technical Services seeking Council's support to re-align two sections of the Marvel Loch Forrestania Road in the vicinity of Parker Range and Marvel Loch Forrestania Roads intersection approximately 20 kilometres south of Marvel Loch town site.

The road re-alignments are to accommodate the proposed expansion of the Centenary and Buffalo/Spring Hill Mines. These mining tenements previously belonged to Gondwana Resources but have recently changed ownership with the new owners being AURENNE mining which have appointed Goldfields Technical Services to project manage both the Centenary Buffalo/Spring Hill mining projects going forward.

The Centenary mine is located approximately 2.4 kilometres north of Marvel Loch Forrestania and Parker Range Road intersection. The approximate shift of this re-alignment will be 200 metres to the west of the existing Marvel Loch Forrestania Road and approximately 1.5 kilometres in length.

The Buffalo/Spring Hill mine is located approximately 2.8 kilometres south of the Marvel Loch Forrestania and Parker Range Road intersection. The approximate shift of this re-alignment will be 200 metres to the west of the existing Marvel Loch Forrestania Road and approximately 1.8 kilometres in length.

#### Comment

Approval has previously been granted for road re-alignments around both the Buffalo/Spring Hill mine and Centenary mine when in February 2013 Gondwana Resources (the previous mining tenement owners of the Buffalo/Spring Hill mine) applied to Council to have the Marvel Loch Forrestania Road re-aligned to accommodate the expansion of Buffalo/Spring Hill mines. A report was put to Council's February 2013 Meeting in relation to this resulting in the following resolution:

**29/2013**

***Moved Cr W Della Bosca /Seconded Cr Guerini.***

***That Council grants approval for the re-alignment of the Marvel Loch Forrestania Road subject to the following:***

- 1) The road re-alignment is constructed to a suitable standard acceptable to council***
- 2) All heritage and native title studies along with clearing permits and surveying are too be carried out by the applicant Gondwana Resources along with any cost associated with the above mentioned***
- 3) All construction cost associated with the proposed re-alignment are to be met by the applicant Gondwana Resources.***

**CARRIED (7/0)**

and in May 2013 Gondwana Resources (the previous mining tenement owners of the Centenary mine) applied to Council to have the Marvel Loch Forrestania Road re-aligned to accommodate the expansion of Centenary mine. A report was put to Council's May 2013 Meeting in relation to this resulting in the following resolution:

**97/2013**

***Moved Cr Pasini / Seconded Cr Guerini.***

***That Council grants approval for the re-alignment of the Marvel Loch Forrestania Road subject to the following:***

- 1) The road re-alignment is constructed to a suitable standard acceptable to council.***
- 2) All heritage and native title studies, clearing permits and surveying are to be carried out by the applicant Gondwana Resources.***
- 3) All cost associated with heritage and native title studies, clearing permit's, surveying and construction of the proposed re-alignment are met by the applicant Gondwana Resources.***

**CARRIED (7/0)**

Both projects did not proceed at the time due to economic climate and other market factors.

Although the latest proposed road re-alignments are in the same location (Buffalo/Spring Hill and Centenary mine sites) as the previous ones applied for by Gondwana Resources in 2013, the latest application has been made by a different company who has recently purchase Buffalo/Spring Hill and Centenary mining tenements, therefore an up to date resolution is required.

If Council was to give approval for the re-alignment all heritage and native title studies along with clearing permit's and surveying are to be carried out by the applicant Goldfields Technical Services.

All cost associated with heritage and native title studies, clearing permit's, surveying and construction of the proposed re-alignment are met by the applicant Goldfields Technical Services.

The proposed road re-alignment is to be constructed to a suitable standard acceptable by Council which includes:



- 1) *The re-alignment is to have the gazetted road surveyed width of 20 metres*
- 2) *Subgrade road pavement has a water-bound (fresh water only, salt water is not to be used) compacted finished width of 10 metres*
- 3) *Subgrade road pavement cross fall from the road centre line is no less than 4% and no greater than 5%.*
- 4) *Road pavement is to have a finished water-bound (fresh water only, salt water is not to be used), compacted gravel overlay with a minimum 250mm in thickness, ten metres in width and a cross fall from the road centre line no less than 4% and no greater than 5%.*
- 5) *Finished road re-alignment is to have storm water run-off drainage and suitable sized culverts installed at creek crossings or other locations as required and identified by council staff*

It is proposed by Goldfields Technical Services to transport 420,000 tonne of ore from Buffalo/Spring Hill and Centenary mine over a 12-18 month period by roadtrain via the Marvel Loch Forrestania Road or Parker Range Road to a mill to be processed.

Goldfields Technical Services are currently exploring two mill processing option, first being to Marvel Loch and the second is to Edna May mill located in Westonia.

A decision is yet to be made by Goldfields Technical Services to which mill processing plant they intend to utilise.

Currently the Marvel Loch Forrestania Road has a RAV 4 rating. Goldfields Technical Services have indicated that they would like to have the 21 kilometre section of Marvel Loch Forrestania Road they propose to cart over upgraded from its current RAV 4 rating to a RAV 7 rating.

In November 2017 council engaged the services of WML Consultants to undertake a RAV assessment in accordance's with MRWA guidelines to see if the Marvel Loch Forrestania Road was suitable for RAV 7.

The report found that the Marvel Loch Forrestania Road is geometrically suitable for RAV 7 use. The report also identified that the road pavement area of unsealed section of this road was found to be insufficient and required imported gravel overlay to suit continuous RAV 4 and RAV 7 road train activity.

Goldfields Technical Services have engaged Mr Tony Chisholm WML Consultants to carry out further testing and an update assessment of the existing pavement and subgrade materials to determine the current condition of the road. Council are currently waiting for the report so as to identify the extent of any works required to bring this road up to a RAV 7 standard.

## **Statutory Environment**

Subject to Road Gazettals

### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2018-2028 – Economic – A Prosperous Future for Our Community – Safety and Quality of Transport Networks are Maintained and Improved.

### Policy Implications

Council Policy No.5.2 – “Heavy Haulage on Local Roads”

#### ***Heavy Vehicle Cost Recovery***

*If any party plans to run a defined vehicle freight task that is deemed an extraordinary load that is likely to cause damage resulting in extraordinary expenses to the Shire, the Shire may negotiate a relevant charge in accordance with the Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads or enter into an Agreement (if unsealed) in accordance with the Road Traffic (Administration) Act.*

### Financial Implications

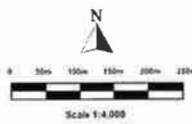
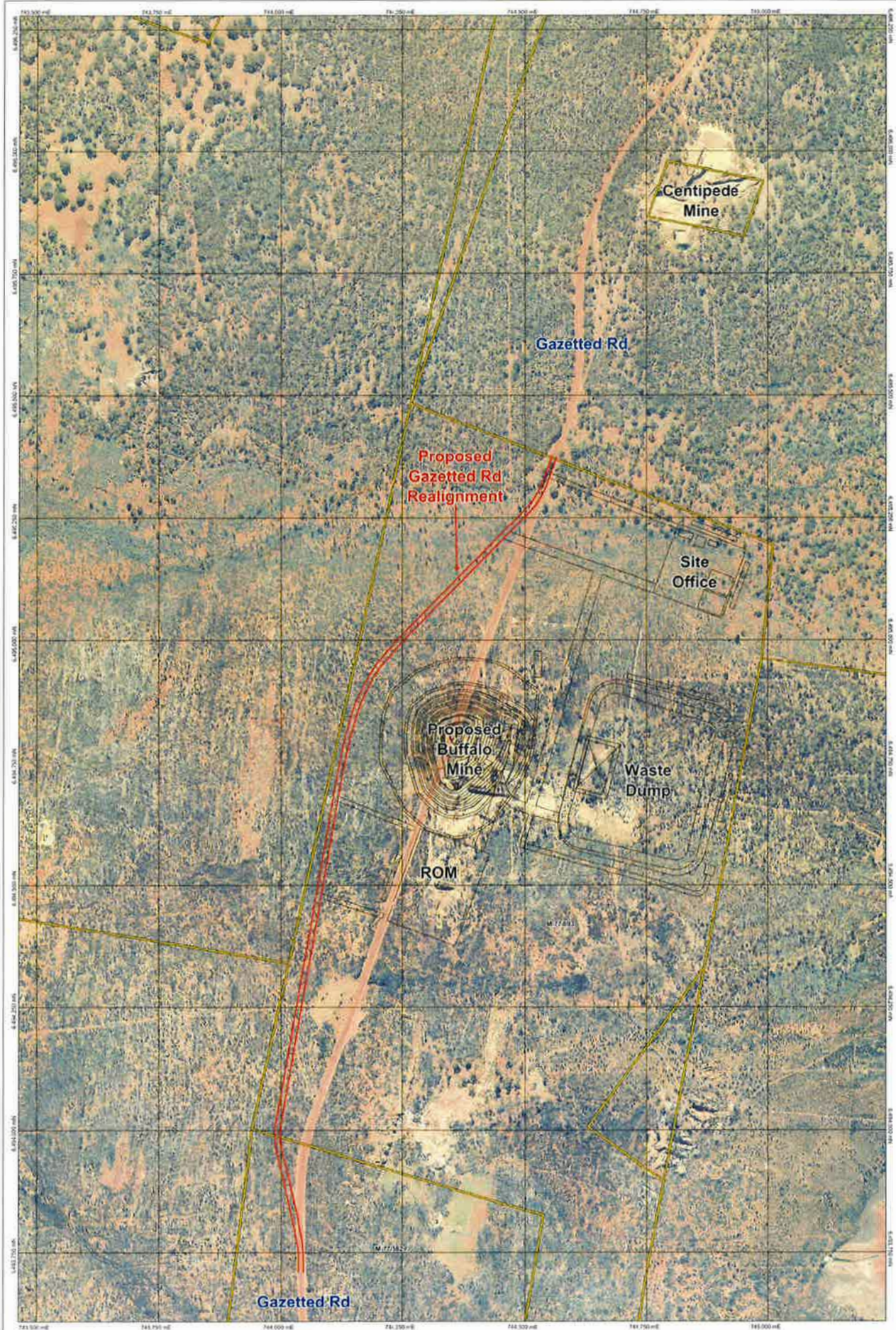
All cost associated with heritage and native title studies, clearing permits, surveying and construction of the proposed re-alignment are met by the applicant Goldfields Technical Services.

### Officer Recommendation

***That Council grants in-principle approval to Goldfields Technical Services to re-align the Marvel Loch Forrestania Road at the Buffalo/Spring Hill and Centenary Mine sites subject to the following conditions:-***

- 1) The road re-alignment is constructed to a suitable standard acceptable to Council***
- 2) All heritage and native title studies along with clearing permits and surveying are to be carried out by the applicant Goldfields Technical Services along with any costs associated with the above mentioned***
- 3) Following survey works, Goldfields Technical Services undertakes the appropriate application for survey and gazettal approvals to the relevant State Government Department for action; and***
- 4) All construction cost associated with the proposed re-alignments are to be met by the applicant Goldfields Technical Services***

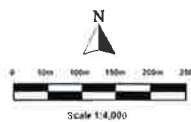




Proposed Buffalo Mine Site  
Infrastructure Design on Aerial Photograph  
Proposed Gazetted Road Move Highlighted

|                           |                           |
|---------------------------|---------------------------|
| Date: 4th April 2019      | Projection: GDA94 - MGAS9 |
| Location: Parker Range WA | Drawn By: D. Munroe       |





Proposed Centenary Mine Site  
 Infrastructure Design on Aerial Photograph  
 Proposed Gazetted Road Move Highlighted

|                           |                           |
|---------------------------|---------------------------|
| Date: 31st April 2019     | Projection: GDA94 - MGA50 |
| Location: Parker Range WA | Drawn By: D. Munroe       |



## 9.4 Officers Report – Executive Manager Regulatory Services

### 9.4.1 Application for Dewatering – Corinthia Minesite

|                               |                        |
|-------------------------------|------------------------|
| <b>File Reference</b>         | <b>3.2.1.17</b>        |
| <b>Disclosure of Interest</b> | <b>Nil</b>             |
| <b>Voting Requirements</b>    | <b>Simple majority</b> |
| <b>Attachments</b>            | <b>Nil</b>             |

#### Purpose of Report

To consider a proposal by Adaman Resources Pty Ltd to dewater Corinthia Pit on tenement M77/534 to Pilot Pit on tenement M77/1049.

#### Background

At the March 2019 Council meeting, a referral from the Department of Water and Environmental Regulation (DWER) was tabled, relating to a proposal from Adaman Resources Pty Ltd (Adaman) to dewater Corinthia Pit on tenement M77/534 to Pilot Pit on tenement M77/1049. The mine location is approximately 15 kilometres North/West of Southern Cross townsite.

At the Council meeting, a motion moved by Cr Nolan to amend the officer's recommendation to the following was carried:

***That Council, prior to considering Adaman Resources dewatering licence application, requests the DWER to insist that Adaman Resources undertakes a thorough community consultation process, on the dewatering proposal, and further, that DWER instructs Adaman Resources, to prepare a hydrological assessment, based on the current water level of the Pilot Pit.***

The response was forwarded to DWER, who responded, noting the response and advising the matter would be discussed with Management in due course, however no further correspondence has been received.

In the interim, a meeting was arranged between Adaman's Drew Bradshaw, General Manager Mining and Craig Bradshaw, Chief Executive Officer and the Shire of Yilgarn's Phil Nolan, Councillor, Peter Clarke, Chief Executive Officer and Nic Warren, Executive Manager Regulatory Services, to discuss the dewatering proposal. The meeting took place on the 4<sup>th</sup> April 2019.

The key points from the meeting were:

- Dewatering of Corinthia Pit was proposed to cease within 10 days;
- Adaman, through their environmental and hydrological consultants, had set a minimum freeboard of ten metres. This level was based on local flora having a root depth of up to 6 metres, a 1/100 rainfall event accounting for around two to three metres and a buffer of around one metre;

- Adaman's critical control point risk analysis identified the biggest risk of environmental harm was from failure of the transfer pipeline, not the water level in the pit. This had been addressed through relevant telemetry to identify leaks and piping housed in containment bunds, and as such was deemed by Adaman to be adequately controlled.

Council's postponement of providing a response to DWER from the March 2019 council meeting was also raised, with Adaman agreeing to attend the April 2019 Council meeting and present to Council, with the desire to allay Councillors concerns and allowing the re-consideration of the original recommendation.

The Shire representatives at the meeting held on the 4<sup>th</sup> April 2019 agreed that; based on the information provided at the meeting, they were satisfied that the dewatering program would not pose an unacceptable risk, and as such, indicated they would be supportive of DWER issuing the licence.

#### **Comment**

Pending Adaman's presentation to Council, it is thought Councillors will be in a position to make an informed decision regarding the DWER referral, relating to the dewatering of Corinthia Pit.

#### **Statutory Environment**

Nil

#### **Strategic Implications**

GOAL: A prosperous future for our community.

OUTCOME: Businesses in the Shire remain competitive and viable.

STRATEGY: Continue to provide an efficient and effective approval process.

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

## Officer Recommendation

### ***THAT COUNCIL***

*Having considered Adaman Resources Pty Ltd's presentation, Council reconsider the original motion to delay a determination until such time as community consultation and a hydrological assessment is undertaken, siting that sufficient investigation and controls are already in place and future community consultation is proposed.*

*And*

*In reconsidering the referral from the Department of Water and Environmental Regulation, relating to the dewatering of Corinthia Pit by Adaman Resources Pty Ltd, endorse the following response:*

*The Shire of Yilgarn is sufficed that adequate investigation has been undertaken and controls implemented by Adaman Resources Pty Ltd, in relation to the dewatering proposal for Corinthia Pit, and as such, Council are now in favour of a licence being issued by the Department of Water and Environmental Regulation for the dewatering of Corinthia Pit, however, the Shire requests conditions relating to monitoring of the transfer pipeline, monitoring of environmental damage, if any, monitoring of the minimum freeboard and ongoing community consultation are included in the licence, if issued.*

## 9.4 Officers Report – Executive Manager Regulatory Services

### 9.4.2 Home Occupation – Massage – 3 Omega Street, Southern Cross

|                               |                        |
|-------------------------------|------------------------|
| <b>File Reference</b>         | <b>3.1.3.3</b>         |
| <b>Disclosure of Interest</b> | <b>Nil</b>             |
| <b>Voting Requirements</b>    | <b>Simple majority</b> |
| <b>Attachments</b>            | <b>Nil</b>             |

#### Purpose of Report

To determine a development application for a home occupation at 3 Omega Street, Southern Cross.

#### Background

The Shire has received a development application, proposing to operate a massage business from 3 Omega Street, Southern Cross.

The application proposes:

- Massage therapies, however does not include skin penetration procedures;
- One client at a time, with one-hour bookings commencing from 11:00am with last appointment at 7:00pm;
- Adequate onsite parking for proprietor and client; and
- Signage proposed for front gate.

The subject property is zoned residential, with the residential zoning defined in the Shire of Yilgarn Town Planning Scheme 2 (TPS2) as:

*The Residential Zone is to be used primarily for single houses on separate lots. Other uses, listed in Table 1, may be permitted at the discretion of Council if they are considered to be an integral part of the residential environment and where Council is satisfied that they will benefit the community and not result in being a nuisance*

The proposal is deemed compatible with the “home occupation” use, as per the TPS2, which is defined as:

*Home Occupation: means a business or activity carried out within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that:*

- (a) entails the conduct of a business, office, a workshop only, and does not entail the frequent retail sale or display of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding;



- (d) does not entail employment of any person not a member of the occupier's household;*
- (e) does not occupy an area greater than 20 m<sup>2</sup>;*
- (f) does not display a sign exceeding 0.2 m<sup>2</sup> in area.*
- (g) in the opinion of the Council is compatible with the principal uses to which land in the zone in which it is located may be put;*
- (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;*
- (i) does not entail the presence, parking and garaging of a vehicle of more than two (2) tonnes tare weight;*

It should be noted, whilst the operator may not be permanently residing in the premises, it is still reasonable to consider the proposal as a home occupation, given the applicant has a residential tenancy agreement for the premise, has the owners consent to operate, complies with all other home occupation criteria, and, most importantly, it is considered that the proposal "will not cause injury to or prejudicially affect the amenity of the neighbourhood", which is the main aim for development assessment.

The TPS2 defines "Home Occupation" as an "AA" use within the residential zone. This means the use is not permitted unless the Council has granted planning approval.

Section 5.2 of the TPS2 details the requirements for advertising signs to be approved by Council, however Schedule 8 details the relevant exempt signs. For a home occupation, Council approval is not required for one advertisement describing the nature of the home occupation, being no larger than 0.2m<sup>2</sup>.

#### **Comment**

Being an AA use, Council have the ability to either approve or reject the application.

Whilst a period of public notice is not applicable under the TPS2 for AA uses, owners and occupiers of properties which may be affected by the proposed activities were contacted in writing, detailing the proposal and encouraged to submit comments. One submission was received, which stated they held no objections, on the proviso the noise and traffic controls, being the booking times, were adhered to.

It is the reporting officers opinion the proposed home occupation will have minimal risk of creating a nuisance. Vehicle noise and additional traffic may be experienced; however, it is not thought to be of a level that would create a nuisance to neighbouring properties.

Given the low risk of nuisance, and no objectionable submissions received from neighbouring properties, it is recommended to approve the proposed massage business as a home occupation.

### Statutory Environment

Planning and Development Act 2005  
Shire of Yilgarn Town Planning Scheme 2

### Strategic Implications

GOAL: A prosperous future for our community.

OUTCOME: Businesses in the Shire remain competitive and viable.

STRATEGY: Continue to provide an efficient and effective approval process.

### Policy Implications

Nil

### Financial Implications

Development Application fee.

### Officer Recommendation

***THAT COUNCIL***

***Approve the use of 3 Omega Street, Southern Cross as a home occupation for the undertaking of massage therapies on the following conditions:***

- ***No more than one operator permitted;***
- ***Only one client to be booked at the one time;***
- ***No bookings to commence prior to 11:00am and/or after 7:00pm;***
- ***Proprietor to request clients park within the property boundary, and avoid verge parking; and***
- ***Signage to be no larger in area than 0.2m<sup>2</sup>.***

## 9.4 Officers Report – Executive Manager Regulatory Services

### 9.4.3 Mt Hampton Progress Association

|                               |  |
|-------------------------------|--|
| <b>File Reference</b>         | <b>1.3.3.6</b>                               |
| <b>Disclosure of Interest</b> | <b>Nil</b>                                   |
| <b>Voting Requirements</b>    | <b>Simple majority</b>                       |
| <b>Attachments</b>            | <b>Mt Hampton Association Correspondence</b> |

#### Purpose of Report

To note correspondence sent from the Mt Hampton Progress Association and endorse actions raised by the association.

#### Background

Through ongoing discussions between members of the Mt Hampton Progress Association (the Association) and the Shire's Executive Manager Regulatory Services, the Association tabled a number of items at their most recent meeting, held on the 4<sup>th</sup> April 2019.

The items discussed which are relevant to the Shire are:

- Demolition and removal of Mt Hampton School buildings and fencing containing asbestos materials;
- Proposed Mt Hampton Fire Brigade Shed location; and
- Dulyalbin tank and Mt Hampton dam water rates.

Attached is the Associations correspondence detailing their decisions.

#### Mt Hampton School Buildings

The Mt Hampton School buildings and fencing is made from Asbestos Containing Material (ACM), and due to neglect over time, the structures and fencing has started to deteriorate, creating a risk of release of asbestos fibres.

It was discussed with the Association that it may be the time now to remediate the ACM before it creates a significant hazard.

As per correspondence, the Association voted to remove all buildings on the site, with the exception of a monument rock, memorial structure, in ground water tanks and the netball/basketball court and oval to remain.

It was also raised if the Shire could assist with removing the asbestos tennis club storage shed, and replace with a new shed with more storage capacity.

### Bush Fire Brigade Appliance Shed

At the April 2018 Council meeting, the Bush Fire Advisory Committees motion to apply for an appliance shed at Mt Hampton was carried, subsequently, an application in the 2019/2020 Emergency Services Levy capital grants was lodged, and is pending consideration by the Department of Fire and Emergency Services (DFES).

The final location was raised with the Association, who indicated they would prefer the location to be on the hall site, situated near to or behind the existing hall. Pending approval from DFES, the location indicated by the Association will be considered and the final location determined in consultation.

### Mt Hampton Dam and Dulyalbin Tank Water Costs

The Association also stated their desire for the Mt Hampton dam and Dulyalbin tank water costs to remain at the current rates, being \$0.67/Kilolitre and \$1.30/Kilolitre respectively.

The water charges from these outlets is placed in trust, to be used when maintenance is required.

### **Comment**

#### Mt Hampton School Site

Inspections of the Mt Hampton school buildings indicate they are deteriorating and the risk of asbestos fibre release is increasing, and as such, it is an opportune time to have the ACM removed whilst reasonably stable.

The site is an Unvested Crown Reserve, with the school site vesting revoked in 1997. As such, the Department of Planning, Lands and Heritage are the responsible agency. Pending Council's determination, discussions will be commenced with the Department regarding the site and the need for the structures and fencing to be removed due to the presence of ACM.

A demolition company has already been engaged to provide a quotation, with the costs intended to be passed onto the Department. It should be noted that in the event the Department are not willing to undertake the works, it is not envisaged that the Shire would cover the costs, and that some form of containment or isolation will be requested from the Department to ensure the site is safe until they are in a position to remediate the asbestos.

In relation to the tennis club shed, that is a cost that would need to be covered by either the Tennis Club and/or Shire.

Pending Council's determination, these items may be included for Council's consideration in the 2019/2020 draft budget.

### Bush Fire Brigade Appliance Shed

Council are asked to note the Associations preferred location, and will allow the Executive Manager Regulatory Services to discuss the final location with the association should a grant be successful.

### Mt Hampton Dam and Dulyalbin Tank Water Charges

Council are asked to note the Associations preference and will take into consideration during determinations for the fees and charges for 2019/2020.

## **Statutory Environment**

Nil

## **Strategic Implications**

Nil

## **Policy Implications**

Nil

## **Financial Implications**

Possible considerations in the 2019/2020 draft budget

## **Officer Recommendation**

### **RECOMMENDATION 1**

#### ***THAT COUNCIL:***

*Note correspondence from the Mt Hampton Progress Association.*

### **RECOMMENDATION 2**

#### ***THAT COUNCIL:***

*Endorse the removal of buildings and fences from the Mt Hampton School site, due to the presence of Asbestos Containing Materials and a deteriorating condition, with the exception of a monument rock, memorial structure, in ground water tanks and the netball/basketball court and oval.*

*And*

*Endorse, the Executive Manager Regulatory Services communicating and using the legislation available to request the Department of Planning, Lands and Heritage to undertake the works, with the Shire overseeing the operation and disposal.*

*And*

*In the event the Department of Planning, Lands and Heritage are not in a position to remove the buildings and fencing, request the Department to undertake some form of containment of the asbestos containing material.*

### **RECOMMENDATION 3**

#### **THAT COUNCIL:**

*Note the Mt Hampton Progress Associations request to have the existing asbestos tennis shed removed and replaced with a new shed with additional storage.*

*And*

*Endorse Shire staff to enter into discussions with the Mt Hampton Progress Association, in relation to the works required and the costs included, in order to explore funding arrangements, with any Shire contributions to be included in the 2019/2020 draft budget for Council consideration.*

### **RECOMMENDATION 4**

#### **THAT COUNCIL:**

*Note the Mt Hamptons Progress Association's request to locate the proposed Bush Fire Brigade appliance shed on the Mt Hampton Hall site, with the structure to be located near or behind the Hall, and endorse the Executive Manager Regulatory Services to liaise with the Association, should a grant for the shed be successful, in relation to the final position.*

### **RECOMMENDATION 5**

#### **THAT COUNCIL:**

*Note the Mt Hampton Progress Association's preference to keep the water charges for Mt Hampton Dam and Dulyalbin Tank water costs at the current rates, being \$0.67/Kilolitre and \$1.30/Kilolitre respectively, and to take into consideration during determinations for the fees and charges for 2019/2020.*

## Mt Hampton Progress Association

C/- Lara Kent

Secretary

RMB 9 Kent Road Bodallin WA 6424

kelvinlara@skymesh.com.au



7/4/2019

Peter Clarke

Chief Executive Officer

Shire of Yilgarn

PO Box 86

Southern Cross WA 6426

Dear Peter,

After Nic Warren contacted the Mt Hampton Progress Association asking for community feedback on a couple of matters, we decided to hold a meeting and therefore I write this letter to inform you of some of our outcomes.

The first matter was in relation to the future of the Mt Hampton School buildings. There was some support to retain both the smaller classroom, for historical purposes and the colorbond storage shed, as it currently houses the stage for the hall. However, after much deliberation we concluded that due to safety, maintenance and asbestos issues the best decision would be to take the Shire up on their offer to demolish all buildings. This would also extend to the Mt Hampton Tennis Club shed that has asbestos clad walls. Rather than have this shed re-clad, we discussed the possibility of the Shire funding the building of a new steel framed shed to incorporate more storage room, for the hall stage and other hall equipment that currently fills the disabled toilets inside the hall (making them unusable). This could also then allow the colorbond storage shed currently at the old school site to be disposed of. Before demolition proceeds, we would just need time to remove memorabilia etc. and obviously we would need somewhere to put the hall stage. With seeding almost upon us, it would just mean that we wouldn't be available to do this until sometime after June. One other very important factor to be considered in the demolition process is that we currently have a memorial on site for two past students who lost their lives in a bus crash back in 1982, that we would want preserved. There is also a monument rock that indicates when the school opened and when it officially closed, that would need to stay on site as well. If possible, it was also discussed that if the netball/basketball court and oval could stay intact, it would add to the memorabilia of the site.

The next matter we discussed was the proposed new Fire Brigade shed. Everyone agreed that if there was a new shed the preference would be to situate it near, or possibly behind the hall, rather than at the old school site. We would also like to retain the existing below ground concrete water tanks at the old school site for fire fighting water supply, however the existing fence would need to be upgraded for safety reasons. It was also felt that the bigger issue with the fire truck being housed at the hall, would be the lack of people currently qualified to operate it and willing to time commit to the training etc.

Finally, with regards to the water rates at the Dulyalbin tank and the Mt Hampton dam. It was decided that the water rates remain the same and that we would monitor any increase of out of district use, resulting from the increased stand pipe rates. If this was to occur, we would contact the Shire and consider other methods to combat this.

Thank you very much for your time Peter and hopefully we can work together to get a good outcome that we can all be happy with.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Lara Kent', with a stylized, cursive script.

Lara Kent  
Secretary  
MT Hampton Progress Association



## 9.5 Reporting Officer – Manager Community Services

### 9.5.1 Southern Cross Swimming Pool

|                               |                        |
|-------------------------------|------------------------|
| <b>File Reference</b>         | <b>4.1.7.12</b>        |
| <b>Disclosure of Interest</b> | <b>Nil</b>             |
| <b>Voting Requirements</b>    | <b>Simple Majority</b> |
| <b>Attachments</b>            | <b>Nil</b>             |

#### Purpose of Report

To endorse the timeline of the pool development project.

#### Background

Council has been granted \$700,000 from the Department of Local Government, Sport and Cultural Industries (DLGSC), towards the build of a new swimming pool in Southern Cross and the CSRFF grant agreement with DLGC has been signed.

The design tender has been formalised and advertised on 12 April 2019 with closing date of Tue 7 May 2019.

#### Comment

The CSRFF application contained the following timeline, which is condition of the grant and cannot be changed as the grant has to be acquitted by 15 June 2020.

|                      |  |
|----------------------|--|
| 13 April 2019        | Advertise Design Tender                          |
| 7 May                | Close Design Tender                              |
| 16 May 2019          | Present AND award design tender to Council       |
| 17 May - 7 June 2019 | Community Consultation / Information             |
| 7 June 2019          | Advertise Construction Tender                    |
| 27 June 2019         | Close Design Tender                              |
| 18 July 2019         | Present AND award Construction Tender to Council |
| 22 July 2019         | Signing of contract                              |
| 28 August 2019       | Commencement of site works                       |
| 05 September 2019    | Construction of project starts                   |
| 30 March 2020        | Anticipated completion date                      |
| 1 April – 1 May 2020 | Project hand over and acquittal                  |
| 1 Nov 2020           | Pool reopens                                     |

It is noted that Council is concerned about the circumstance of not having a swimming pool for a season and the effect it may have on the community. Unfortunately, this will be a necessary evil in order to construct a new facility for the community to be utilised many years thereafter.

It is proposed to inform the community of the project and its timeline via Crosswords and invite anyone to come to the Shire administration to view the plans, have input and express any concerns relating to the project.

The Manager Community Services will endeavour to find solutions to issues this may have on the community, e.g. such as swimming lessons.

### Statutory Environment

Nil

### Strategic Implications

Strategic Community Plan 2018-2028

Aligns with Strategic Community Plan to *"continue to provide and maintain high quality community infrastructure (recreation centre, oval, lawn bowls, tennis facilities, swimming pool, library, community centre, public halls).*

Corporate Business Plan 2018/19 to 2022/23

*"10 Year Strategic Priorities - New Public Swimming Pool"*

Schedule 11 – Recreation and Culture – Swimming Pool – Service Level - *"We will improve the Service Level by: Working towards a complete refurbishment of the pool and new built infrastructure"*

### Policy Implications

Council Policy Manual, Policy 3.5 Purchasing and tendering

### Financial Implications

Within 2018/19 budget allocations.

### Officer Recommendation

***That Council:***

- ***Endorses the timeline for the construction of the new pool as follows:***

|                                    |  |
|------------------------------------|--|
| <b><i>13 April 2019</i></b>        | <b><i>Advertise Design Tender</i></b>                          |
| <b><i>7 May</i></b>                | <b><i>Close Design Tender</i></b>                              |
| <b><i>16 May 2019</i></b>          | <b><i>Present AND award design tender to Council</i></b>       |
| <b><i>17 May - 7 June 2019</i></b> | <b><i>Community Consultation / Information</i></b>             |
| <b><i>7 June 2019</i></b>          | <b><i>Advertise Construction Tender</i></b>                    |
| <b><i>27 June 2019</i></b>         | <b><i>Close Design Tender</i></b>                              |
| <b><i>18 July 2019</i></b>         | <b><i>Present AND award Construction Tender to Council</i></b> |
| <b><i>22 July 2019</i></b>         | <b><i>Signing of contract</i></b>                              |
| <b><i>28 August 2019</i></b>       | <b><i>Commencement of site works</i></b>                       |
| <b><i>05 September 2019</i></b>    | <b><i>Construction of project starts</i></b>                   |
| <b><i>30 March 2020</i></b>        | <b><i>Anticipated completion date</i></b>                      |
| <b><i>1 April – 1 May 2020</i></b> | <b><i>Project hand over and acquittal</i></b>                  |
| <b><i>1 Nov 2020</i></b>           | <b><i>Pool reopens</i></b>                                     |

**10 APPLICATION FOR LEAVE OF ABSENCE**

**11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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

**13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS**

**14 CLOSURE**