



Shire of  
YILGARN

*“good country for hardy people”*

# *Council Meeting Agenda*

*18th July  
2019*

# SHIRE OF YILGARN NOTICE OF MEETING



Councillors:  
Please be advised that the

## **JULY 2019 ORDINARY MEETING OF COUNCIL**

Will be held in the Council Chambers on  
Thursday, 18<sup>th</sup> July 2019  
Commencing at **4pm**

### **COUNCILLORS PLEASE NOTE:**

- *The Draft Budget Workshop, to be held in the Council Chambers, will start at 12.30pm, lunch will be provided*
- *The Discussion Session will commence at 3pm*
- *The Ordinary meeting of Council will commence at 4pm*

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

12/07/2019

---

### **DISCLAIMER**

Please note this agenda contains recommendations which have not yet been adopted by Council. Any Plans or documents in agendas or minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material, as per the Copyright Act 1968.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including the resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Yilgarn must obtain, and should rely on, written notice of the Shire of Yilgarn's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done in a Council meeting.

Any advice provided by an employee of the Shire of Yilgarn on the operation of a written law, or the performance of a function by the hire of Yilgarn, is provided in the capacity of an employee, and to the best of the persons knowledge and ability. It does not constitute, and should not be relied upon, as legal advice or representation by the Shire of Yilgarn. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Yilgarn should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

## Table of Content

1 Declaration of Opening/Announcement of Visitors .....	3
2 Announcements from the Presiding Member .....	3
3 Attendance .....	3
4 Declaration of Interest .....	3
5 Public Question Time .....	3
6 Confirmation of Minutes .....	3
7 Presentations, Petitions, Deputations .....	4
8 Delegates' Reports .....	4
9 Officers' Reports .....	5
9.1. Chief Executive Officer .....	5
<b>9.1.1 Chief Executive Officer Annual Performance Appraisal .....</b>	<b>5</b>
<b>9.1.2 Regional Early Education and Development Inc. (REED)</b>	
<b>Yilgarn Child Care Centre .....</b>	<b>11</b>
9.2 Executive Manager Corporate Services .....	14
<b>9.2.1 Financial Reports .....</b>	<b>14</b>
<b>9.2.2 Accounts for Payment .....</b>	<b>16</b>
<b>9.2.3 Convene a Special Meeting of Council .....</b>	<b>18</b>
9.3 Executive Manager Infrastructure .....	20
<b>9.3.1 Regional Road Group Five Year Road Construction Program .....</b>	<b>20</b>
9.4 Executive Manager Regulatory Services .....	24
<b>9.4.1 Clearing Permit-Marda Operations Pty Ltd</b>	
<b>Marda Gold Project .....</b>	<b>24</b>
<b>9.4.2 Proposed Subdivision of Lot 44 Spica Street, Southern Cross .....</b>	<b>29</b>

<b>9.4.3 Development Application 58-60 McInnes Street, Moorine Rock</b>	<b>33</b>
<b>9.4.4 Development Application 22 Great Eastern Highway</b>	<b>41</b>
<b>9.4.5 Rural Landfill Policy</b>	<b>50</b>
9.5 Manager Community Services	54
<b>9.5.1 Yilgarn Motor Enthusiasts Funding Agreement Renewal</b>	<b>54</b>
10 Application for leave of absence	58
11 Motions for which previous notice has been given	58
12 New business of an urgent nature introduce by decision of the meeting	58
13 Meeting closed to the public-Confidential Items	58
14 Closure	58



## 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 Cr B Close Cr G Guerini Cr P Nolan Cr D Pasini Cr S Shaw	Deputy President
Council Officers	P Clarke C Watson R Bosenberg N Warren J Gemund L Della Bosca	Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Executive Manager Regulatory Services Manager Community Services Minute Taker

Apologies:

Observers:

Leave of Absence:

## 4. DECLARATION OF INTEREST

## 5. PUBLIC QUESTION TIME

## 6 CONFIRMATION OF MINUTES

### 6.1 Ordinary Meeting of Council, Thursday 20 June 2019 - (Minutes Attached)

#### Recommendation

**That the minutes from the Ordinary Council Meeting held on the 20<sup>th</sup> June 2019 be confirmed as a true record of proceedings.**

**Voting Requirements:** Simple Majority

6.2 Wheatbelt East Regional Organisation of Councils meeting (WE-ROC) - Wednesday 26<sup>th</sup> June 2019- (Minute Attached)

Great Eastern Country Zone meeting (GECZ)-Thursday 27<sup>th</sup> June 2019-(Minutes Attached)

Central East Aged Care Alliance (CEACA), Special General Committee Meeting, Wednesday 3<sup>rd</sup> July 2019- (Minute Attached)

Central East Aged Care Alliance (CEACA) Special Committee Meeting, Wednesday 3<sup>rd</sup> July 2019-(Minutes Attached)

Recommendation

**That the minutes from the WEROC meeting, GECZ meeting, CEACA Special General Committee meeting and the CEACA Special Committee meeting be received.**

**Voting Requirements:** Simple Majority

**7. PRESENTATIONS, PETITIONS, DEPUTATIONS**

**8. DELEGATES' REPORTS**

## 9 OFFICERS REPORTS

### 9.1 Officers Report – Chief Executive Officer

#### 9.1.1 Chief Executive Officer Annual Performance Appraisal

<b>File Reference</b>	<b>1.1.10.129</b>
<b>Disclosure of Interest</b>	<b>P Clarke (CEO and Author of Report)</b>
<b>Voting Requirements</b>	<b>Subject to Council Decision</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To advise Council of the requirement to conduct the CEO's Annual Performance Appraisal.

#### Background

As per the CEO's Contract of Employment, a Performance Appraisal is required to be conducted annually against the set Performance Criteria, which was determined upon the CEO's commencement on 20 August 2018.

#### Comment

In accordance with the Contract of Employment, Council needs to consider whether the Review is:-

- conducted by the whole of Council;
- by a Committee to which the conduct of the performance review has been delegated by the Council under section 5.16 of the *Act*; or
- a person or body who has been authorised by the Council to conduct the performance review.

The CEO has prepared a report in response to the Criteria and this will be circulated to Councillors for assessment prior to the date set for the Review.

Council could conduct the Review prior to the commencement of the Briefing Session at Council's August 2019 Ordinary meeting scheduled for Thursday, 15 August.

The CEO would have no objections to Council undertaking the Review in-house however, should Council wish to engage the services of an independent Consultant to assist with the review process, the proposed date of 15 August 2019 should allow sufficient time to engage a Consultant's services.

## Statutory Environment

*Extract from the CEO's Contract of Employment*

### 4.2 Performance Criteria and Performance Review

Your performance under this Contract, must be reviewed and determined by the Reviewer –

- (a) by reference to the Performance Criteria;
- (b) at least annually; and
- (c) more frequently if the Council or You perceives there is a need to do so and, in that case, gives to the other party a Review Notice.

### 4.3 Selection of Reviewer

- (a) The Council, in consultation with You, is to determine, in respect of each review under clause 4.2 -
  - (i) who the Reviewer is to be; and
  - (ii) whether the Reviewer is to be accompanied or assisted by any other person and, if so, the identity of that person.
- (b) For example, the Reviewer may be –
  - (i) the Council;
  - (ii) a committee to which the conduct of the performance review has been delegated by the Council under section 5.16 of the Act; or
  - (iii) a person or body who has been authorised by the Council to conduct the performance review.
- (c) For the avoidance of doubt, if the Council and You are unable to agree on any of the matters set out in clause 4.3(a), the Council is to make the relevant determination.

*Extract from the Local Government Act 1995*

### 5.16. Delegation of some powers and duties to certain committees

- (1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.

*\* Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

- (3) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
- (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
  - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.
- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

#### **5.17. Limits on delegation of powers and duties to certain committees**

- (1) A local government can delegate —
- (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
    - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
    - (ii) any other power or duty that is prescribed;and
  - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
  - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
    - (i) the local government's property; or
    - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

#### **Strategic Implications**

Nil

#### **Policy Implications**

Staff Policy Manual – Policy 7.15 “Relating to CEO Performance Review”

#### **PURPOSE:**

This policy provides a framework and guidance for the CEO performance review. It is designed to ensure a consistent and fair approach is used where the format and assessment criteria are known in advance.

**TIMING:**

The CEO performance review is to be conducted in August each year unless otherwise agreed by the CEO and the Council and recorded in the minutes of a meeting.

**DELEGATION:**

The Council will conduct the CEO performance review. The number of councillors to conduct the review are those that attend at the set time. The President is to Chair the interview unless other arrangements are agreed between the Councillors present and the CEO prior to the interview commencing.

The Council reserves the right to delegate the performance review to a committee, panel or single person provided that the decision to do so has been passed at a council meeting and has the written agreement of the CEO.

**OUTSIDE ASSISTANCE:**

If the Council is of the view that it requires the assistance of a consultant or other outside expertise for any particular appraisal interview, the Council can select a person for this purpose provided that the council has the written agreement of the CEO to the person selected.

*CEO Performance Agreement*

The Council is to use the CEO Performance Agreement as the basis for the assessment. The Council is to draw up the CEO Performance Agreement for the next following review period as part of its task. The CEO Performance Agreement is to contain the following:

- Performance Indicators
- Performance Targets
- Timeframe
- Performance Measure

For ease of assessment the Council shall break down the performance indicators into Key Result Areas. These key result areas may be consistent each year or amended by the Council with the agreement of the CEO.

*CEO Report*

The CEO is required to submit a Review Report against each performance indicator using the performance measure as evidence. The report is to say whether the performance targets have been reached within the specified timeframe and the affect these have had on the performance of the organisation. If the performance targets have not been reached the report is to include an explanation.

*Appraisal Report*

The Council is to use the CEO Review Report as the base for its assessment. For each Performance Indicator the Council will either:

- Accept the report of the CEO or
- Amend the report in part

The complete Review Report of the CEO, together with any amendments made by the Council at interview shall become the Appraisal Report and be submitted to a Council meeting for formal adoption.

#### *Appraisal Interview*

At the appraisal interview the Councillors present are to consider the report of the CEO against each of the Performance Indicators. The Councillors will use their judgment to decide whether it considers that the CEO Report is an accurate reflection of whether the CEO has reached the performance targets.

If the Councillors present are not satisfied on the basis of the evidence and the report that the performance targets have been reached, they shall discuss this with the CEO. The discussions shall have regard to the "Description" of the Key Result Area and the "Dominant Skills/Expertise" requirements for that particular Key Result Area contained in the Performance Agreement.

#### *Satisfaction Measure*

In using their judgment, the Councillors present shall take the view of whether a "reasonable person" would be satisfied that the performance targets have been reached. It is open to the Councillors present to make recommendations to the CEO regarding his or her performance and any improvements that are required for the forthcoming review period.

#### **REPORT TO COUNCIL:**

Once the performance appraisal has been completed the Shire President and/or consultant (with the assistance of the CEO) is to submit the Appraisal Report to council for formal adoption.

At the same time a draft of a Performance Agreement for the forthcoming review period is to be submitted for adoption. It is open to the council to make changes to the draft performance agreement before adoption provided that the CEO agrees to the changes and the minutes of the meeting record this.

#### **LEGAL IMPLICATIONS:**

This policy replaces the appraisal process described in the CEO's contract of employment. The submission of this policy to the council for consideration constitutes the CEO's agreement to the policy.

Once adopted the Appraisal Report has industrial relations implications.

#### **Financial Implications**

Should Council wish to engage the services of an independent Reviewer, there would be cost implications.

### **Officer Recommendation**

***That Council conducts the Chief Executive Officer's annual Performance Review in-house with the whole of Council participating and that it be held prior to the Council Briefing Session on Thursday, 15 August 2019 commencing at 2.00pm***



## 9.1 Officers Report – Chief Executive Officer

### 9.1.2 Regional Early Education and Development Inc. (REED) – Yilgarn Child Care Centre

<b>File Reference</b>	<b>2.4.1.14 &amp; 1.3.3.3</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Lease Agreement – Yilgarn Child Care Centre</b>

#### Purpose of Report

To present to Council the negotiated Lease Agreement between the Shire of Yilgarn and Regional Early Education and Development Inc. (REED) to utilise the Yilgarn Child Care Centre.

#### Background

At the June 2019 Ordinary meeting Council resolved the following in respect to the above matter:-

**88/2019**

***Moved Cr Guerini/Seconded Cr Shaw***

***That Council advises the Regional Early Education and Development Inc. (REED) that it is prepared to support the continuation of child care services in Southern Cross under the following terms and conditions with the CEO and Executive Manager Regulatory Services negotiating the following: -***

- 1. Initially, Council enters into a 5 year peppercorn lease with an option to renew for a further 5 years with REED for the continued use of the building and grounds at 43 Spica Street, Southern Cross, WA, 6426 for the purpose of providing an early education and care service (and related family and community support services);***
- 2. That REED and the Shire of Yilgarn enter into an agreement regarding the maintenance of the building and grounds;***
- 3. That Council advises REED that it is prepared to commit to the annual financial contribution previously provided to the Yilgarn Occasional Child Care Centre Incorporated on the proviso that this amount is acquitted annually with any reported surpluses from these funds being quarantined for enhancement of Regional Early Education and Care in the Yilgarn district.***
- 4. That Council provides the residence at the rear of 11 Antares Street for the purpose housing REED's Child Care employee at a nominal rental.***

**CARRIED (7/0)**

### Comment

Based on the above resolution, the CEO and Executive Manager Regulatory Services have now negotiated with REED what is deemed to be a satisfactory Lease Agreement.

REED's Chairperson, Ms Helen Creed, has now signed the Agreement (see attachment) in anticipation of Council endorsing the Agreement through the Shire President and CEO executing the Agreement with Council's Common Seal.

### Statutory Environment

Formal Lease Agreement for use of the Yilgarn Child Care Centre.

### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2016-2026 – Social – An inclusive and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term – Continue to provide child care facilities within the community.

### Policy Implications

Council Policy 1.4 – Use of Council's Common Seal

#### **OBJECTIVE:**

The policy sets out the wording to apply to the use of the Common Seal.

#### **POLICY:**

The President and CEO have delegated authority to execute and affix the Common Seal to documents (Delegation LGA13)

#### **PROCESS:**

1. For official documents which require the common seal of the Shire to be affixed, the seal shall be accompanied by the following wording:-

"The Common Seal of the Shire of Yilgarn was hereto affixed by authority of Council."

Shire President

Chief Executive Officer

(Noting that the Deputy Shire President and Executive Manager Corporate Services can proxy in the absence of the respective principal person)

2. For use on ceremonial occasions (i.e.: Certificates of Appreciation, etc.) or where there is no legal requirement to affix the seal to a document, the Shire President and Chief Executive Officer are authorised to decide how best to affix the seal and (if need be) sign the document on the Shire's behalf.

### Financial Implications

Commitment to the provision of an annual \$7,000 financial contribution.

### Officer Recommendation

*That in accordance with Council Policy 1.4, Council authorises the Shire President and CEO to sign the Lease Agreement between the Shire of Yilgarn and Regional Early Education and Development Inc. (REED), for use of the Yilgarn Child Care Centre for the ongoing provision of Child Care Services as per the conditions contained within the Agreement and that the Shire of Yilgarn's Common Seal be affixed to the Lease document.*

## 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 30<sup>th</sup> June 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 30<sup>th</sup> June 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>See attachment 9.2.2</b>

#### Purpose of Report

To consider the Accounts for Payment

#### Background

Municipal Fund – Cheque Numbers 40798 to 40808 totalling \$11,437.47, Municipal Fund-EFT Numbers 8899 to 9010 totalling \$464,656.49, Municipal Fund – Cheque Numbers 1522 to 1528 totalling \$171,835.83, Municipal Fund Direct Debit Numbers 13691.1 to 13737.11 totalling \$40,859.31, Trust Fund 402425 to 402427 totalling \$3,441.65 and Trust Fund – Cheque Numbers 6181 to 6183 (DPI Licensing), totalling \$45,159.65 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 40798 to 40808 totalling \$11,437.47, Municipal Fund- EFT Numbers 8899 to 9010 totalling \$464,656.49, Municipal Fund – Cheque Numbers 1522 to 1528 totalling \$171,835.83, Municipal Fund Direct Debit Numbers 13691.1 to 13737.11 totalling \$40,859.31, Trust Fund 402425 to 402427 totalling \$3,441.65 and Trust Fund – Cheque Numbers 6181 to 6183 (DPI Licensing), totalling \$45,159.65 are presented for endorsement as per the submitted list.*

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.3 Convene a Special Meeting of Council

<b>File Reference</b>	<b>8.2.5.4</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 convene a Special Meeting of Council with the purpose of adopting the 2019/2020 Statutory Budget.

#### Background

Council is to endorse and adopt a budget for the operations of Council annually and no later than 30<sup>th</sup> August of any given year.

#### Comment

It is intended to call a Special Meeting of Council, to be held on Monday the 5<sup>th</sup> of August commencing at 4:00pm for the purpose of adopting the 2019/2020 Statutory Budget and associated ancillary items.

#### Statutory Environment

Local Government Act 1995 –

#### 5.3. Ordinary and special council meetings

- (1) *A council is to hold ordinary meetings and may hold special meetings.*
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

#### 5.4. Calling council meetings

An ordinary or a special meeting of a council is to be held —

- (a) if called for by either —
  - (i) the mayor or president; or
  - (ii) at least  $\frac{1}{3}$  of the councillors,
 in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- (b) *if so decided by the council.*



## **5.5. Convening council meetings**

- (1) The CEO is to convene an ordinary meeting by giving each council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.
- (2) *The CEO is to convene a special meeting by giving each council member notice, before the meeting, of the date, time, place and purpose of the meeting.*

The recommendation that follows is consistent with the legislative requirements.

### **Strategic Implications**

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

### **Policy Implications**

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

### **Financial Implications**

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

### **Officer Recommendation**

*That Council approves the calling of the following Special Meeting of Council:*

- *Monday, 5<sup>th</sup> of August 2019 commencing at 4:00pm with the purpose of adopting the 2019/2020 Statutory Budget and associated ancillary items*

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.1 Regional Road Group Five Year Road Construction Program

<b>File Reference</b>	<b>1.6.21.10 &amp; 6.1.2.11</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>One</b>

#### Purpose of Report

Regional Road Group Five-Year Road Construction Program – 2020/2021 – 2024/2025

#### Background

Annually Council is required to review its Regional Road Group Construction Program and submit the program to the Regional Road Group if Council is to be successful in receiving road-funding grants.

Main Roads Western Australia in conjunction with Regional Road Group has requested that a five year program is submitted from each council.

Roads included in the Five Year Road Works Program, are roads identified by council and Roads 2030 Regional Road Group Development Strategy as Strategic Routes within the Shire of Yilgarn. These roads are categorised as Regional Distributor Roads *priority "A and B"*, Local Distributor Roads *priority "B"* and Local Access Roads *priority "C"*.

All roads nominated as Strategic Routes by Councils within the Regional Road Groups are subjected to a Multi Criteria Assessment with points scored on different characteristics of road treatment types i.e. preservation or new construction, intending road type, drainage, safety, school bus routes, heavy haulage routes, alignments and traffic data. The higher the score the better the chances are of achieving maximum funding.

Traffic data is an important component of the Multi Criteria Assessment scoring system as it justifies the type of road to be constructed. Traffic data picked up by Traffic Classifiers must include Vehicle Class, Average Daily Traffic and Estimated Standard Axle.

Average Daily Traffic (ADT) is the average daily traffic in both directions determined by dividing total traffic count by duration i.e.  $ADT = 540 \text{ (total vehicles)} \div 30 \text{ (total days)} = 18 \text{ vehicles/day}$ .

Estimated Standard Axle category is an important element of the Multi Criteria Assessment. The breakdown of AUSTROADS Vehicle Classes data collected during traffic counts not only identifies heavy haulage routes but also calculates the axle loading on road pavement which assists with road type and pavement designs.

As shown in the table below, Regional Road Groups have adopted road standards that are appropriate for roads of regional significance, based on traffic volumes and estimated axel loadings.

Road Type	2	3	4	5	6	7
Description	Formed	Gravel	<7 metre Seal	>7 metre Seal	8 - 9 metre Seal	Sealed With passing lanes
ADT range	0 - 30	31 - 50	51 - 100	101 - 500	501 - 1000	> 1000
ESA range	0 - 5	6 - 20	21 - 40	41 - 60	> 60	> 60

If the Average Daily Traffic (ADT) and average daily Estimated Standard Axle (ESA) values apply to different road types, then the higher standard of road is adopted i.e. if a road has an ADT count of 33 and an ESA count of 22 then a road type 4 would be appropriate.

To achieve maximum value from traffic counts, traffic counts are carried out from October through to February (Peak Season) during the grain harvesting season when the movement of heavy vehicles is at a high.

### Comment

Councilors should be aware that the funding figures which are shown in the Five Year Construction Program (Appendix 1) are subject to change. If funding figures are reduced or increased then the percent amount that the funding figures are reduced or increased will reflect on each construction/bitumen sealing programs both through the cost estimated figure and distance. This is a working document and is reviewed annually.

In the Five Year Construction Program, there is a requirement for councils to allocate a percentage of funding to preservation works (bitumen reseals, reconstruction to same standard, unsealed shoulder refurbishment) and a percentage of funding to construction works (upgrading existing gravel roads to a sealed standard or reconstruction to a higher standard road).

In the attached Five Year Program, averaged over the five-year period 49% has been allocated to preservation works and the remaining 51% has been allocated to construction works.

Following is an overview of roads identified under the Roads 2030 Regional Road Group Development Strategy as strategic routes which have been included in the updated Regional Road Group Five Year Construction Program.

#### **Koolyanobbing Road** (*Regional Distributor Priority A*)

Works on the Koolyanobbing Road include the continuation of upgrade to eight metre prime seal (*construction*) and bitumen resealing (*preservation works*) as shown in the attached program (2020/21 – 2023/24)

Traffic counts on the Koolyanobbing Road taken in October 2018 through to December 2018 has shown an Average Daily Traffic Count of 80 and an Estimated Daily Axle Loading of 172

#### **M40 Road** (*Regional Distributor Priority A*)

Works on the M40 Road include the completion of the remaining nine kilometers second coat bitumen seal (*preservation works*) from SLK 9 and to be completed in 2022/2023 at SLK 0.0.

Traffic counts on the M40 taken in October 2018 through to December 2018 has shown an Average Daily Traffic Count of 57 and an Estimated Daily Axle Loading of 63

**Moorine South Road** (*Local Distributor Priority B*)

Works on the Mooring South Road include second coat bitumen seal (*preservation works*) from SLK 16.5km to 64.5km. There is also works programmed in 2023/2024 to construct to prime seal standard from SLK 64.5 – 67.5

Traffic counts on Mooring South Road taken in October 2018 through to December 2018 has shown an Average Daily Traffic Count of 66 and an Estimated Daily Axle Loading of 66

**Marvel Loch Forrestania Road** (*Access Road Priority B*)

Works on Marvel Loch Forrestania Road included reconstruction of existing 6 metre out to a seven metre seal, these works are not programmed until 2024/2025

Traffic counts on Marvel Loch Forrestania Road taken in November 2018 through to December 2018 has shown an Average Daily Traffic Count of 79 and an Estimated Daily Axle Loading of 20

**Statutory Environment**

Nil

**Strategic Implications**

2030 Regional Road Group Five Year Road Construction Program and Forward Capital Works Plan

**Policy Implications**

Nil

**Financial Implications**

Funding for 2030 Regional Roadworks Programs is proportion one third Council Funding and two thirds Main Roads State Roads Funding to Local Government Agreement

**Officer Recommendation**

***That Council adopts the extended Five Year 2020/2021 – 2024/2025 Regional Road Group Roadworks Program as the attached Appendix one***

# APPENDIX ONE

SHIRE OF YILGARN								
2020/21 - 2024/25 Regional Road Group five Year Roadworks Program								
Road Name	Year	SLK Start	SLK End	Length km	Work	Grants	Funding Shire	Total
2020/2021	1							
Koolyanobbing Rd		11.0	14.0	3.0	Construct & prime	\$ 402,375.00	\$ 201,187.50	\$ 603,562.50
Koolyanobbing Rd		8.0	11.0	3.0	10mm Reseal	\$ 68,117.00	\$ 34,058.50	\$ 102,175.50
Moorine South Rd		16.5	24.5	8.0	10mm Reseal	\$ 180,265.00	\$ 90,132.50	\$ 270,397.50
M40		3.0	9.0	6.0	10mm Reseal	\$ 129,551.00	\$ 64,775.50	\$ 194,326.50
					Annual Total	\$ 780,308.00	\$ 390,154.00	\$ 1,170,462.00
2021/2022	2							
Koolyanobbing Rd		14.0	17.0	3.0	Construct & prime	\$ 412,434.00	\$ 206,217.00	\$ 618,651.00
Koolyanobbing Rd		11.0	14.0	3.0	10mm Reseal	\$ 69,819.00	\$ 34,909.50	\$ 104,728.50
Moorine South Rd		24.5	35.0	10.5	10mm Reseal	\$ 242,501.00	\$ 121,250.50	\$ 363,751.50
M40		-	3.0	3.0	10mm Reseal	\$ 69,286.00	\$ 34,643.00	\$ 103,929.00
					Annual Total	\$ 794,040.00	\$ 397,020.00	\$ 1,191,060.00
2022/2023	3							
Koolyanobbing Rd		-	2.5	2.5	Construct & prime	\$ 361,656.00	\$ 180,828.00	\$ 542,484.00
M40		-	3.0	3.0	10mm Reseal	\$ 71,562.00	\$ 35,781.00	\$ 107,343.00
Koolyanobbing Rd		14.0	17.0	3.0	10mm Reseal	\$ 71,562.00	\$ 35,781.00	\$ 107,343.00
Moorine South Rd		35.0	48.0	13.0	10mm Reseal	\$ 307,744.00	\$ 153,872.00	\$ 461,616.00
					Annual Total	\$ 812,524.00	\$ 406,262.00	\$ 1,218,786.00
2023/2024	4							
Moorine South Rd		64.5	67.5	3.0	Construct & prime	\$ 433,312.00	\$ 216,656.00	\$ 649,968.00
Koolyanobbing Rd		-	2.5	2.5	10mm Reseal	\$ 62,175.00	\$ 31,087.50	\$ 93,262.50
Moorine South Rd		48.0	61.0	13.0	10mm Reseal	\$ 315,432.00	\$ 157,716.00	\$ 473,148.00
					Annual Total	\$ 810,919.00	\$ 405,459.50	\$ 1,216,378.50
2024/2025	5							
Marvelloch Forrestania Rd		-	3.0	3.0	Construct & prime	\$ 444,144.00	\$ 222,072.00	\$ 666,216.00
Moorine South Rd		61.0	67.5	6.5	10mm Reseal	\$ 161,658.00	\$ 80,829.00	\$ 242,487.00
Parker Range Rd		-	5.0	5.0	10mm Reseal	\$ 181,980.00	\$ 90,990.00	\$ 272,970.00
					Annual Total	\$ 787,782.00	\$ 393,891.00	\$ 1,181,673.00
					Total	\$ 3,985,573.00	\$ 1,992,786.50	\$ 5,978,359.50

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.1 Clearing Permit – Marda Operations Pty Ltd – Marda Gold Project

<b>File Reference</b>	<b>7.2.1.21</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>- Correspondence from Department of Mines, Industry Regulation and Safety</b> <b>- Photomap</b> <b>- Natmap</b>

#### Purpose of Report

To endorse comments to the Department of Mines, Industry Regulation and Safety, regarding the issuing of a clearing permit for Marda Operations Pty Ltd at the Marda Gold Project.

#### Background

The Shire is in receipt of correspondence from the Department of Mines, Industry Regulation and Safety (DMIRS), relating to a clearing permit sought by Marda Operations Pty Ltd at the Marda Gold Projects, located on Mining Leases 77/394, 77/646, 77/931, 77/962 and Miscellaneous Licences 77/239, 77/240.

The applicants are seeking to clear 165 hectares of land on their lease for mineral production. The land to be cleared is located approximately 115 kilometres North of the Southern Cross townsite, in the vicinity of the intersection of the Bullfinch Evanston Road and the Mount Jackson Road.

#### Comment

DMIRS have not provided any information indicating there are issues with threatened ecological species, and as such, it is the reporting officer's opinion, Council should advise DMIRS, there are no objections from the Shire of Yilgarn to the issuing of the permit.

#### Statutory Environment

Environmental Protection Act 1986

#### 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 endorse the following response to the Department of Mines, Industry Regulation and Safety:***

***The Shire of Yilgarn holds no objections to the issuing of clearing permit CPS 6197/5 to Marda Operations Pty Ltd for the Marda Gold Project on Mining Leases 77/394, 77/646, 77/931, 77/962 and Miscellaneous Licences 77/239, 77/240.***



Our Ref:  
Enquiries  
Fax  
Email

A1506/201401 - CPS 6197/5  
Heather Johnson – Ph: 08 9222 3614  
08 9222 3860  
[nvab@dmirs.wa.gov.au](mailto:nvab@dmirs.wa.gov.au)

Chief Executive Officer  
Shire of Yilgarn

[ceo@yilgarn.wa.gov.au](mailto:ceo@yilgarn.wa.gov.au)

Dear Sir/Madam

**Application to amend a previously granted Clearing Permit under the *Environmental Protection Act 1986***

The Department of Mines, Industry Regulation and Safety has received the following application to amend a previously granted clearing permit under the *Environmental Protection Act 1986* (the Act):

<b>Permit Holder:</b>	Marda Operations Pty Ltd – Marda Gold Project
<b>Permit Type:</b>	Purpose Permit
<b>Tenements:</b>	Mining Leases 77/394, 77/646, 77/931, 77/962; Miscellaneous Licences 77/239, 77/240
<b>Purpose:</b>	Mineral Production
<b>Area (ha):</b>	165 ha
<b>Shire:</b>	Shire of Yilgarn
<b>Clearing Permit System (CPS) No:</b>	6197/5
<b>Amendment requested:</b>	<ul style="list-style-type: none"><li>• To amend the permit boundary</li><li>• To change company name</li></ul>

In accordance with sub-section 51E(4) of the Act, on behalf of the General Manager Environmental Compliance, Resource and Environmental Compliance Division, I consider that you may have a direct interest in the subject matter of the application and invite your comment on the proposal. The General Manager Environmental Compliance, Resource and Environmental Compliance Division, will then, after having taken into account any comments received and subject to sections 51O and 51P, either grant the amended clearing permit (including any specified conditions) or refuse to grant the amendment.

Enclosed are maps indicating the amended application area. Please forward your submission to the above address within 21 days from the **Monday, 1 July 2019**, quoting CPS 6197/5.

If you have any queries regarding this matter, please contact Heather Johnson in the Department's Resource and Environmental Compliance Division, as above, for further information.

Yours sincerely

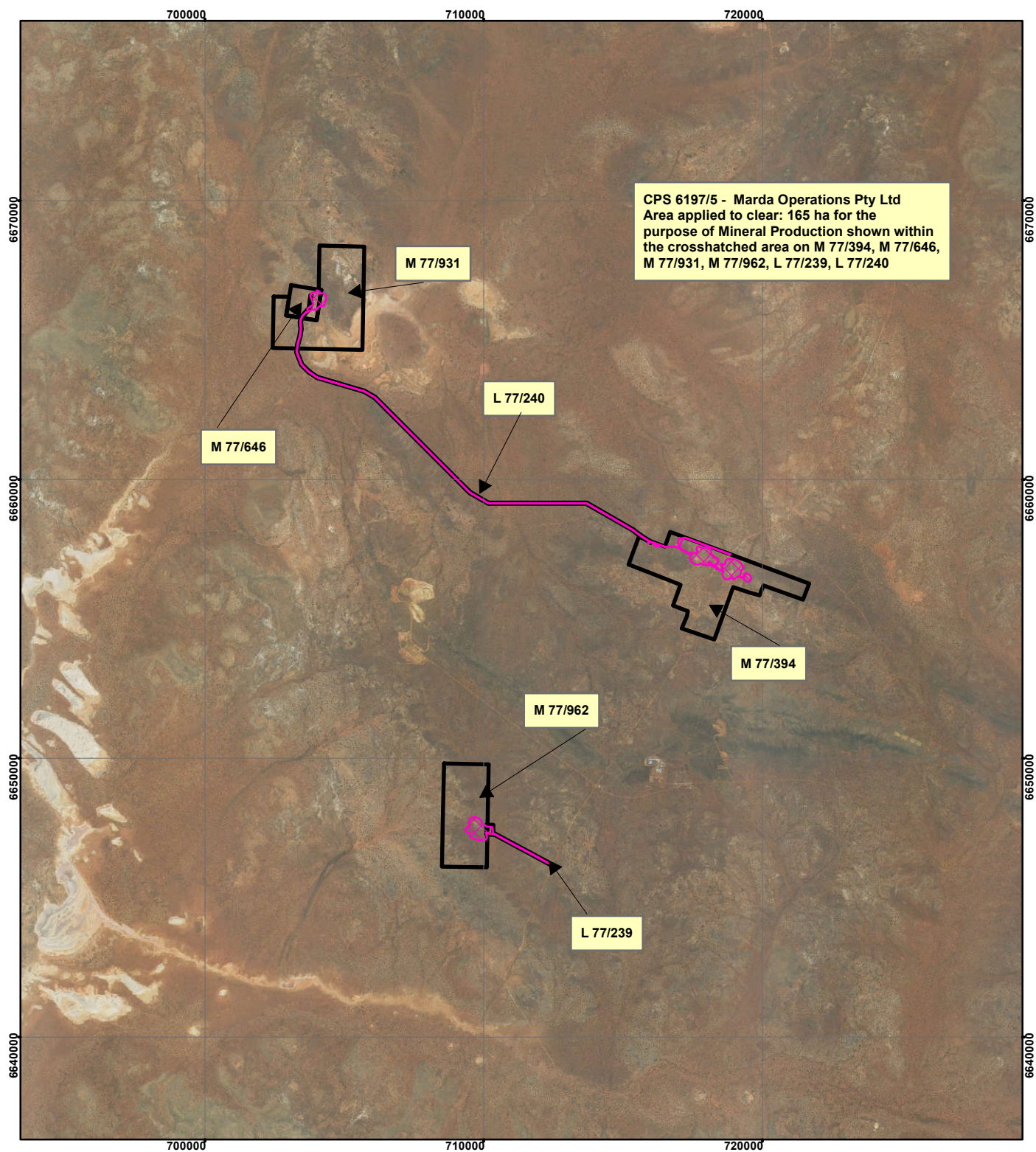
*Daniel Endacott*

Daniel Endacott  
General Manager Environmental Compliance  
Resource and Environmental Compliance Division



28 June 2019

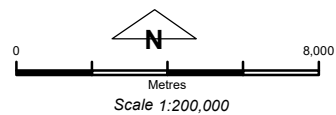


# CPS 6197/5 - Marda Operations Pty Ltd



## Legend

-  Clearing Instruments
-  Mining Tenements



Geocentric Datum Australia 1994

*Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.*

..... Date .....

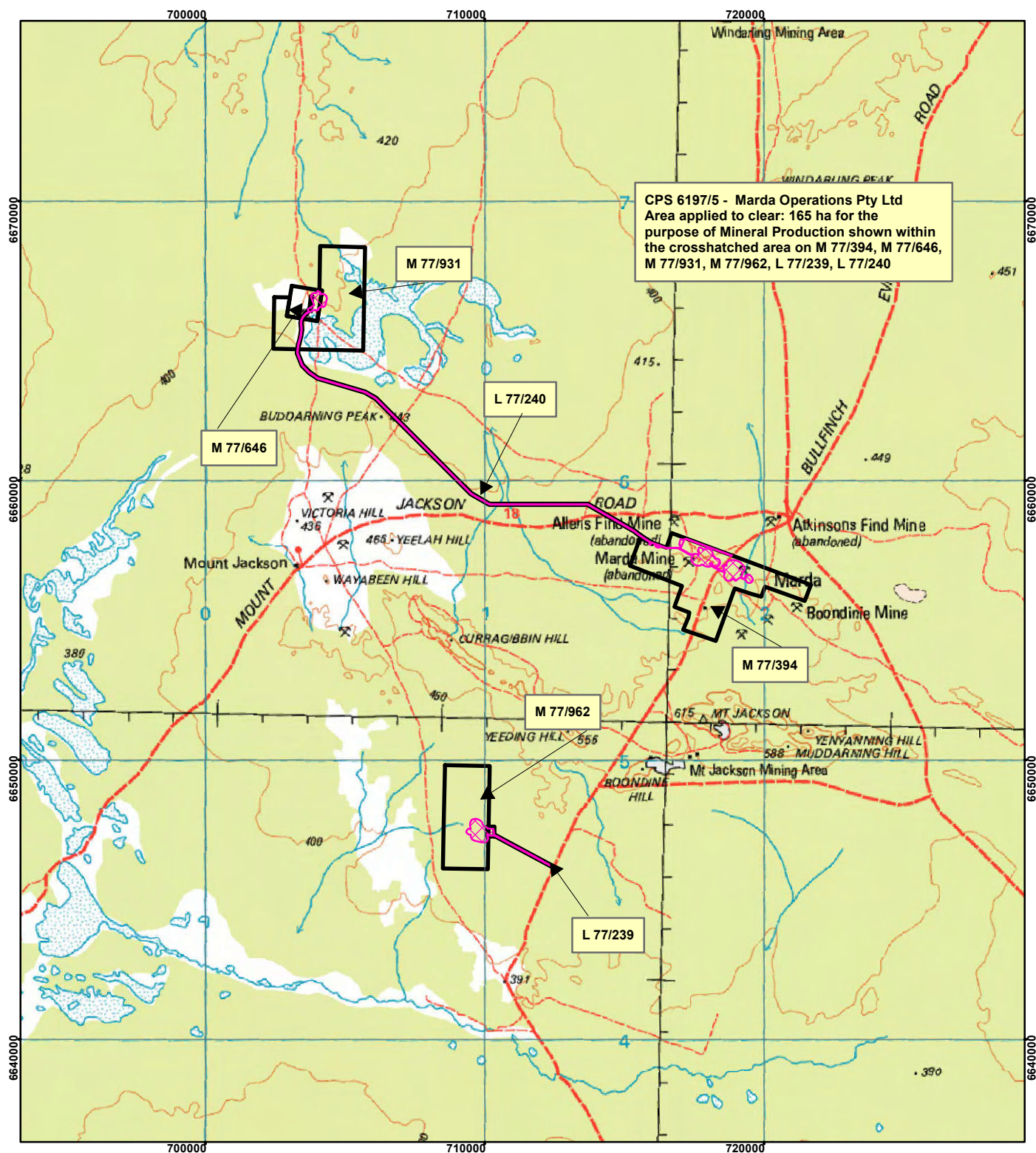
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.





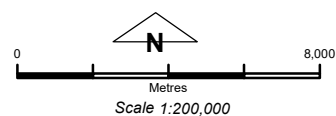


# CPS 6197/5 - Marda Operations Pty Ltd



## Legend

-  Clearing Instruments
-  Mining Tenements



Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

..... Date .....

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.2 Proposed Subdivision of Lot 44 Spica Street, Southern Cross

<b>File Reference</b>	<b>3.1.4.1</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Layout Plan</b>

#### Purpose of Report

To consider a request for comment in relation to the subdivision of Lot 44, (16) Spica Street Southern Cross.

#### Background

The Shire of Yilgarn is in receipt of correspondence from the owner of Lot 44 (16) Spica Street, Southern Cross, requesting Council's comments/consent to the subdivision of their property.

As directed by the Executive Manager Regulatory Services, the owner contacted the Western Australia Planning Commission (WAPC), whom handle subdivisions in Western Australia, with the WAPC providing the following response:

*Thank you for your enquiry on 2 July 2019 regarding the subdivision potential of Lot 44 (No.16) Spica Street, Southern Cross (the subject site) to enable the creation of separate titles for each existing dwelling. In determining subdivision applications, the Western Australian Planning Commission (WAPC) takes into account the requirements of the state planning framework and the local planning scheme.*

*The subject site is zoned Commercial under the Shire of Yilgarn Local Planning Scheme No.2 (LPS 2). Within the Commercial zone, residential land uses including a single house and grouped dwelling are generally not permitted unless development approval is granted from the local government. It is understood, however, that the residential land use is an existing situation, and therefore may have 'non-conforming use rights' in accordance with Part 7 of LPS 2.*

*As part of the subdivision assessment process, the WAPC refers applications to the relevant local government and servicing authorities for comment. Due regard is given to the recommendation of the local government, which would relate to whether the subdivision is supported, given that LPS 2 does not contain any provisions relating to the subdivision of Commercial land, and may address whether the existing residential uses can continue to operate within the Commercial zone. This may depend on the current supply of commercial zoned land in Southern Cross, and the potential for land use conflicts to arise in the future.*

*Accordingly, it is recommended that you enquire with the Shire of Yilgarn to ascertain whether the Shire is prepared to support the subdivision of the subject site.*

*Should you wish to proceed with a lodgement of a formal application to the WAPC, you may wish to engage the services of a licensed surveyor or planning consultant to assist with the subdivision process.*

The site is located in the commercial zone as per the Shire of Yilgarn Town Planning Scheme 2 (TPS2). The site currently contains two residential dwellings but only has one shared sewer connection point.

The current lot size is 1012 m<sup>2</sup>, with the proposed separate lots estimated to be approximately 506 m<sup>2</sup>.

A layout plan of the lot is provided as an attachment.

### Comment

As detailed above, the site is zoned “commercial” and has “non-conforming use rights”, meaning that at the time the land was zoned “commercial”, the subject lot was already a residential use, and can continue as residential use until such time as the residence is removed.

Unlike residentially zoned land, where a minimum lot size is determined by the zoning code applied to each lot, commercial land has no zoning code and therefore no minimum lot size, and therefore Council has discretion to consent to any commercial lot size.

The Council must determine if subdivision of the land will adversely affect the amenity of the area and/or create land conflict issues.

There currently exists two street access points, and as such access to separate lots would not be an issue.

It is thought that as the land use is not changing from what is existing and that no development upon the land is proposed, and in essence, is purely a land title change that will occur, it is thought there will be no adverse effects by consenting to the subdivision.

In addition, any future residential developments will require approval from Council, allowing control of any land conflict issues at that time.

One issue that will require the attention of the owner is access to mains sewer. Currently as-constructed diagrams show there is one sewer access point to Lot 44, should the owner want separate freehold titles, then an additional connection will be required, at their cost. Should a survey strata or easement be acceptable to the owner, then the existing connection point can remain, with the required common property or easement detailed on the survey plans.

For reference, adjacent lots to the North being lot 602 and 603 Spica Street, are a result of a previous subdivision into two 506m<sup>2</sup> lots, and as such, has created a precedence.

It is therefore suggested that Council consent to the subdivision of 16 Spica Street, Southern Cross, noting that access to sewer is required to be addressed prior to submission to the WAPC and shown in the submitted application plans.

### **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**

Nil

### **Officer Recommendation**

*That Council consent to the subdivision of Lot 44 (16) Spica Street, Southern Cross into two comparably sized lots, with the connection to sewer to be addressed prior to lodgement with the Western Australian Planning Commission and detailed in the survey plans.*

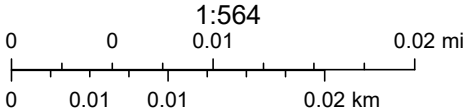


Lot 44 Spica Street



10/07/2019, 10:51:04 am

- |         |               |       |                     |                                      |
|---------|---------------|-------|---------------------|--------------------------------------|
| Others  | NotApplicable | Minor | Freeways & Highways | StateHighway                         |
| Laneway | Track         | Main  | Freeway             | Cadastre (No Attributes) (LGATE-001) |
| Mall    |               |       | NationalHighway     |                                      |



SLIP / LANDGATE, You are provided access to publicly available data on the terms and conditions of SLIP Transaction - Personal Use Licence, unless you are otherwise permitted to use under a SLIP Subscription Licence. This personal use licence provides that by opening, viewing or using this data, you agree to

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.3 Development Application 58-60 McInnes Street, Moorine Rock

<b>File Reference</b>	<b>3.1.3.4</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>- Proposed Site Plan</b> <b>- Unit Specifications</b>

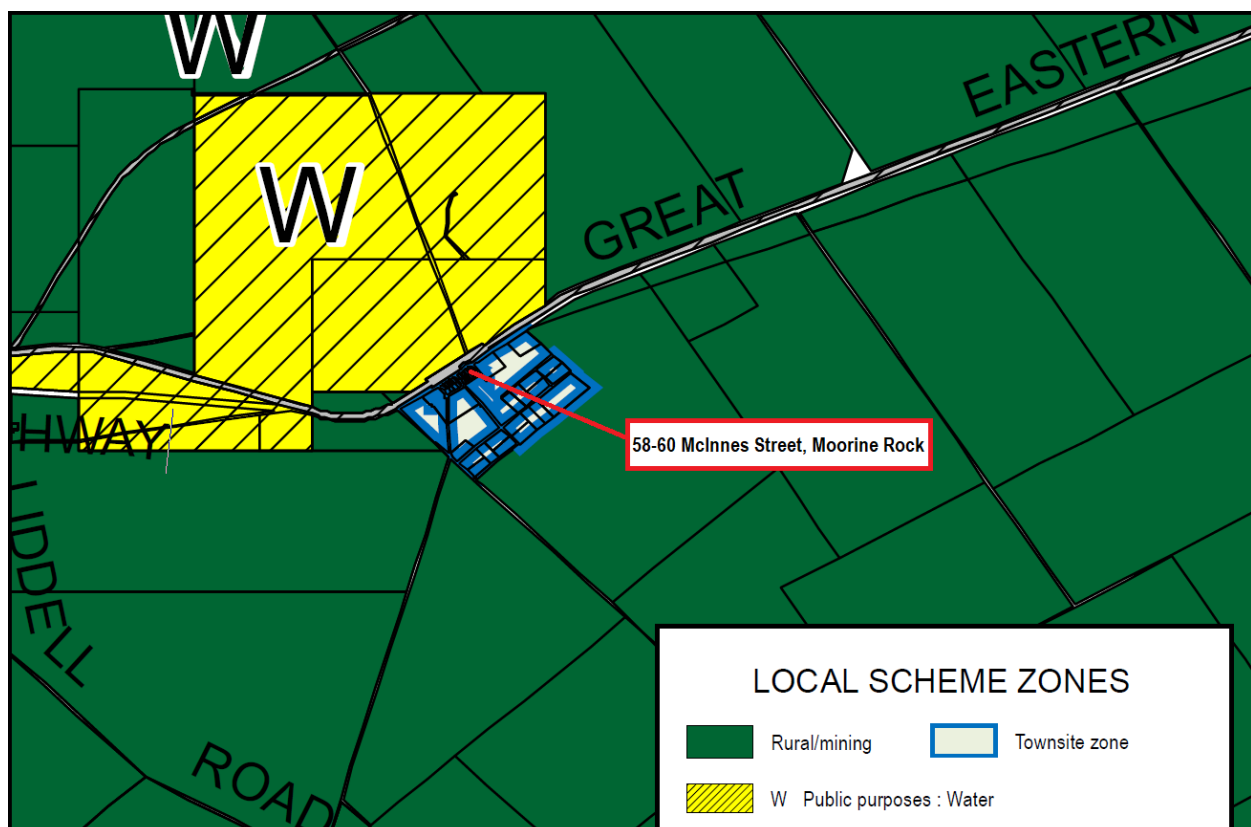
#### Purpose of Report

To consider a development application for 58-60 McInnes Street, Moorine Rock, to install workers accommodation and other ancillary work.

#### Background

The Shire of Yilgarn is in receipt of a Development Application, which seeks approval to install two four-room ensuited accommodation units, relocate an existing accommodation unit prior to disposal, install a new cool room and remove an existing shed. A copy of the proposed layout plan and unit specifications has been included as attachments.

The subject site, 58-60 McInnes Street, Moorine Rock, is the location of the Moorine Rock Hotel, and is situated in a “Townsite Zone” as per the image below.





The townsite zone, as per the TPS2 is described as:

*The Townsite Zone is to be used primarily for single houses and public recreation. 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 townsite and where Council is satisfied that they will benefit the community and not result in being a nuisance.*

### Comment

As the development is proposed on the site already containing the hotel, it is adequate to deem these additions as a "Hotel/Tavern" use as per the TPS2.

"Hotel/Tavern" is an "AA" use under the TPS2 zoning table for "Townsite" zones, which means the development is not permitted unless the Council has granted planning approval.

As per Clause 6.3.2 of the TPS2, Council may give notice of the proposed development as follows:

6.3.2 *Where an application is made for planning approval to commence or carry out development which involves an 'AA' use, or any other development which requires the planning approval of the Council, the Council may give notice of the application in accordance with the provisions of sub-clause 6.3.3.*

6.3.3 *Where the Council is required or decides to give notice of an application for planning approval the Council shall cause one or more of the following to be carried out:*

- (a) *Notice of the proposed development to be served on the owners and occupiers as likely to be affected by the granting of planning approval stating that submissions may be made to the Council within twenty-one days of the service of such notice.*
- (b) *Notice of the proposed development to be published in a newspaper circulating in the Scheme area stating that submissions may be made to the Council within twenty-one days from the publication thereof.*
- (c) *A sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this sub-clause.*

The TPS2 "Development Table" defines the required setbacks, plot ratios and landscaping for commercial and industrial development. The relevant requirements for "Hotel/Tavern" as per the table are shown below:

Use Class	Minimum Boundary Setback (m)			Maximum Plot Ratio	Minimum Landscape Area %	Minimum Car Parking Bays
	Front	Rear	Sides			
Hotel/Tavern	*	*	*	*	10	1 for every bedroom plus 1 per 4 m <sup>2</sup> of bar and lounge area.



\*means 'to be determined by the Council' in each particular case.

### Setbacks

Council has discretion to approve any setback it deems suitable, taking into account aesthetics and effects on adjoining/neighbouring properties.

The following table details the proposed new setback to boundaries and the possible effects:

Boundary	Proposed Setback	Effects
North-East	On Boundary	This boundary is adjacent to the Driver Street road reserve, and therefore, locating the proposed accommodation unit on the boundary is not expected to create and issue. The boundary line already has the patio for the motel built upon it.
South-East	On Boundary	This boundary is adjacent to the R.O.W. and with Lot 38 and 39 part of the same assessment as the subject land, and therefore owned by the same entity, any effects experienced will be accepted by the owner.
South West	800 mm	The proposed setback is deemed suitable, as this relocation is only temporary until the unit can be removed, it is in keeping with existing setbacks along the same boundary.

It is deemed the proposed setbacks will not create a nuisance, or detract from the amenity of the area, and it is suggested Council approve the proposed setbacks.

### Plot Ratio

Council have discretion to approve any plot ratio they deem adequate. The plot ration with proposed additions will be less than 50%, which is deemed adequate.

As a guide, the plot ratio for a motel is 100% built.

### Minimum Landscape Area %

There is sufficient space to achieve 10% landscaping.

### Car Parking Bays

As mentioned, Lot 38 and 39 as shown on the layout plan are contained within the one assessment, and as such, there is ample parking space to cater for new additions upon these lots.

## **Aesthetics**

It will be recommended that Council require the new units to be colour matched to the existing hotel to ensure the site is aesthetically pleasing.

Upon this requirement being met, it is believed the development will not detract from the aesthetics of the area.

## **Consultation**

All residential land owners within Moorine Rock were written to advising of the proposed development. Due to timing constraints, and the desire to allow sufficient time for owners to review and provide comments, the closing period for submission was set for the 17<sup>th</sup> July 2019. As such, at the time of writing the report the submission period had not closed. A verbal update will be provided to Councillors on the day of the meeting. To date, no submissions had been received and no enquiries made.

## **Recommendation**

Pending any public submissions received, it is the opinion of the Executive Manager Regulatory Services that this development will not unduly affect the amenity of the townsite zone in Moorine Rock, on the provision the colour scheme is matched to the existing hotel.

As such, it will be recommended that the development proposal is approved.

## **Advice Notes**

This development has commenced without approval, however has ceased upon direction from the Shire, until such time as relevant approvals are in place.

As per Clause 8.5.1 of the Shire of Yilgarn Town Planning Scheme 2, an applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with Part V of the Planning and Development Act 2005 and the rules and regulations made pursuant to the Act.

The applicant will also be required to obtain a Building permit for the development.

## **Statutory Environment**

Planning and Development Act 2005  
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

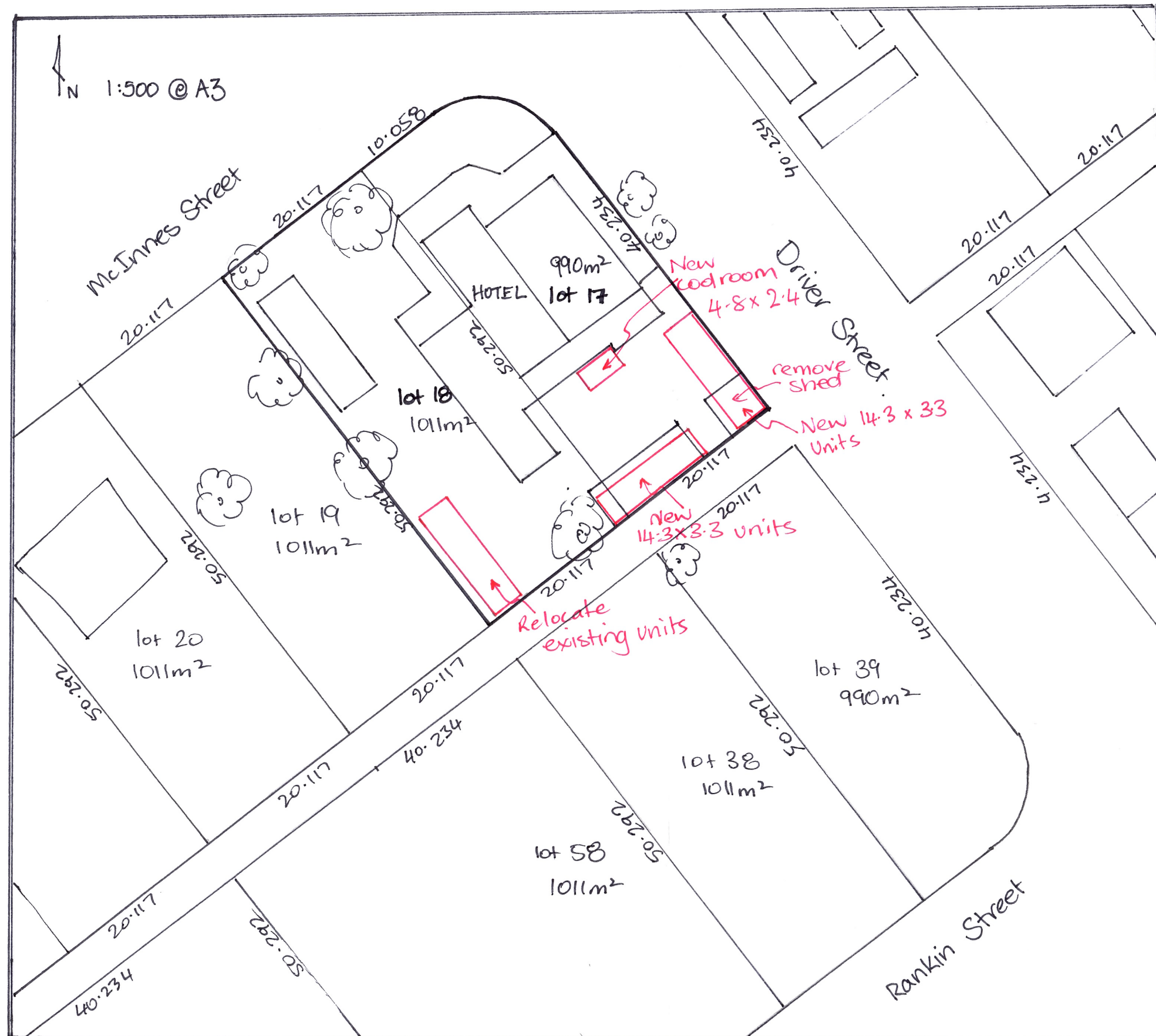
**Financial Implications**

Planning and Development and Building Fees

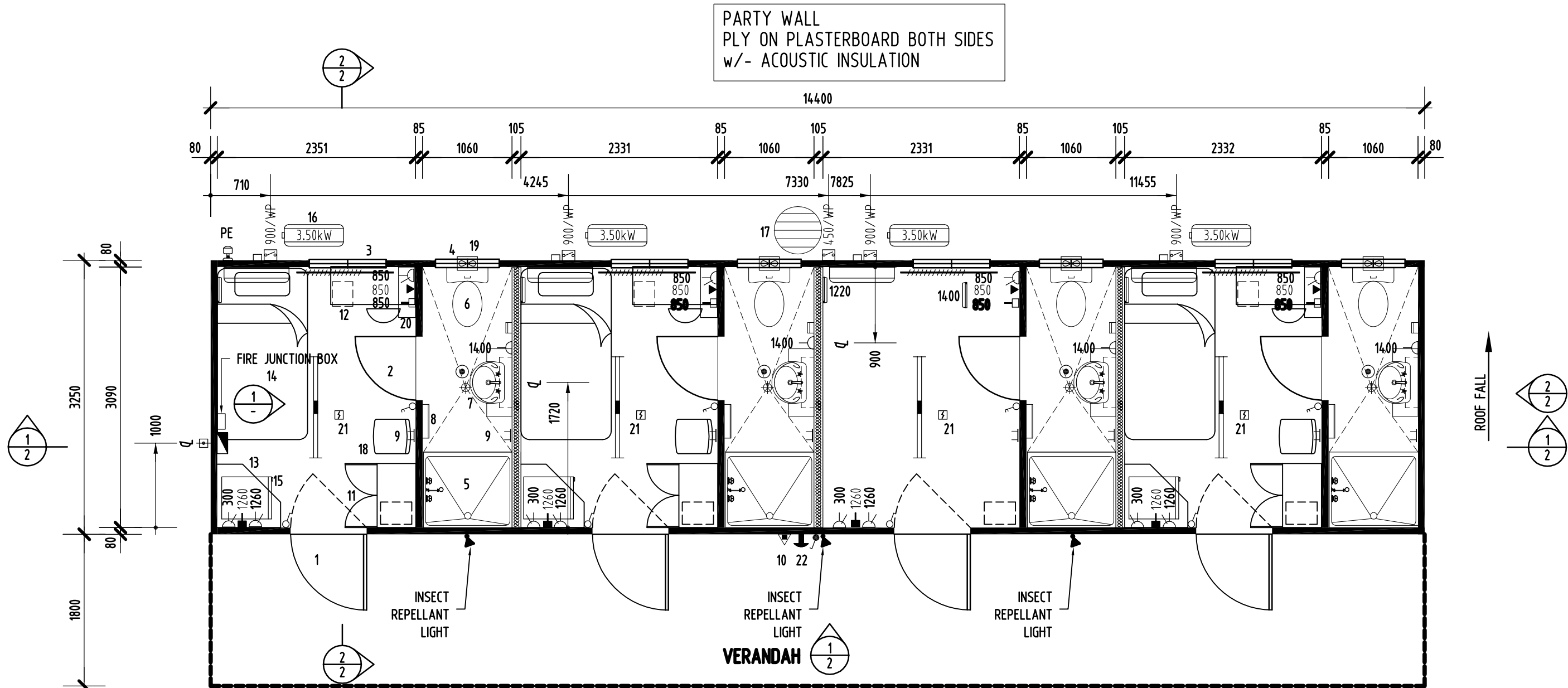
**Officer Recommendation**

*That Council approve the proposed development at 58-60 McInnes Street, Moorine Rock, being the installation two four-room ensuited accommodation units, relocation of an existing accommodation unit prior to disposal, installation of a new cool room and removal an existing shed, as per submitted plans and specifications, on the condition that the units are colour matched to the existing Hotel.*

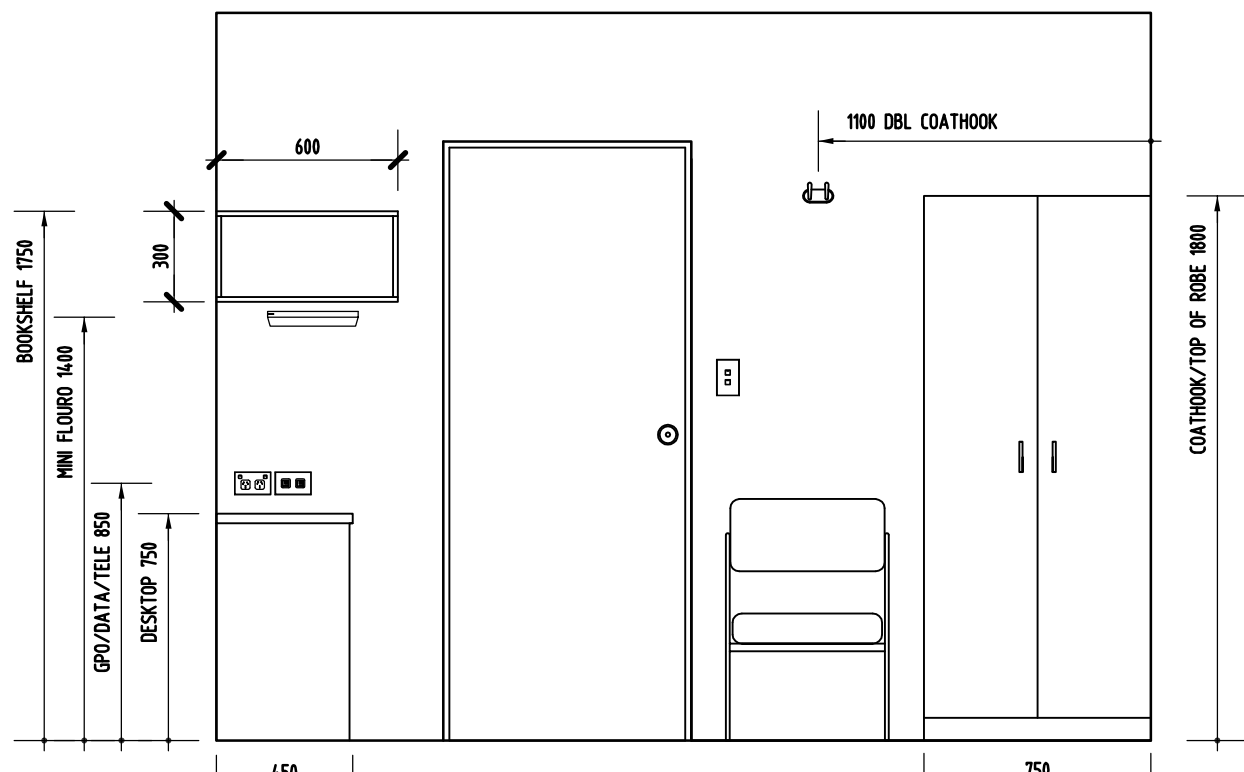
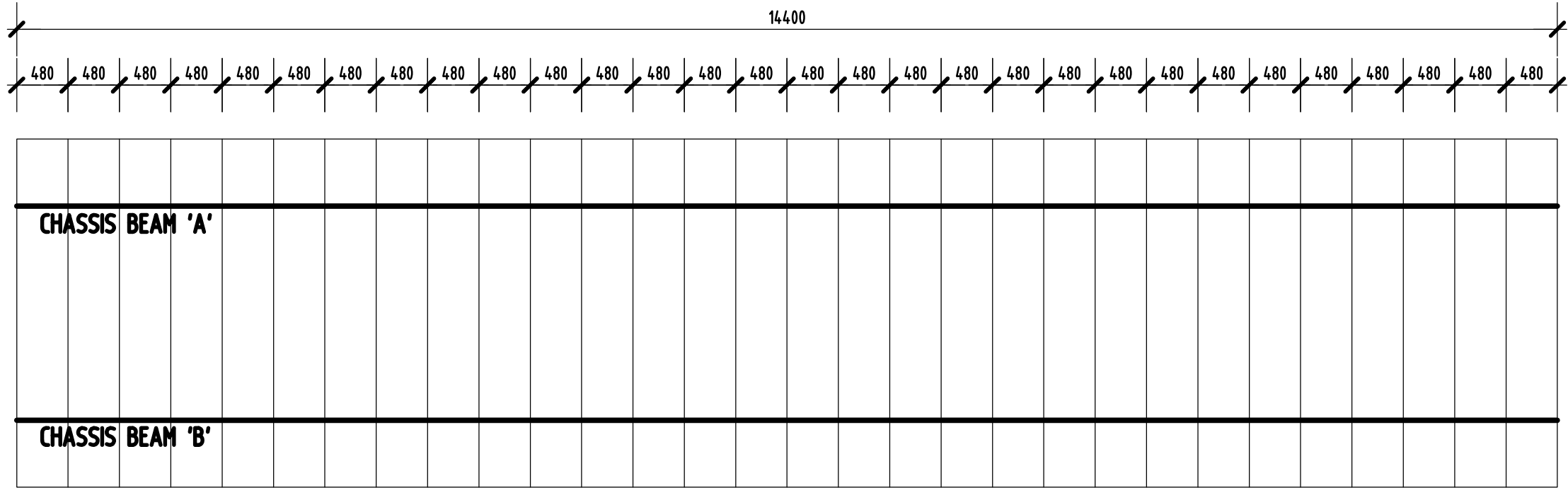
Proposed Site Plan - lots 17+18 (58-60) McInnes Street, - Accommodation and chiller relocation  
 Mooring Rock Hotel



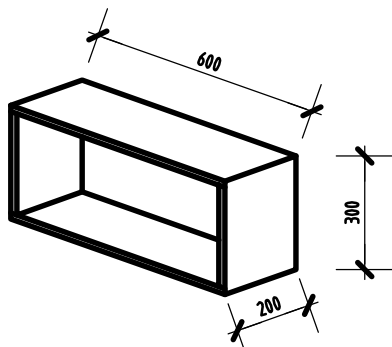




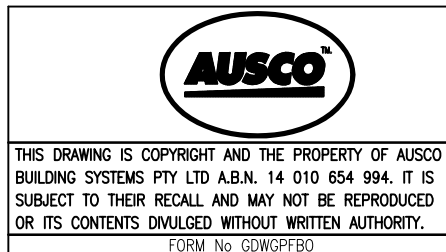
PLAN



ELEVATION  
SCALE 1:25



BOOKSHELF DETAIL  
SCALE 1:20



ITEM	QTY	DESCRIPTION	By	Check
11	24/10/17	AS BUILT		
10	08/15/17	ISSUED FOR SHIRE APPROVAL		
9	21/03/17	EXTERNAL LIGHTING/ITEM 18 REVISED AS CLOUDED		
8	19/03/17	EXTERNAL LIGHTING REVISED AS CLOUDED		
7	19/03/17	EXTERNAL LIGHTING REVISED AS CLOUDED		
6	05/03/17	AMENDED 100 (PACKED IN BUILDING)		
5	06/03/17	GPO HEIGHT REVISED AS CLOUDED		

23	4	PLASTIC STACK CHAIR (PACKED IN BUILDING)
22	1	ALARM BELL
21	4	SMOKE ALARM - LOW VOLTAGE WIRED TO JUNCTION BOX
20	4	BOOK SHELF - 2000 (0.6LM)
19	4	EXHAUST FAN ( WALL MOUNTED )
18	4	VISITORS CHAIR PLASTIC (PACKED IN BUILDING)
17	1	ELECTRIC WATER HEATER, 160-LITRE 1x2.4kW (PACKED IN BUILDING)
16	4	AIR CONDITIONER, SPLIT SYSTEM - 1.5HP REVERSE CYCLE
15	4	BAR FRIDGE, 120-LITRE (PACKED IN BUILDING)
14	4	KING SIZE SINGLE ENSEMBLE BED, 2020 x 1070 - ON CASTERS (PACKED IN BUILDING)
13	4	TV SHELF, WALL MOUNTED, 750 x 750

ITEM	QTY	DESCRIPTION	By	Check
12	4	WRITING DESK, 3-DRAWER, 1075 x 450 c/w PADDED CHAIR		
11	4	ROBE, 2-DOOR, 1800 x 750 x 460 c/w HANGING RAIL, 6 PLASTIC COATED HANGERS & 3 DRAWER UNIT		
10	1	FIRE EXTINGUISHER, 4.5kg DRY CHEMICAL WALL MOUNTED c/w SIGNAGE		
9	8	COAT HOOK, DOUBLE, SS		
8	8	TOWEL RAIL, SS, 400mm LONG 1 @ 900 1 @ 1500		
7	4	HANDBASIN, SEMI RECESSED VC H & C MIXER w/- 800W POLISHED MDF TOP c/w 350x500 VANITY CABINET OVER		
6	4	TOILET SUITE c/w WALL MOUNTED DUAL FLUSH CISTERN & CHROME PLATED PAPER HOLDER		
5	4	SHOWER CABINET, 1050 x 900 FIBREGLASS c/w CURTAIN & ROD		
4	4	WINDOW, OBSCURE GLAZED PERMANENT VENTED, 350 x 755 c/w INSECT SCREEN		
3	4	WINDOW, HORIZONTAL SLIDING, 1075 x 900 c/w CYCLONIC RATED GLASS, BLOCKOUT CURTAIN & INSECT SCREEN		
2	4	DOOR, INTERNAL HOLLOW CORE, 2040 x 720		
1	4	DOOR, EXTERNAL PLAIN METAL, 2035 x 850 MASTER KEYED c/w INWARD OPENING INSECT SCREEN DOOR		

ITEM	QTY	DESCRIPTION
12	4	WRITING DESK, 3-DRAWER, 1075 x 450 c/w PADDED CHAIR
11	4	ROBE, 2-DOOR, 1800 x 750 x 460 c/w HANGING RAIL, 6 PLASTIC COATED HANGERS & 3 DRAWER UNIT
10	1	FIRE EXTINGUISHER, 4.5kg DRY CHEMICAL WALL MOUNTED c/w SIGNAGE
9	8	COAT HOOK, DOUBLE, SS
8	8	TOWEL RAIL, SS, 400mm LONG 1 @ 900 1 @ 1500
7	4	HANDBASIN, SEMI RECESSED VC H & C MIXER w/- 800W POLISHED MDF TOP c/w 350x500 VANITY CABINET OVER
6	4	TOILET SUITE c/w WALL MOUNTED DUAL FLUSH CISTERN & CHROME PLATED PAPER HOLDER
5	4	SHOWER CABINET, 1050 x 900 FIBREGLASS c/w CURTAIN & ROD
4	4	WINDOW, OBSCURE GLAZED PERMANENT VENTED, 350 x 755 c/w INSECT SCREEN
3	4	WINDOW, HORIZONTAL SLIDING, 1075 x 900 c/w CYCLONIC RATED GLASS, BLOCKOUT CURTAIN & INSECT SCREEN
2	4	DOOR, INTERNAL HOLLOW CORE, 2040 x 720
1	4	DOOR, EXTERNAL PLAIN METAL, 2035 x 850 MASTER KEYED c/w INWARD OPENING INSECT SCREEN DOOR

FLOOR PLAN

CONSTRUCTION DETAILS	
PROJECT NUMBER	- SM15094
BUILDING TYPE	- SALE REGION D TC 2
CHASSIS	- CANTILEVER
CHASSIS COATING	- 1 COAT Zn Ph PRIMER - 2 COATS GLOSS ENAMEL
FLOOR JOISTS	- GALV. LIPPED C 75x45x1.2 G500 @ 480crs
END MEMBERS	- GALV 75x75x4 SHS
LIFTING POINT	- RETRACTABLE
LIFTING MEMBER	- GALV 125x75x4 SHS
FLOORING DRY	- 15mm T&G F11 PLYWOOD
FLOORING WET	- GRADED MDF OVER 15mm T&G F11 PLYWOOD
FLOOR COVERING DRY	- 2mm SEAMLESS VINYL (SOLAR BEIGE)
SKIRTING DRY	- 'D' MOLD BLACK
FLOOR COVERING WET	- 2.0mm SLIP RESISTANT VINYL (RAFFIA BEIGE)
SKIRTING WET	- 100mm COVED SLIP RESIST VINYL
CEILING HEIGHT	- 2400mm
WALL STUDS (EXT & INT)	- LIPPED C 75x37.5x0.75 G550 @ 400crs
EXTERNAL LINING	- MESA COLORBOND (PAPERBARK) + ROUGHPLY SUBSHEATHING
INTERNAL LINING	- POLYPLY (BEIGE)
CORNICE	- 'D' MOLD BLACK
PARTY WALL LINING	- POLYPLY (BEIGE) OVER PLASTERBOARD
WALL INSULATION	- GLASSWOOL R2.0
PARTY WALL INSULATION	- ACCOUSTIC BATTS
ROOF SLOPE	- SIDE SLOPE (2° PITCH)
CEILING JOISTS	- LIPPED C 75x37.5x0.75 G550 @ 400crs
CEILING LINING	- POLYPLY (MIRAGE PEARL)
CEILING INSULATION	- GLASSWOOL R3.0
ROOF SHEETING	- TRIMDEK ZINCALUME
EXTERNAL TRIM	- FASCIA/BARGE (CAPRI GREEN)
EXTERNAL DOOR	- PAPERBARK
EXTERNAL DOOR TRIM	- PAPERBARK
INTERNAL DOOR	- PAINTED (STONE BEIGE)
EXTERNAL WINDOW FRAME	- STONE BEIGE
INTERNAL REVEAL LINING	- STONE BEIGE
CURTAINS	- CASCADE WEDGEWOOD
SHOWER CURTAINS	- WHITE TAFFETA
CABINETRY TOPS	- INK PEARL
CABINETRY UPRIGHTS	- LEMON TREE
CHAIRS	- SLATE
ELECTRICAL P.O.E	- JUNCTION BOX
REFERENCE DETAILS	- CBF 1014, 1016, 1018 > 6.0M - STDA 0004, 0006, & ASD 1219

The structure shown on this drawing has been designed in accordance with current Australian Standards.  
The structure, when constructed in accordance with this drawing, will be structurally sufficient.

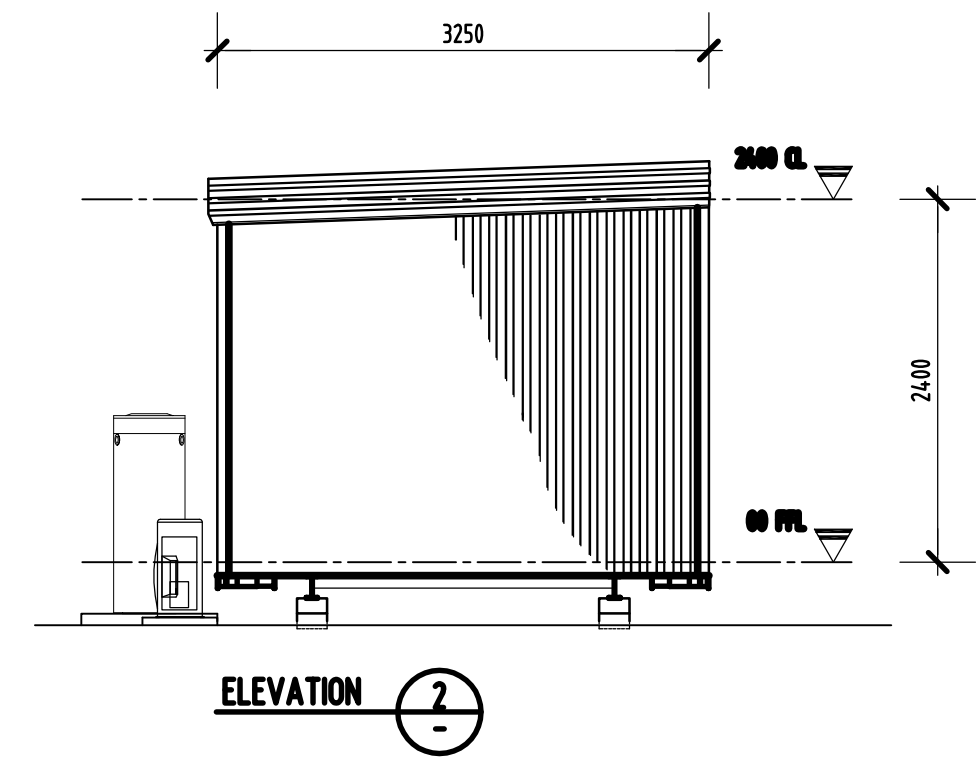
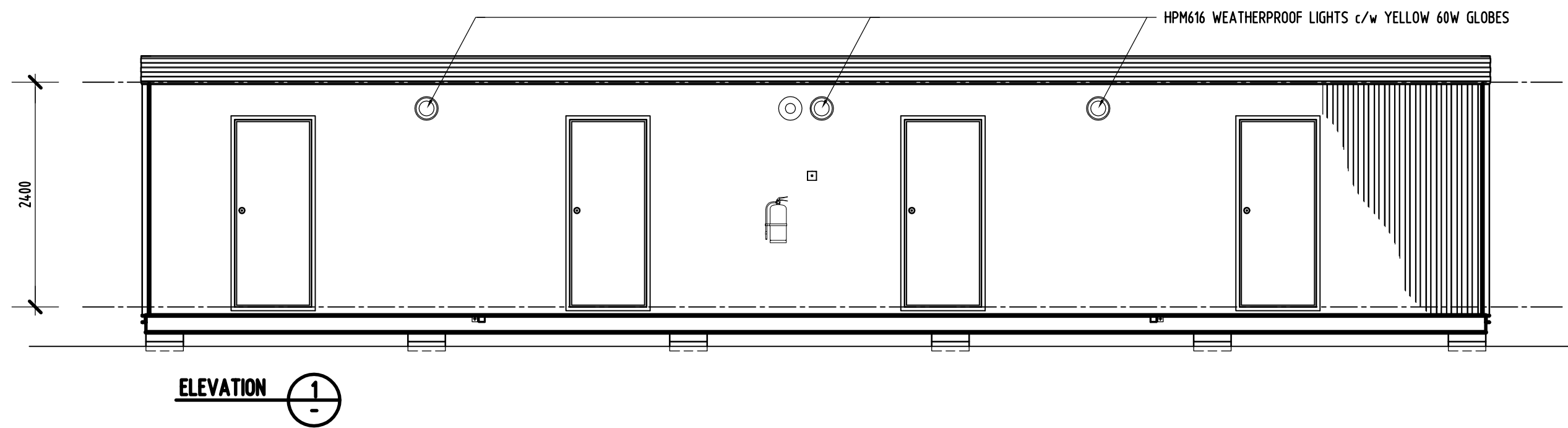
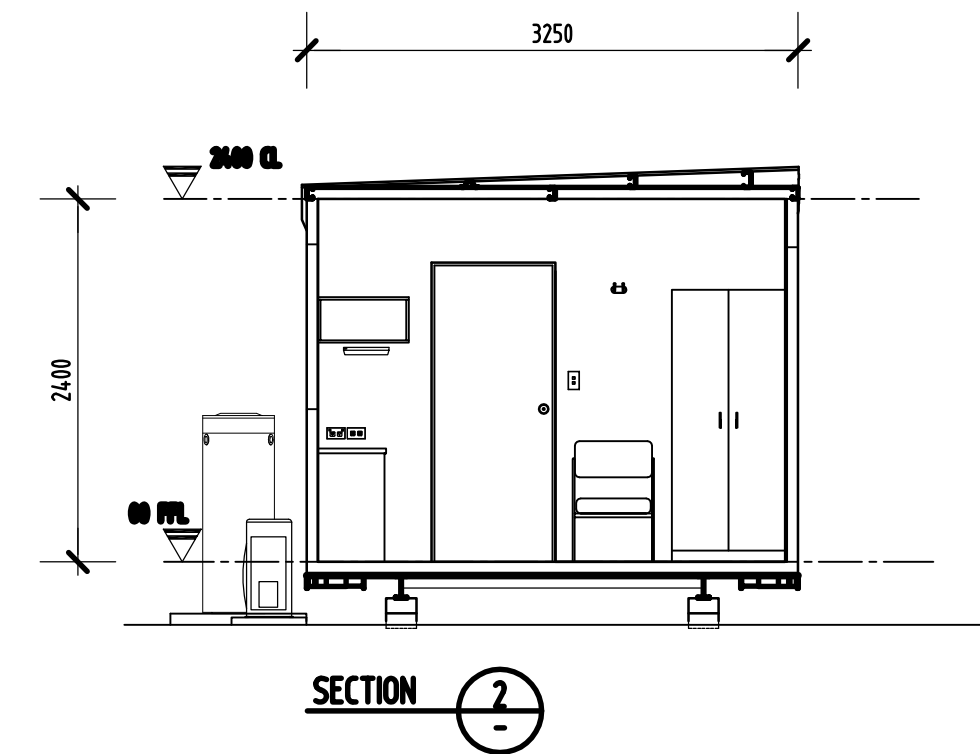
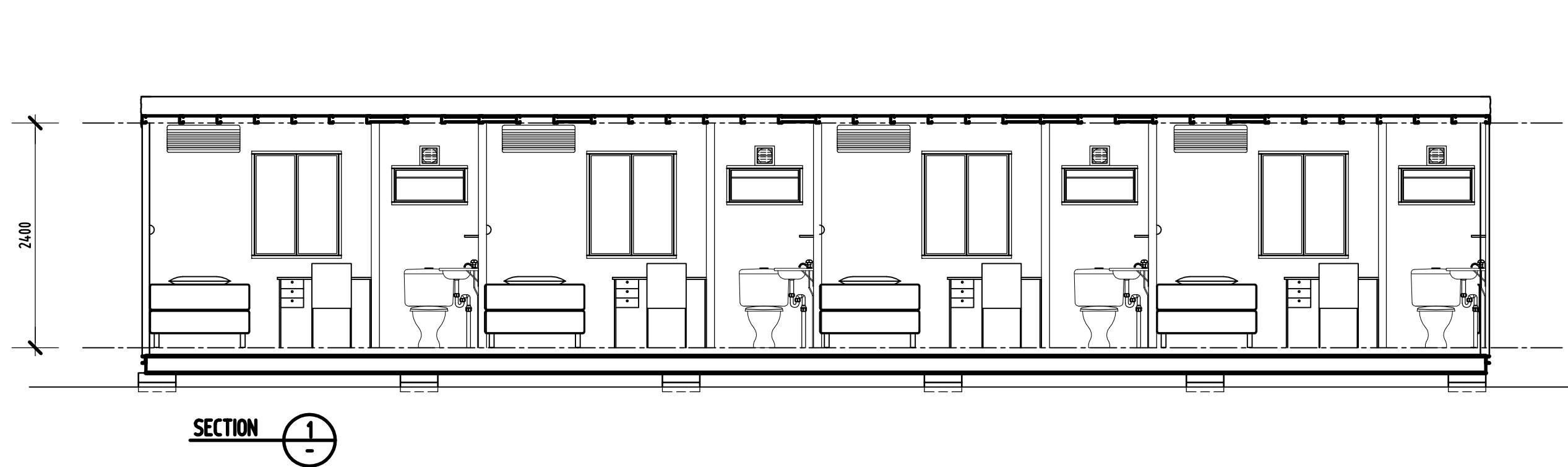
*Jonah Kluwe*  
for Arup Pty Ltd on 11/10/2017

ELECTRICAL NOTE:  
CAT 6 CABLE  
CAT 6 OUTLETS  
TV POINT 'F' CONNECTOR TYPE

PLUMBING NOTE:  
ALL PLUMBING TO BE HARNESSSED TO REAR OF BUILDING

REFER SM15094P01-2 FOR ELEVATIONS & SECTIONS

Note: Provide full rough ply to both internal and external linings of all external walls, with Type B fixings.  
All works to 2000-2001 (S16C Cyclonic Specification).



Note: Provide full rough ply to both internal and external linings of all external walls, with Type B fixings.  
All works to 2000-2001 (S16C Cyclonic Specification).

The structure shown on this drawing has been designed in accordance with current Australian Standards.  
The structure, when constructed in accordance with this drawing, will be structurally sufficient.

*Jonah N. Sch*

for Arup Pty Ltd on 1110/2017

NOTE: VERANDAH OMITTED FOR CLARITY  
FOOTINGS INDICATIVE ONLY

**AUSCO**

THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF AUSCO BUILDING SYSTEMS PTY LTD A.B.N. 14 010 654 994. IT IS SUBJECT TO THEIR RECALL AND MAY NOT BE REPRODUCED OR ITS CONTENTS DIVULGED WITHOUT WRITTEN AUTHORITY.

FORM No. GDWGPFB0

Issue	Date	Description	By	Check
1	06/06/07	LIGHTING NOTATION ADDED	N.Sch	
0	08/05/07	ISSUED FOR SHIRE APPROVAL	N.Sch	

LEGEND	
2x36W FLUORO	SWITCH BOARD
DIFFUSED FLUORO	P.O.E.
INCAND' LIGHT	TV AERIAL POINT
OYSTER LIGHT	DATA POINT
EXTERIOR LIGHT	PHONE POINT
VANDALITE W/P	SMOKE ALARM
8 WATT FLURO	PE CELL
EMERGENCY LIGHT	EXT' EXIT LIGHT
	ISOLATOR

Drawn By	Date
N.Sch	08/05/07
Checked By	Date

ELEVATIONS & SECTIONS	
Scale	1 : 50
Dimensions	ARE IN MM DO NOT SCALE

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.4 Development Application 22 Great Eastern Highway, Yellowdine

<b>File Reference</b>	<b>3.1.3.4</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>- Proposed Site Plan</b> <b>- Unit Specifications</b>

#### Purpose of Report

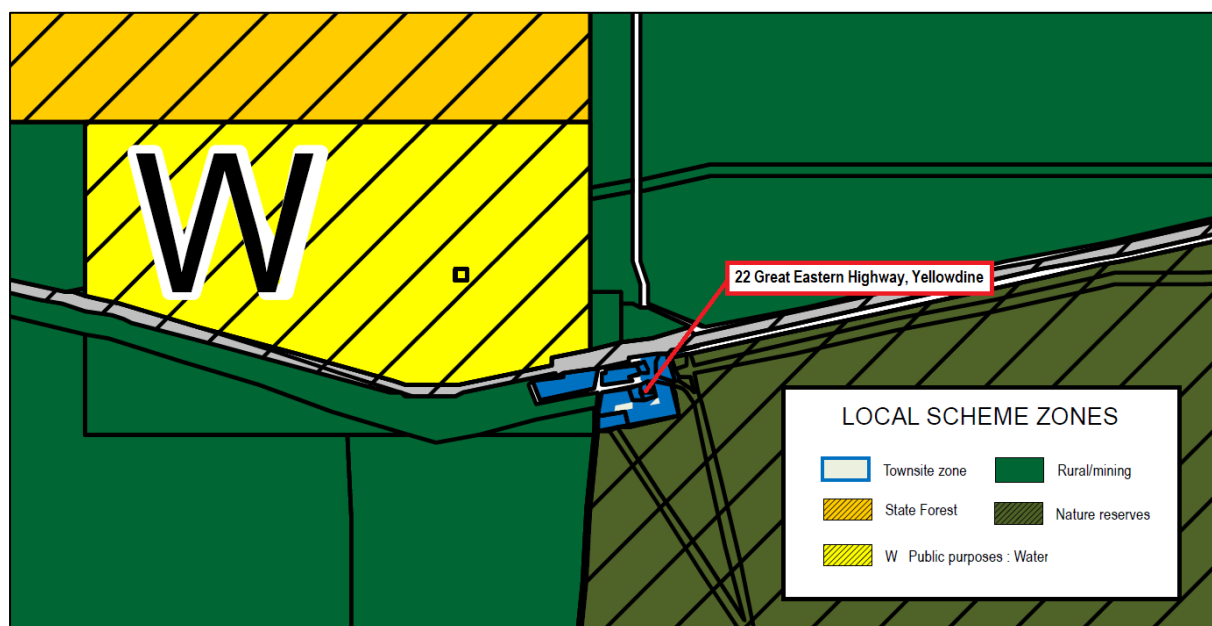
To consider a development application for 22 Great Eastern Highway, Yellowdine, to rebrand an existing service station and replace an existing pylon advertising sign, in addition to approving a lapsed “non-conforming use”.

#### Background

The Shire of Yilgarn is in receipt of a Development Application, which seeks approval to rebrand the service station at 22 Great Eastern Highway, Yellowdine and install a new pylon sign. A layout plan and specifications have been included as an attachment.

The existing pylon sign to be replaced is located within the Great Eastern Highway Road Reserve and Main Roads WA have advised the applicant they are required to seek Council approval prior to their approval.

The site is located in a “Townsite” zone under the Shire of Yilgarn Town Planning Scheme 2 (TPS2), with a “Petrol Filling Station” an “AA” use for this zone. An “AA” use means that the use is not permitted unless the Council has granted planning approval.



Whilst Council may have historically granted approval for this use, or alternatively, this site may hold “non-conforming use rights”, meaning at the time the site was zoned “Townsite” it was already operating and can legally continue to; Clause 7.4 of TPS2 states:

*When a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.*

As the site has not been operational for over six months, Council must again grant approval to operate as a “Petrol Filling Station” as per the “AA” use provisions of the TPS2.

As per Clause 6.3.2 of the TPS2, Council may give notice of the proposed development as follows:

- 6.3.2 *Where an application is made for planning approval to commence or carry out development which involves an 'AA' use, or any other development which requires the planning approval of the Council, the Council may give notice of the application in accordance with the provisions of sub-clause 6.3.3.*
- 6.3.3 *Where the Council is required or decides to give notice of an application for planning approval the Council shall cause one or more of the following to be carried out:*
- (a) Notice of the proposed development to be served on the owners and occupiers as likely to be affected by the granting of planning approval stating that submissions may be made to the Council within twenty-one days of the service of such notice.*
  - (b) Notice of the proposed development to be published in a newspaper circulating in the Scheme area stating that submissions may be made to the Council within twenty-one days from the publication thereof.*
  - (c) A sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this sub-clause.*

In relation to signage, Clause 5.2.1 of the TPS2 states:

*For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Planning approval is required in addition to any licence pursuant to Council's Signs, Hoarding and Bill Posting By-Laws.*

Whilst the Signs, Hoarding and Bill Posting By-Laws has ceased, the Shire does have the “Policy 4.3 - Advertising & Directional Signs”.



This policy states:

*The erection of any signs, whether on public or private land, requires the approval of Council, under clause 5.2 Control of Advertisements of Yilgarn's Town Planning Scheme No. 2 (or as amended) and Main Roads WA Advertising Sign Guidelines.*

*Applicants are to submit an application for development approval to the Council detailing the reason for the sign, where it is proposed to be located, what it is made of and the design/wording/colour scheme on the sign. Signs are to be professionally made and painted. They are to be erected in accordance with best practice, the Building Code of Australia, or as directed by the Shire.*

*Advertising signs located on the state road reserves and beyond the boundaries of, but visible from, state road reserves, require Main Roads WA approval.*

The submitted Development Application is in keeping with Policy 4.3.

#### Comment

In regards to the use of the land, the petrol filling station and ancillary buildings are the only currently occupied structures in the townsite zone and have existed for many years.

It is thought there is no risk of a nuisance being created due to no neighbouring properties, nor are there any recorded complaints relating to amenity on file.

The TPS2 "Development Table" defines the required setbacks, plot ratios and landscaping for commercial and industrial development. The relevant requirements for "Service Station" are as per the table are shown below:

Use Class	Minimum Boundary Setback (m)			Maximum Plot Ratio	Minimum Landscape Area %	Minimum Car Parking Bays
	Front	Rear	Sides			
Service Station	7.5	7.5	*	*	5	1 for every working bay, plus 1 for each person employed on site.

\*means 'to be determined by the Council' in each particular case.

#### Setbacks

The front and back setbacks are compliant at 15.3 and 13.9 metres respectively. Council has discretion to approve any side setback is deems suitable, in this case, to the West the setback is 6.9 metres and is deemed sufficient, whilst the East boundary is intersected by existing structures, however the adjacent lot is leased from the Crown by the owners of the subject lot, and has been existing for many years, and as such, is deemed suitable to again approve.

### **Plot Ratio**

Council have discretion to approve any plot ratio it deems suitable. As the building footprint is not being altered, it is deemed suitable for Council to approve the existing plot ration.

### **Minimum Landscaping Area**

There is sufficient landscaping to meet the 5% requirement.

### **Parking**

There is adequate space to cater for parking requirements.

### **Signage**

The installation of the pylon sign will be assessed by Main Roads WA for compliance with codes of practice relevant to roadside advertising, and as such, it is deemed appropriate to approve the proposed sign, with the condition that Main Roads WA approval is gained prior to installation.

### **Consultation**

Due to the isolated nature of this site and low risk of nuisance or affects to surrounding amenity, public notice is not deemed necessary.

### **Recommendation**

It is the Reporting Officers opinion that Council should approve the proposed development, given that it has existing as a petrol filling station for many years without amenity issue, it is deemed the aesthetics will be improved with rebranding, and Main Roads WA will ensure roadside signage is compliant.

### **Advice Notes**

As per Clause 8.5.1 of the Shire of Yilgarn Town Planning Scheme 2, an applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with Part V of the Planning and Development Act 2005 and the rules and regulations made pursuant to the Act.

The applicant will be required to seek a Building permit from the Shire prior to construction commencing.

### **Statutory Environment**

Planning and Development Act 2005  
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

Policy 4.3 – Advertising & Directional Signs

### Financial Implications

Planning and Development and Building Fees

### Officer Recommendation

*That Council approve the use of a petrol filling station at 22 Great Eastern Highway, Yellowdine, and subsequently approve the rebranding of the site, and installation of a pylon sign in the road reserve adjacent to the site, as per submitted plans and specifications. Council approval is subject to approval from Main Roads WA being obtained.*

# PROPOSED SERVICE STATION REBRANDING & PYLON SIGN TO REPLACE EXISTING AT 22 GREAT EASTERN HIGHWAY, YELLOWDINE WA 6426

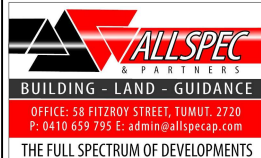


LOCATION MAP

IMAGE SOURCE: GOOGLE MAPS

## DRAWING INDEX

01	TITLE PAGE
02	SITE PLAN
03	PROPOSED ELEVATIONS
04	PYLON SIGN

No.	Amendment	Drawn	Approved	Date	 <p><b>ALLSPEC</b> &amp; PARTNERS BUILDING - LAND - GUIDANCE</p> <p>OFFICE: 58 FITZROY STREET, TUMUT. 2720 P: 0410 659 795 E: admin@allspecap.com</p> <p>THE FULL SPECTRUM OF DEVELOPMENTS</p>	CLIENT: TIGER ONE FUELS	Sheet: 1 of 4		
	Issued For DA	MT	JM	09-05-19		PROJECT: SERVICE STATION REBRANDING & PYLON SIGN	SCALE: N.T.S	A3	
						LOCATION: LOT 22 P12647 GREAT EASTERN HIGHWAY, YELLOWDINE WA 6426	Date: 09-05-2019		
						DRAWING TITLE: TITLE SHEET	Project No. 19030		
						46			
						01			





**IMPORTANT NOTE:**

This plan is prepared for TigerOne Fuels from a combination of survey and existing records for the purpose of designing new constructions on the land and should not be used for any other purpose. Tree spreads are diagrammatic only and may not be symmetrical.



This note is an integral part of the plan. The boundaries shown here are depicted by remote sensing techniques eg. google, six maps.

**GENERAL NOTES:**

It is the responsibility of the contractor to liaise with all servicing authorities to determine the location of any services prior to any excavation on the site. The position of services where provided on the plan are approximate only. No guarantee is given that all existing services have been shown.

The Contractor is to ensure that all works are executed in a safe manner and in accordance with the OH&S Act 2004 and OH&S Regs 2017 NSW. Other safety requirements of relevant authorities must also be followed.

The Contractor is to liaise the relevant authorities regarding sediment control measures. No construction work is to commence onsite until such measures are in place.



**ALLSPEC & PARTNERS**  
BUILDING - LAND - GUIDANCE  
OFFICE: 58 FITZROY STREET, TUMUT, 2720  
P: 0410 659 795 E: admin@allspecap.com  
THE FULL SPECTRUM OF DEVELOPMENTS

CLIENT:  
**TIGER ONE FUELS**

PROJECT:  
**SERVICE STATION  
REBRANDING & PYLON SIGN**

LOCATION:  
**LOT 22 P162647  
GREAT EASTERN HWY, YELLOWDINE**

DRAWING TITLE:  
**SITE PLAN**

No.	Amendment	Date
1	Issued For DA	09-05-19

SHEET: 2 of 4

SCALE: 1 : 250

DATE: 09-05-2019

PROJECT No: 19030<sup>47</sup>

A3

02



*Proposed Mobil Branding*



*Existing View*

© Copyright 2009

This design / drawing remains the property of EVOCOM and all rights strictly reserved. Reproduction either wholly or in part / or issuance to third parties in any form whatsoever is strictly prohibited without the written consent of EVOCOM.

Do not scale  
from this  
drawing

Page 1 of 1

Customer Name  
**MOBIL**

Drawing Title  
**MOBIL**

Drawn MR

Date 18/04/19

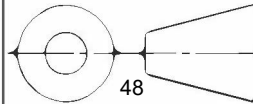
Revision

Site Address:

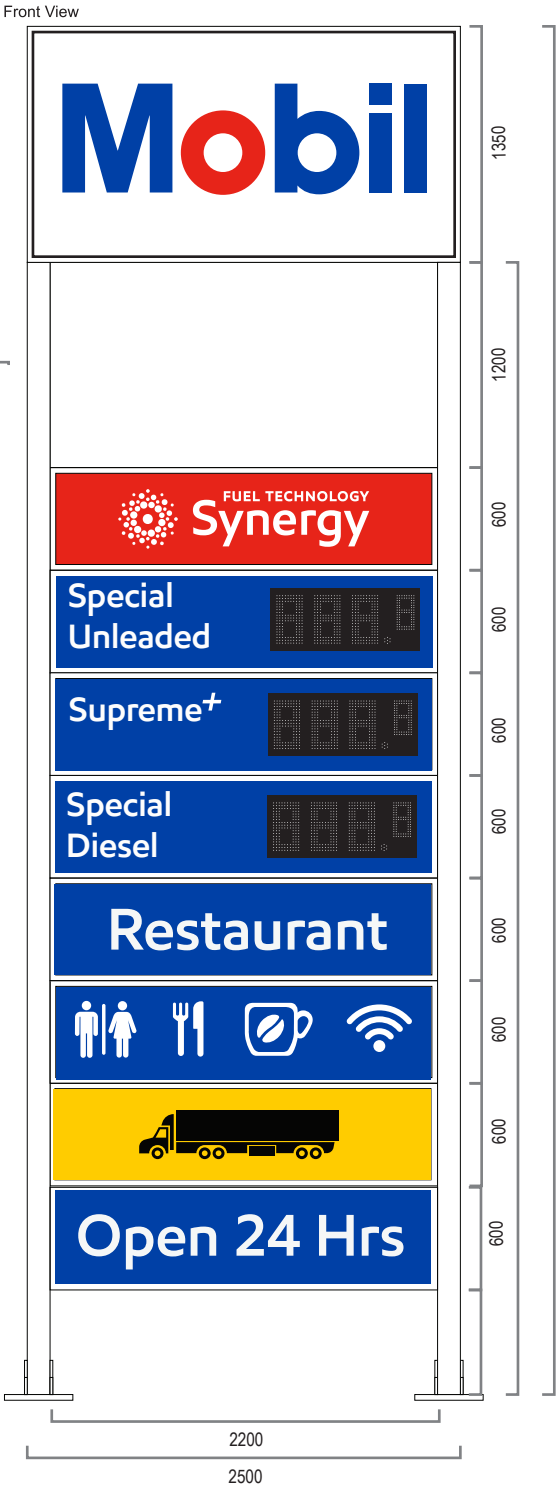
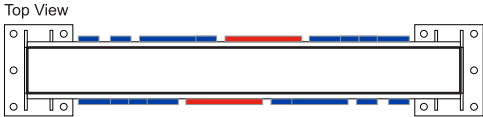
All Dimensions in MM

Tolerances on Dimensions not  
otherwise specified.

Linear  $\pm 0.1$   
Angular  $\pm 0.5^\circ$   
Hole Ctrs  $\pm 0.1$



Third Angle Orthographic Projection



\*Note: The lower panel house the ICU and will now have any internal lighting

			Do not scale from this drawing	Customer Name Yellowdine	Drawn	JG			
					Date	24.01.18			
					Revision	0			
		Site Address:							
		SHEET 1 OF 1		Drawing Title Pylon sign visuals					

49

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.5 Rural Landfills Policy

<b>File Reference</b>	<b>2.3.3.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Draft Rural Landfill Policy</b>

### Purpose of Report

To consider and endorse the draft Rural Landfill policy.

### Background

Since the opening of the manned Southern Cross Landfill site, there have been a number of reports of Southern Cross residents, and specifically commercial operators, travelling to the Shires rural landfills to avoid paying commercial landfill fees.

These rural landfill sites are designed to accept a small amount of putrescible waste, and should large quantities of putrescible waste; or, non-permitted wastes be deposited, then the Department of Water and Environment Regulation may require these sites to be licenced, which would incur significant costs and Officer time. These sites also have limited space, and once full, it is unlikely that a subsequent site will be able to be established in the area, which will affect local residents, many of whom do not have a verge collection service.

As such, Shire administration have investigated and determined the best method to avoid the misuse of these sites.

Under the Litter Act 1979, it states:

#### 23. *Littering, offence*

*Any person who deposits litter, or causes litter to be deposited, on any land or on or into any waters commits an offence unless the litter is deposited —*

- (a) on private land by consent; or*
- (b) in an appointed area; or*
- (c) in a place or receptacle set aside or provided for that purpose; or*
- (d) on land adjacent to private land by arrangement with, or at the invitation of, a public authority with a view to the litter being collected and removed by the public authority.*

*Penalty:*

- (a) for an individual, a fine of \$5 000;*
- (b) for a body corporate, a fine of \$10 000.*



Utilising Clause 23(b) of the Act, it is proposed that the draft Rural Landfill policy (attached) will "appoint" these rural landfills for the depositing of permitted waste by residents of the respective townsites and associated surrounds only. By doing so, persons not from the relevant area found depositing waste, can be deemed to be littering and can face the applicable penalties.

It should be noted that a breach of Clause 23 of the Litter Act can be prosecuted for the maximum penalty shown above, or can be infringed with reduced penalties and issued immediately.

#### **Comment**

A number of options were considered in arriving at the above proposal, including the installation of locked gates with keys left with central persons or premises for access, or multiple keys issued to local residents, however the costs to supply and track these keys, plus the inconvenience for locals to obtain a key outweighed the benefits.

It is thought the proposed option will be best suited to the Shire's current needs. If endorsed, signage will be installed at all rural landfill sites advising of its appointed nature, and advising that any persons who do not fit the criteria for depositing waste will be deemed to be breaching the Litter Act.

The Shire has purchased a portable CCTV unit, which has been recently successful in capturing an illegal dumping incident on Crown land, with the evidence proposed to be tested via a prosecution, and it is deemed this method will be ideal for capturing person/s who are failing to abide by the appointments or as a minimum, will deter wrongdoing.

#### **Statutory Environment**

Litter Act 1979

#### **Strategic Implications**

##### **Goal**

Protecting, utilising and enhancing our beautiful natural heritage.

##### **Outcome**

Satisfaction with waste management services and recycling process.

##### **Strategies**

Establish and maintain environmentally sound waste facilities to cater for the Shire's long term waste disposal requirements.

#### **Policy Implications**

New draft policy "6.10 Rural Landfills"

### Financial Implications

Signage costs budgeted for in 2019/2020

### Officer Recommendation

*That Council endorse the "Rural Landfill" policy, and subsequently endorse the Shire administration applying the Litter Act 1979, Section 23 to person/s found breaching the policy.*

---

**POLICY:** RURAL LANDFILLS

**POLICY NO:** 6.10

**SECTION:** GENERAL ADMINISTRATION

**LAST REVIEW DATE:** JULY 2019

**DUE FOR REVISION:** JULY 2020

---

The Shire operates a number of rural landfill sites, designed to accept small quantities of putrescible waste (Class II) from local residents only.

To restrict non-local persons and commercial entities from utilising these sites, the following appointments are made:

Site	Appointment
Bodallin Rural Landfill Site	Appointed for the depositing of putrescible waste (Class II) by residents of Bodallin townsite and surrounding Bodallin rural locations only, unless otherwise approved by the Shire of Yilgarn
Bullfinch Rural Landfill Site	Appointed for the depositing of putrescible waste (Class II) by residents of Bullfinch townsite and surrounding Bullfinch rural locations only, unless otherwise approved by the Shire of Yilgarn
Marvel Loch Rural Landfill Site	Appointed for the depositing of putrescible waste (Class II) by residents of Marvel Loch townsite and surrounding Marvel Loch rural locations only, unless otherwise approved by the Shire of Yilgarn
Moorine Rock Rural Landfill Site	Appointed for the depositing of putrescible waste (Class II) by residents of Moorine Rock townsite and surrounding Moorine Rock rural locations only, unless otherwise approved by the Shire of Yilgarn

Under the Litter Act 1979 Clause 23(b), a person who deposits waste on land that is not appointed commits an offence. Persons who deposit waste in breach of the above appointments are deemed to have breached the Litter Act 1979, and as such, are liable to applicable penalties under said Act.

## 9.5 Reporting Officer – Manager Community Services

### 9.5.1 Yilgarn Motoring Enthusiasts funding agreement renewal

<b>File Reference</b>	<b>1.3.9.21</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>1 Funding agreement</b>

#### Purpose of Report

To renew the funding agreement with the Yilgarn Motoring Enthusiasts for another 3-year period.

#### Background

Council has provided financial and in-kind support towards “The Car & Bike Show and Swap Meet” since 2013.

Therefore, in 2016 the Shire of Yilgarn entered a 3-year funding agreement with the Yilgarn Motoring Enthusiasts providing \$3,000 and in-kind support (waiving the hire fees for the recreation centre facilities, marking the oval, allowing camping on the oval and netball courts and supplying extra rubbish bins) each year. This demonstrated the Shire’s commitment to the club’s future events and eliminated the annual application process.

#### Comment

The Yilgarn Motoring Enthusiasts are a strong club, the annual event is scheduled to advance in the next few years and the club has satisfied their part of the agreement in the last 3 years.

As Council is most likely to support this event in the future, a new agreement is suggested.

#### Statutory Environment

Nil

#### Strategic Implications

Strategic Community Plan 2018-2028

#### 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 / increase percentage of residents engaged in recreation, cultural and leisure activities for all demographics in the Shire.

### **Strategies**

Continue to implement and support community programs.

Continue to support local sport, recreation & community groups.

### **Policy Implications**

Nil

### **Financial Implications**

\$3000 cash donation to be included in 2019/20, 2020/21 and 2021/22 budget.

### **Officer Recommendation**

*That Council authorises the Chief Executive Officer to enter into a 3-year funding agreement between the Shire of Yilgarn and the Yilgarn Motoring Enthusiast to provide a financial donation of \$3,000 and in-kind support to the 2019, 2020 and 2021 Southern Cross Car & Bike Show.*

## Shire of Yilgarn community support - three year funding agreement

<b>The Recipient Organisation:</b>	<b>Yilgarn Motoring Enthusiast</b>
<b>The Grant:</b>	<b>\$3000 per financial year</b>
<b>The Event:</b>	<b>Yilgarn Car &amp; Bike show and swap meet</b>
<b>The Grant Amount:</b>	<b>\$3000 (excluding GST) per event</b>
<b>The Funding Period:</b>	<b>September 2019 to September 2021</b>
<b>The Acquittal Date:</b>	<b>Acquittal documentation is due within 30 days after each event.</b>

### Terms and conditions of this agreement

- The Shire of Yilgarn will pay the Yilgarn Motoring Enthusiast, every August of the funding period the amount of \$3000, subject to the event proceeding.
- The recipient must advise the Shire of Yilgarn immediately of the likelihood of any funds not being used. If applicable, a refund of any unused money may be requested. Unused money must not be spent for any other purpose unless first approved in writing by the Shire of Yilgarn.
- The recipient will use the funds only for the running of the Yilgarn Car & Bike Show unless written permission for a variation is obtained from the Shire of Yilgarn prior to the expenditure.
- The recipient will acknowledge assistance from the Shire of Yilgarn in press releases and promotional material, using the Shire's logo and the words "Proudly sponsored by the Shire of Yilgarn". A promotional shire banner will be displayed in a prominent location during the event.
- The recipient will keep proper accounting records relating to your organisation and the funding.
- The recipient understands that this funding agreement is for a specific period and cannot be construed as being a commitment by The Shire of Yilgarn for recurrent funding.
- The Shire of Yilgarn will cease payment of any funding or recovering any funding already paid to you if you cease or fail to comply with this agreement.
- The recipient will provide an annual report which shall include a financial summary of the income received, funds expended and an outline of activities including attendance numbers and details on how the event was promoted. This report is to include copies of photographs, brochures and other documentation.

## Shire of Yilgarn community support - three year funding agreement

<b>Name of Signatory</b>	
Signatory's position within <b>the recipient organisation</b>	President
<b>Name of the recipient organisation</b>	Yilgarn Motoring Enthusiast
On behalf of <b>the recipient organisation</b> I accept the obligations and conditions outlined in this funding agreement.	
Date signed	

<b>Name of Signatory</b>	Peter Clarke
Signatory's position within <b>the recipient organisation</b>	Chief Executive Officer
<b>Name of the benefactor organisation</b>	Shire of Yilgarn
On behalf of <b>the benefactor organisation</b> I accept the obligations and conditions outlined in this Funding Agreement.	
Date signed	

**10 APPLICATION FOR LEAVE OF ABSENCE**

Cr Della Bosca has submitted an application in writing to the CEO seeking Leave of Absence from the August 2019 Ordinary meeting of Council.

Recommendation

*That Council grants Cr Della Bosca Leave of Absence for the August 2019 Ordinary Council meeting in accordance with section 2.25 (1) of the Local Government Act 1995*

Voting Requirement: **Simple Majority**

**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**