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SHIRE OF YILGARN
MINUTES - ORDINARY MEETING OF COUNCIL
FRIDAY, 20th August 2010

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 20th August 2010.

PRESENT

Cr P R Patroni, Shire President

Cr D G Auld, Deputy Shire President

Crs G V Kenward, W A Della Bosca, O T Truran, J Della Bosca, D J Pasini

Council Officers: J Sowiak, Chief Executive Officer
V Murty, Deputy Chief Executive Officer
R J Bosenberg, Manager for Works
W J Dallywater, Manager Environmental Health & Building
D Shipard, Minute Taker

The meeting was declared open for business at 2.08 pm.

PUBLIC QUESTION TIME

Nil

PRESENTATION - CAZALY RESOURCES

Mr Matt Timbrell and Mr Ian Jaeche briefed Council on the proposed changes to Yilgarn roads in relation to the heavy haulage route and advised that they were in the process of gaining approval from all the relevant Landholders along the route.

PRESENTATION - 5 YEAR FORWARD CAPITAL WORKS PROGRAM

Mr Brett Howson is the Consultant enlisted to work on the Shire of Yilgarn's Forward Capital Works Plan and has been working closely with Council's management team putting together the document. Mr Howson gave a brief run through of the 5 Year Capital works program and requested that Council receive and endorse the Forward Capital Works Plan as per Item 10.1 recommendation.

Cr Patroni indicated to Brett that he would like the Councillors to have the opportunity to review the plan and the decision deferred to the September Council Meeting.

DISCLOSURE OF FINANCIAL INTEREST

The CEO Mr Jeff Sowiak declared an Interest in Item 10.5 of the Manager Environmental Health & Building Services' Report.

APOLOGIES & LEAVE OF ABSENCE

Nil

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CONFIRMATION OF PREVIOUS MINUTES

190/2010

Moved Cr Kenward Seconded Cr Auld that the Minutes of the previous Meeting of Council held on Friday 16th July 2010, be confirmed as a true and correct record of that meeting, subject to an amendment that Cr Patroni did not leave the meeting at 4.56pm and the Changes to the following Resolutions::

164/2010 - The Tourism Advisory Committee Meeting was held Monday 12th July not June 2010.

168/2010 - That Council Authorise the Chief Executive Officer to establish a Reserve Account in accordance with the provisions of the Local Government Act 1995 not Local Government At 1995.

CARRIED (7/0)

YILGARN YOUTH SPORT AND RECREATION ADVISORY COMMITTEE MEETING MINUTES

191/2010

Moved Cr Kenward Seconded Cr J Della Bosca that the Minutes of the Yilgarn Youth Sport and Recreation Advisory Committee Meeting held Monday 21st June 2010 be received.

CARRIED (7/0)

RECOMMENDATION

Moved Mrs C Auld Seconded Ms R Roberts that Council approaches BGC Development to request financial assistance towards providing upgraded sporting facilities (Recreation Precinct Redevelopment) in Southern Cross that would attract their employees towards physical fitness and a healthier lifestyle balance.

CARRIED

192/2010

Moved Cr Kenward Seconded Cr Truran that Council agrees to write to BGC Development and request financial assistance towards providing upgraded sporting facilities (Recreation Precinct Redevelopment) in Southern Cross that would attract their employees towards physical fitness and a healthier lifestyle balance.

CARRIED (7/0)

RECREATION SPORTING PRECINCT REDEVELOPMENT PROJECT PUBLIC MEETING

193/2010

Moved Cr Truran Seconded Cr Kenward that the Minutes of the Recreation Sporting Precinct Redevelopment Project Public Meeting held Wednesday 21st July 2010 be received.

CARRIED (7/0)

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YILGARN LOCAL ACTION GROUP OF SKELETON WEED MANAGEMENT COMMITTEE

194/2010

Moved Cr W Della Bosca Seconded Cr Truran that the Minutes of the Yilgarn Local Action Group of Skeleton weed Management Committee Meeting held Tuesday 27th July 2010 be received.

CARRIED (7/0)

WALGA - GREAT EASTERN COUNTRY ZONE MEETING

195/2010

Moved Cr W Della Bosca Seconded Cr Kenward that the Minutes of the WALGA - Great Eastern Country Zone Meeting Held Wednesday 4th August 2010 be received.

CARRIED (7/0)

TOURISM ADVISORY COMMITTEE MINUTES

196/2010

Moved Cr Kenward Seconded Cr Truran that the Minutes of the Tourism Advisory Committee Meeting held Monday 9th August 2010 be adopted.

CARRIED (7/0)

RECOMMENDED

Moved K Crafter Seconded A Unkovich that it be recommended to Council that it writes letters of support for the Southern Cross Motor Cycle Club to the Motor Cross Western Australia Association, Motor Cross Australia Association, and to Outback Safari regarding the non-communication between the different divisions of motor cross that has found two events (1 State based and 1 National based) being booked for the same weekend and parts of the routes for each overlapping, and therefore to safe guard its own event and riders, the Southern Cross Motor Cycle 2 Day Enduro Event has been cancelled for 2010.

CARRIED

197/2010

Moved Cr Kenward Seconded Cr Truran that council writes letters of support for the Southern Cross Motor Cycle Club to the Motor Cross Western Australia Association, Motor Cross Australia Association, and to Outback Safari regarding the non-communication between the different divisions of motor cross that has found two events (1 State based and 1 National based) being booked for the same weekend, resulting in the Southern Cross Motor Cycle 2 Day Enduro Event being Cancelled for 2010.

CARRIED (7/0)

KING OF THE CROSS DEBRIEF

198/2010

Moved Cr Kenward Seconded Cr Truran that Council invites representatives from Southern Cross Motor Cycle Club, Southern Cross Hospital, St John Ambulance, HACC Committee to have a debrief on the level of health services offered over the King of the Cross weekend.

CARRIED (7/0)

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RECOMMENDED

Moved A Unkovich Seconded K Crafter that Council support the Tidy Towns Competition District Awards Winner Announcements by funding any costs over and above the amount provided by the Competition Organisers. CARRIED

199/2010

Moved Cr Kenward Seconded Cr Truran that Council agrees to support the Tidy Towns Competition District Awards Winner Announcements by funding any costs over and above \$750.00 provided by the Competition Organisers.

CARRIED (7/0)

TIDY TOWNS COMMITTEE MEETING

Cr Kenward the Chairman of the Tidy Town Committee advised Council of the recent visit of the Tidy Town Judges and the upcoming presentation day on the 15th October 2010. Minutes from the Tidy Town Committee meeting held on the 9th August 2010, will be presented at the next Tourism Advisory Committee Meeting on the 13th September 2010.

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

- He advised that with the CEO he had gone to Westonia for the 100 year Celebration and met with Mr Brendan Grylls and Mr Terry Redmond and discussed assigning the Wild Dog Fence project as the Regional project for Westonia and Yilgarn Shires, where the 35% of Royalties to Regions would be spent. All concerned agreed that the project was paramount to protecting the agricultural area from wild dogs.

In addition, he had met with Mr Barry Davies and Mr Craig Robyns from DAFWA in relation to what part DAFWA would play in the project. He was advised that DAFWA will purchase the materials and Council organize for the wild dog fence to be erected.

- He advised that he had met with Wendy Newman from Wheatbelt Development Commission to discuss issues relating to retaining a doctor in Southern Cross and the Wheatbelt in general.
- He has received an invitation from the Walgoolan History Group who is meeting on the 21st August 2010 in Westonia.
- He has attended with the Manager for Works a Regional Road Group meeting where the Black Spot program was discussed.

Cr Wayne Della Bosca advised Council that he had attended several meetings in the past month. A meeting with FESA where the new 'Total Fire Ban' policy was discussed, and how it has changed where 'Total Harvest Bans' have reverted back to the Shire not a directive from FESA on a state level.

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BOUNDARY FIRE CONTROL OFFICER

Cr Della Bosca advised that he has had discussion with neighbouring shires Narembeen and Merredin in electing Boundary Fire Control Officers. He would like to recommend to Council that Mr Joe Wilson from Narembeen become the Narembeen/Yilgarn Boundary Fire Officer.

200/2010

Moved Cr W Della Bosca Seconded Cr Kenward that Council appoints Mr Joe Wilson as the Boundary Fire Officer for the Shires of Narembeen and Yilgarn.

CARRIED (7/0)

Cr Wayne Della Bosca attended a LEMC meeting in Merredin where they discussed the issue of support groups e.g. Fire Trucks gaining access to emergency sites when the police have set up road blocks, and ways to overcome this problem.

CLIFF'S RESOURCES EMERGENCY MANAGEMENT MOU

In his capacity as Fire Chief, Wayne met with a representative from Cliff's Resources to discuss their Fire and Emergency Plan and had some concerns that their 'Memorandum of Understanding' between themselves and FESA did not make mention to the Shire's support role in an emergency situation.

201/2010

Moved Cr W Della Bosca Seconded Cr Truran that Council writes to Cliff Asia Pacific Iron Ore and advise them that we are in receipt of the 'Memorandum of Understanding' between Cliff's Resources and FESA in relation to Mutual support in planning & responding to emergency incident and Council is currently reviewing the plan and will notify them of any necessary adjustments.

CARRIED (7/0)

Cr W Della Bosca advised Council that he also attended a Biosecurity meeting in Merredin.

Cr Kenward along with Cr Truran attended a meeting in Perth with the Rural Doctors and discussed ways that doctors could be lured to the Wheatbelt.

Cr Julie Della Bosca advised that she attended three days of WALGA training for elected members in Perth covering; Councillor Roles and Responsibilities, Ethics and Conduct of an Elected member and Managing Conflict. Julie presented a report on her experience and expressed that she had gained a lot from the training.

Cr Della Bosca along with Crs Auld and Truran attended a meeting on the 1st August 2010 with the Minister of Sports and Recreation.

All the Councillors who had attended Local Government Week had expressed that it was a good opportunity for elected members to meet others with a common interest in Local Government and it gave them an opportunity to build a rapport with the Yilgarn Councillors and the new CEO.

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CHIEF EXECUTIVE OFFICERS REPORT

Submission to:	Ordinary Meeting of Council – Friday, 20 August 2010
Agenda Reference:	7.1
Subject:	Sporting Precinct – Financial Options
File Reference:	
Author:	Jeff Sowiak Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 th August

Background

Council has previously received a number of reports and a detailed project plan for the establishment of a Sport and Recreation Precinct in Southern Cross. The master Plan prepared by MCG Architects allows for the co-location and refurbishment of facilities for tennis bowls netball and basketball as well as the construction of a new heated pool and replacement of change rooms and related facilities for the existing pool.

The plan proposal by CCS Strategic Management suggests that such a facility should be managed by a new Southern Cross Recreational Association and optimistically suggests that the Association has the capacity to provide a “modest annual profit “. This “return” is however predicated on fully funded capital costs as well as a substantial increase in fees (over 45%), sales revenue, sponsorship and fundraising on an ongoing basis.

At its meeting on 21st May 2010 Council resolved as follows:

109/2010

Moved Cr W Della Bosca Seconded Cr Kenward that Council engages the services of MCG Architect and Quantity Surveyor to prepare detailed plans and costing for stage 1 of the Southern Cross Recreation Precinct.

CARRIED (6/0)

110/2010

Moved Cr W Della Bosca Seconded Cr Truran that Council signs the CSRFF Grant Agreement, in acceptance of the \$500,000 to be used on the co-location of sporting facilities in Southern Cross.

CARRIED (6/0)

At a meeting of Council held 18th June 2010 following a presentation by Mr John Williamson requesting further consideration of the project, Council resolved to hold a Public Meeting. The Shire President and Acting Chief Executive Officer scheduled the meeting for 21st July 2010.

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The agreement was subsequently signed and returned to the Department of Sport and Recreation. The architect has been contacted and given an order to undertake the preparation of detailed plans and costs for the Sporting Precinct Project Stage One.

Comment

1. Public Meeting:

The meeting was held at the Sport Pavilion on 21st July 2010 commencing at 7.35pm and attached are notes from the meeting.

At the meeting there were a variety of options put about varying from taking out a loan for the shortfall, seeking more grants, renovating sporting facilities on a priority basis, to funding via future Royalties for regions grants. Generally the attendees wanted the Precinct to proceed but no firm options on funding were resolved.

2. Project:

The Sporting Precinct Project Stage One current (June 2010) estimates have the cost as follows:

Basic Building Works	\$1,666,000
• Bar & Kitchen Fit out	\$200,000
• Floodlights	\$10,000
• Resurface Tennis Courts	\$120,000
• Bowling Green	<u>\$150,000</u>
	\$2,146,000
Design & Documentation	\$350,000
Contract Administration	<u>\$130,000</u>
	\$2,626,000
Contingency 15%	\$394,000
Escalation (March 2011) 20%	<u>\$545,000</u>
Cost Estimate Stage one	\$3,565,000
Stage Two	\$500,000
Stage Three	<u>\$2,240,000</u>
Total Precinct Cost	<u>\$6,305,000</u>

Funding for stage one -Confirmed

• Department of Sport & Recreation Grant	\$500,000
• Royalties for Regions Grant (2010 - 11)	\$305,000
• Royalties for Regions Grant (2008 - 09)	\$446,346
• Sporting (Recreation) Reserve	<u>\$965,954</u>
	<u>\$2,217,300</u>

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Probable	
Building Reserve	<u>\$110,000</u>
	\$2,327,300
Possible	
Royalties for Regions Grant (2011-12)	<u>\$343,343</u>
	<u>\$2,670,643</u>
Estimated Shortfall Total Project	<u>\$3,634,357</u>

<u>Options considered</u>	
Cost Estimate Stage one	\$3,565,000
<u>Less:</u> Reductions to Scope of Works	
Change building Methods (Metal)	\$38,000
Reduce Contingency to 5%	\$264,600
Eliminate Tennis Resurfacing	<u>\$120,000</u>
	<u>\$ 422,600</u>
	<u>\$3,142,400</u>

Confirmed Funding For Stage one

• Department of Sport & Recreation Grant	\$500,000
• Royalties for Regions Grant (2010 - 11)	\$305,000
• Royalties for Regions Grant (2008 - 09)	\$446,346
• Sporting (Recreation) Reserve	<u>\$965,954</u>
	<u>\$2,217,300</u>

Building Reserve	<u>\$110,000</u>
	\$2,327,300
Shortfall	\$815,100
Royalties for Regions Grant (2011-12)	<u>\$343,343</u>
Estimated Shortfall Stage one	<u>\$471,757</u>

Risks to consider:

There are a number of possible risks associated with this development and most of these relate to financial considerations.

Capital Cost overrun:

The value of the project has been determined to date by the Architects in consultation with quantity Surveyors. There are multiple risks associated with the cost of a complex proposal such as this. At the outset the estimates are not contract prices and are based on an assessment of the project by quantity surveyors based on the plans that they were given and the time lines that were suggested. It is estimated that the delay in the project has already added an estimated \$545,000 to the first stage of the project with advice that building costs could escalate substantially over the life of the project. If this is the case then there is an argument to complete the project in a timely manner.

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The other issue to consider is the fact that at this stage Council has only considered options for funding stage one of the works in either the exiting format or with variations as proposed. Stages two and three will need to be considered in the future for funding.

Operational Cost over runs:

The original report prepared by CCS Strategic Management made very bold assumptions about operational costs and in particular, the staffing for the heated pool and hours of operation (only 12 hours per week) . It is also noted that the overall cost of operating all recreational facilities will increase from \$577,000 to \$636,000 in year one, rising to \$701,000 in year three. No consideration has been given to what Council and sporting bodies might save as a consequence of upgrading and replacing obsolete facilities.

Operational Income Shortfalls:

Included in the reports is an annual income from sporting associations in the order of \$113,000 of which \$30,000 is membership fees together with sponsorships (\$20,000) and donations (\$10,000). The report assumes that almost all of the current income from sporting associations will be pooled and used to fund the staffing and management responsibilities for the new Sports Association and that the total amount will increase.

Similarly, the report suggests that with the advent of the heated hydrotherapy pool, annual pool fees would rise from the current level of \$10,500 per annum to \$25,000.

Grant Income;

The scenarios referred to later in the report identify known grants and internal Council funding that can and have been allocated to this project. There is a strong possibility of future funding for the project in subsequent years however this may very well be eroded by the increasing cost of construction. In two years the estimated cost of this project has escalated by \$545,000. Whilst some of this may have been as a consequence of design changes it is apparent that the majority of this cost related to anticipated price increases.

Impact on community:

There is no doubt that having new and improved facilities will increase the attractiveness of the town to residents and improve the health and well being of the residents that are using the facilities. The alternative for Council and the sporting bodies is to continue down the path of renovating old and dysfunctional facilities or to discontinue those services as the facilities deteriorate to beyond their useful life.

Clearly there is a desire in the community to undertake the redevelopment of the sporting facilities and therefore a need to consider how Council and the community can best afford to mitigate the risks if the project is to proceed.

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Obviously additional grant funding is the preferred option, however the Council will need to consider what happens if grants are not available to finish the project and how this shortfall is to be funded. Options include loans, community fund raising or contributions to achieve the desired outcome.

The following proposals offer Council some additional insight into possible variations and options to consider.

Funding Shortfalls

<u>Scenario 1</u>	Estimated Cost	\$3,565,000
	Confirmed Funding	\$2,217,300
	Building Reserve	<u>\$110,000</u>
	Shortfall Scenario 1	<u>\$1,237,700</u>
<u>Loan</u>	for 20 years at 6.5% with Four payments per year - Repayments (annual)	<u>\$111,030</u>

<u>Scenario 2</u>	Shortfall from Scenario 1	\$1,237,700
	RFR Grant (2011-13)	\$343,343
	Shortfall Scenario 1	\$894,357
<u>Loan</u>	for 20 years at 6.5% with Four payments per year - Repayments (annual)	<u>\$80,224</u>

<u>Scenario 3</u>	Estimated Cost	\$3,565,000
	Reductions Scope Works	<u>\$422,600</u>
		\$3,142,400
	Less confirmed funding	\$2,217,300
	Building Reserve	<u>\$110,000</u>
		<u>\$815,100</u>
<u>Loan</u>	for 20 years at 6.5% with Four payments per year - Repayments (annual)	<u>\$73,120</u>

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Scenario 4	Shortfall from Scenario 3	\$815,100
	RFR Grant (2011-13)	<u>\$343,343</u>
		<u>\$471,757</u>
<u>Loan</u>	for 20 years at 6.5% with Four payments per year	
	- Repayments (annual)	<u>\$42,320</u>

Scenario 5	Shortfall from Scenario 4	\$471,757
	Plus re introduce tennis	<u>\$120,000</u>
		<u>\$591,757</u>
<u>Loan</u>	for 20 years at 6.5% with Four payments per year	
	- Repayments (annual)	<u>\$53,080</u>

Scenario 6	Shortfall from Scenario 5	\$591,757
	Plus Stage 2	<u>\$500,000</u>
		<u>\$1,091,757</u>
<u>Loan</u>	for 20 years at 6.5% with Four payments per year	
	- Repayments (annual)	<u>\$97,930</u>

Notes to some options

1. Possible Funding Royalties for Regions (2011-12) \$343,343

Council will still be constructing the Precinct in 2011-12 and therefore the scheduled Royalties for Regions Grant for that year could be utilised. The only issue is the security of the Royalties for Regions Commitment. The Government cancelled the 2009-10 Royalties for Regions Grant because of the World Financial Crisis. If Council choose to utilise these funds then it must accept that if they do not eventuate then loan funding for \$343,343 will be required.

2. Reduce Contingency to 5% \$264,600

The quantity surveyor advised that this is included because he is not working with complete drawings. It may not be necessary when final drawings are complete. Council also has the option to vary requirements to reduce the cost if a higher contingency was necessary. Council will not know that outcome until tenders are received.

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3. Scenario 6 – Stage Two

\$500,000

The inclusion of Stage two into the programme (Stages one and two) is a possibility if borrowing is necessary.

Conclusion

The true capital costs can only be established once Council has a full design and considered tenders for construction. The annual operational costs will only be determined once the facilities are established. Clearly there are a number of unknowns and the Council has, at this stage in the process, determined to proceed to the design stage and to use the initial grant for this project.

If now or in the future , prior to committing to a building contract the Council believes that the risks out-way the benefits and decides not to proceed, then Council should at that time identify how it intends to improve sporting facilities and use the funds that it has available to do that.

If Council wishes to proceed with the project under the current situation then it must accept that loan funding is inevitable and only the extent of the borrowings is for debate. The various scenarios outline the extent of the shortfall and the cost of annual loan repayments.

Should Council determine not to proceed with the proposal and determine to prioritise facilities in need of replacement, relocation or major repair or renovation then a substantial part could be funded by Reserve, Royalties for Regions (10/11) and Royalties for Regions (11/12) and Royalties for Regions (12/13) is an when received. The \$500,000 Department of Sport and Recreation Grant and the Royalties for Regions (08/09) of \$305,000 would need to be re negotiated with the Department.

The various sporting bodies involved (Bowls, Tennis, Netball and Basketball) need to meet to establish how the complex should operate and whether the identified fundraising, sponsorship contributions, membership fees and other income are achievable. Also what capacity there is for additional contributions to offset capital and operating costs. A legal lease or operating agreement must be entered into to establish security for the occupiers and certainly for Council.

Meeting with Architect:

The architects have agreed to meet with Council on August 31st at 9am to discuss the design brief.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

As outlined in the report there are significant financial risks associated with owning and operating sporting and recreational facilities.

Recommendation

1. That the Council discuss with the Architects a plan to progress the capital works in line with anticipated income flows so as to maximise grant funding and to avoid the necessity to borrow funds to complete the project.
2. That the CEO completes the Royalties for Regions Grant funding requirements for the 2010-11 allocation (\$446,346).

Voting Requirements

Simple Majority

202/2010

Moved Cr Truran Seconded Cr Kenward that Council agrees:

1. *To discuss with the Architects a plan to progress the capital works in line with anticipated income flows so as to maximise grant funding and to avoid the necessity to borrow funds to complete the project.*
2. *That the CEO completes the Royalties for Regions Grant funding requirements for the 2010-11 allocation (\$446,346).*

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday, 20 August 2010
Agenda Reference:	7.2
Subject:	Project Officer- Council Amalgamation
File Reference:	
Author:	Jeff Sowiak Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 th August

Background

One of the key steps necessary to progress the amalgamation of the Shires of Westonia and Yilgarn in an effective manner it is recruit a person to work with the CEO, the staff and Councillors to assist in the progress...

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The role of Project Officer will be to collaboratively work with the CEO, Senior Staff and Councillors to progress the amalgamation of the Shires of Westonia and Yilgarn to become a single entity by 1 July 2012.

This person will work in close liaison with the joint Chief Executive Officer to develop a transition plan for integrated Council reporting, communications, Information technology, financial management, human resources and corporate reporting systems necessary to enable the new Council to function from 1st July, 2012.

The Council's have received a grant of \$50,000 as an initial contribution towards the cost of transition and has been given assurance that further funding will be granted to enable this process to continue. Discussions with both the Minister and the Department staff at the recent WALGA conference have indicated that further funding is available upon presentation of a costed proposal.

Accordingly, approval is sought to undertake the recruitment process with an appointment subject to further funding for this position from the State Government.

A copy of the position description and information package will be circulated with the agenda.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

As outlined in the report this position is to be funded from the Government's transition funding pool.

Recommendation

That the Council endorse the recruitment of a Project Officer to work collaboratively with the CEO, Senior Staff and Councillors to assist in the amalgamation process.

Voting Requirements

Simple Majority

203/2010

Moved Cr Pasini Seconded Cr Auld that Council agrees to endorse the recruitment of a Project Officer to work collaboratively with the CEO, Senior Staff and Councillors to assist in the amalgamation process.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council - Friday, 20 August 2010
Agenda Reference:	7.3
Subject:	Joint Meeting - Council Amalgamation
File Reference:	
Author:	Jeff Sowiak Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 th August

Background

The Council's have agreed to progress the amalgamation and now that a Joint CEO and Director have been appointed it would seem appropriate for the two Council's to meet and discuss the steps needed to be undertaken.

It is proposed that this would be a special meeting and the cost of the meeting would be allocated to the transition fund.

Mr Tony Brown, Executive Manager of Governance and Strategy with WALGA has offered to meet with Council's committee to discuss the experiences of other Council's that have undertaken this process.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

As outlined in the report this meeting would be funded from the Government's transition funding pool.

Recommendation

That the Council identify a date for a joint collaborative meeting.

Voting Requirements

Simple Majority

CEO advised the Councillors that the Joint Meeting of Councils has been arranged for Tuesday the 24th August 2010 at 5.00pm with dinner afterward.

RECEIVED

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Submission to:	Ordinary Meeting of Council – Friday, 20 August 2010
Agenda Reference:	7.3
Subject:	Country Local Government Fund 2010-11 - Regional Allocation
File Reference:	
Author:	Jeff Sowiak Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 th August

Background

Council has previously been advised that the Regional Component of the Royalties for Regions CLG Fund for 2010-2011 was to be allocated to project selected by a regional grouping for large scale projects.

However, the Department has now confirmed that as the Westonia and Yilgarn Shire Council's have agreed to form a regional transition group they are eligible to receive this funding direct for allocation within the combined Shire area on projects of regional significance.

Regional Group Allocation;

The allocation to the two Council's that must be spent on this basis is:

Yilgarn Shire Council	240,340
Westonia Shire Council	<u>201,373</u>
Total	441,713

Dog Fence:

Both the Westonia and the Yilgarn Shire Council's have previously indicated that an eligible project that would provide significant regional benefit would be the construction of the Dog Fence through the Yilgarn and into the top end of the Westonia Shire Council Areas.

This project is supported by the Dept of Agriculture who is securing funding for the purchase of materials; all that will be required for the project to proceed will be the supervision of a contract to construct the fence.

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An indicative Budget for the project is as follows;

Construction of Dog fence Yilgarn & Westonia

Shire

Indicative budget

	number	rate	cost
Tender preparation and advertising etc	15000	1	15,000
Cost to clear and Construct fence	165	4000	660,000
Security & temporary site works	20	2000	40,000
Supervision and Direction of works	40	2000	80,000
Vehicle running expenses	40	300	12,000
Cattle Grids	6	80000	480,000
Sub total			1,287,000
Freight	3%		38,610
Administration	15%		193,050
Contingency	5%		64,350
Total			2,870,010

It is proposed that the regional allocation be used to fund this project with the balance to be sought be a specific grant from the CLC Fund.

It is estimated that the project could be commenced and completed in approximately 30 weeks.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

As outlined in the report this meeting would be funded from the Government's transition funding pool.

Recommendation

That the Council agree to utilise the regional allocation form the CLG fund for the construction of the dog fence and seek additional funding to complete this project in the 2010-2011 financial year.

Voting Requirements

Simple Majority

204/2010

Moved Cr J Della Bosca Seconded Cr Pasini that Council agrees to utilise the regional allocation form the CLG fund for the construction of the Wild dog fence and seek additional funding to complete this project in the 2010-2011 financial year.

CARRIED (7/0)

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Council adjourned for recess at 4.30pm and reconvened at 4.45pm

DEPUTY CHIEF EXECUTIVE OFFICERS REPORT

Submission to:	Ordinary Meeting of Council - Friday 20 th August 2010
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	4144
Author:	Vivienne Murty - Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	18 th August 2010

Background

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

The following reports are enclosed and have been prepared as at the 30th June 2010 and 31st July 2010:

- Statement of Financial Position
- Statement of Investments,
- Statement of Surplus,
- Monthly Statement of Financial Activity - DRAFT -30/6/10
- Finalised Annual Report to be presented to Council at the October Meeting.
- Monthly Statement of Financial Activity as at 31/7/10
- Rates Receipt Statement (prepared to 30th June 2010)
(note: rates not raised until 17th August 2010)

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

Statutory Environment

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

Policy Implications

None

Financial Implications

None

Strategic Implications

None

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Voting Requirements

Simple majority required

Recommendation

That the Various Financial Reports for the period ending 30th June 2010 and the 31st July 2010 as presented, be received.

205/2010

Moved Cr Kenward Seconded Cr Auld that the Various Financial Reports for the period ending 30th June 2010 and the 31st July 2010 as presented, are received.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 20 th August 2010
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	4132
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	18 th August 2010

Background

Municipal Fund – Cheque Numbers 35330 to 35480 totalling \$545,719.33, Municipal Fund – Cheque Numbers 952 to 955 totalling \$169,904.64, Trust Fund – Cheque Number 401877 to 401880, totalling \$4,042.90 and Trust Fund – Cheque Numbers 5683 to 5688 (DPI Licensing), totalling \$70,606.65 are presented for endorsement as per the submitted list.

Statutory Environment

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

Policy Implications / Delegation Register

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

Financial Implications

Reduction to Bank Accounts balances.

Strategic Implications

Nil.

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Recommendation

That Council endorse the accounts covered by Municipal Fund - Cheque Numbers 35330 to 35480 totalling \$545,719.33, Municipal Fund - Cheque Numbers 952 to 955 totalling \$169,904.64, Trust Fund - Cheque Number 401877 to 401880, totalling \$4,042.90 and Trust Fund - Cheque Numbers 5683 to 5688 (DPI Licensing), totalling \$70,606.65 are presented for endorsement as per the submitted list.

Voting Requirements

Simple majority.

206/2010

Moved Cr Truran Seconded Cr Pasini that Council endorses the accounts covered by Municipal Fund - Cheque Numbers 35330 to 35480 totaling \$545,719.33, Municipal Fund - Cheque Numbers 952 to 955 totaling \$169,904.64, Trust Fund - Cheque Number 401877 to 401880, totaling \$4,042.90 and Trust Fund - Cheque Numbers 5683 to 5688 (DPI Licensing), totaling \$70,606.65 are presented for endorsement as per the submitted list.

CARRIED (7/0)

MANAGER OF WORKS REPORTS

Submission to:	Ordinary Meeting of Council August 20th 2010
Agenda Reference:	Works 9:1
Subject:	Tender 5/2009 - 2010 Disposal of Abandoned Vehicles
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	14113/5103
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	26th July 2010

Background

Over the past sixteen months Councils has accumulate three vehicles of which were left abandoned on the Great Eastern Highway and in Southern Cross Townsite. Upon being notified that the cars had been abandoned the vehicles were impounded in the Shire Depot

Details of the vehicles are as follows:

- Falcon GL Sedan
- Holden Berlina Sedan
- GX Nissan Pulsar

Under the requirements of the Local Government Act, once a vehicle has been impounded, Council must make every effort in which to contact the owner of the vehicle impounded so as they can reclaim their vehicle back. Correspondence has

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been forwarded to last registered owners of the three vehicles above, advising them that to reclaim their respected vehicles back, towing cost and impounding cost would need to be paid prior to the vehicles been released. If the vehicles are not reclaimed within a two month period then they would be offered for sale by public tender.

No reply has been received from any of the three previous registered owners

Comment

Following the obligatory two month holding period, the vehicles were advertised in the 8th of July edition of "Crosswords" for sale by public tender, with the closing of the tender being Thursday 22nd July 2010.

The following tenders were received (*GST Inclusive*):

Roger Loader	GX Nissan Pulsar	\$100.00
	Holden Berlina Sedan	\$100.00
Collin Loader	Falcon GL Sedan	\$100.00
Lyle Wells	Falcon GL Sedan	\$50.00
	Holden Berlina Sedan	\$50.00
	GX Nissan Pulsar	\$50.00
Wayne Berryman	Falcon GL Sedan	\$251.00
	Holden Berlina Sedan	\$149.00
Jamie Scott	Holden Berlina Sedan	\$255.10

Statutory Environment: Section 3.47(2b) of the Local Government Act 1995 relating to the disposal of confiscated or uncollected goods

Recommendation

That Council endorses the actions of Council staff in calling of the tenders for the sale of the abandoned vehicles and in doing so accepts the following tenders submitted for the purchase of the following vehicles (*GST Inclusive*):

Roger Loader	GX Nissan Pulsar	\$100.00
Wayne Berryman	Falcon GL Sedan	\$251.00
Jamie Scott	Holden Berlina Sedan	\$255.10

Voting Requirements

Simple Majority

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207/2010

Moved Cr Pasini Seconded Cr Kenward that Council agrees to endorse the actions of Council staff in calling of the tenders for the sale of the abandoned vehicles and in doing so Council accepts the following tenders submitted for the purchase of the following vehicles (GST Inclusive):

<i>Roger Loader</i>	<i>GX Nissan Pulsar</i>	<i>\$100.00</i>
<i>Wayne Berryman</i>	<i>Falcon GL Sedan</i>	<i>\$251.00</i>
<i>Jamie Scott</i>	<i>Holden Berlina Sedan</i>	<i>\$255.10</i>
		CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 20th August 2010
Agenda Reference:	9.2
Subject:	Replacement Motor Vehicle - Works Supervisor
File Reference:	4111
Author:	Robert Bosenberg - Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	29 th July 2010

Background

Included in Councils 2010-2011 Financial Year Budget a monetary allocation has been allowed for the change over of the Toyota Landcruiser Utility utilised by Councils Works Supervisor.

In accordance to Council's Policy 2.13, it is proposed to replace the Works Supervisor's Vehicle at intervals of less than 80,000 kilometres or 24 months of age. The compliance plate of the current vehicle shows a manufacturing date of January 2008, and was purchased in July 2008 and has a speedometer reading of 70,000km

Comment

Quotations were sought for a replacement motor vehicle from Goldfields Toyota in Kalgoorlie and Merredin Toyota.

Goldfields Toyota quoted as follows (*GST Inclusive*):

1 x 2010 Toyota Landcruiser GXL Cab-Chassis/Utility, at a cost of \$63,600.00, with a trade price on the existing vehicle of \$45,000.00, resulting in a change-over cost of \$18,600

Merredin Toyota quoted as follows (*GST Inclusive*):

1 x 2010 Toyota Landcruiser GXL Cab-Chassis/Utility, at a cost of \$61,602.20, with a trade price on the existing vehicle of \$49,602.20, resulting in a change-over cost of \$12,000

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Summary:

Council currently has a GST inclusive allocation of \$62,840.00 to purchase a replacement vehicle, and a trade-in income allocation of \$50,000, resulting in a change-over allocation of \$12,840.00.

Statutory Environment

Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions and Provisions

Policy Implications

The recommendation has been developed in line with Council's Policy, Number 2.13 'Executive Motor Vehicle Replacement'.

Financial Implications

Expenditure will be funded from account E14750 - Purchase Plant - Administration, with a budgeted allocation of \$62,840 (*GST Inclusive*) being allowed for in Councils 2010/2011 Financial Year Budget for the change over of this vehicle

Strategic Implications

None

Voting Requirements

Simple Majority required

Recommendation

That Council purchase 1 x 2010 Toyota Landcruiser GXL Cab-Chassis/Utility from Merredin Toyota, for the quoted purchase price of \$61,602.20, and trade Council's existing 2008 Toyota Landcruiser Utility for the quoted sale price of \$49,602.20, resulting in a change-over cost of \$12,000.00 (*GST Inclusive*).

208/2010

Moved Cr Kenward Seconded Cr J Della Bosca that Council agrees to purchase 1 x 2010 Toyota Landcruiser GXL Cab-Chassis/Utility from Merredin Toyota, for the quoted purchase price of \$61,602.20, and trade Council's existing 2008 Toyota Landcruiser Utility for the quoted sale price of \$49,602.20, resulting in a change-over cost of \$12,000.00 (GST Inclusive).

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council - Friday 20 th August 2010
Agenda Reference:	9.3
Subject:	Replacement of the CEO's Vehicle - YL-1
File Reference:	4111
Author:	Robert Bosenberg - Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	30 th July 2010

Background

Included in Councils 2010-2011 Financial Year Budget a monetary allocation has been allowed for the change over of the Holden Caprice Sedan utilised by Councils Chief Executive Officer.

In accordance to Council's Policy 2.13, it is proposed to replace the Chief Executive Officer's Vehicle at intervals of 40,000 kilometres or 18 months of age. The current Holden Caprice was purchased in February 2009 and has a speedometer reading of 54,000km.

Comment

Quotations were sought for the replacement of the current Holden Caprice Sedan with a similar type of motor vehicle from Golden City Motors Kalgoorlie and Lewis Motors Merredin.

The vehicles quoted, and submitted for consideration, as follows, with all prices inclusive of GST:

Golden City Motors:

1 x 2010 Holden Caprice Sedan-WH V8 Sedan, at a cost of \$55,712.12, with a trade price on the existing vehicle of \$37,012.12 resulting in a change-over cost of \$18,700.00

Lewis Motors - Merredin:

1 x 2010 Holden Caprice Sedan-WH V8 Sedan, at a cost of \$55,500.01, with a trade price on the existing vehicle of \$36,000.00 resulting in a change-over cost of \$19,500.01

Summary:

Council currently has a GST inclusive allocation of \$54,650.00 to purchase a replacement vehicle, and a trade-in income allocation of \$30,910, resulting in a change-over allocation of \$23,740.00.

Statutory Environment

Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions and Provisions

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Policy Implications

The recommendation has been developed in line with Council's Policy, Number 2.13 'Executive Motor Vehicle Replacement'.

Financial Implications

Expenditure for the replacement of this vehicle will be funded from account E14750 - Purchase Plant - Administration, with a budgeted allocation of \$54,650 inclusive of GST being allowed for in Councils 2010/2011 Financial Year Budget for the change over of this vehicle

Strategic Implications

None

Voting Requirements

Simple Majority required

Recommendation

That Council purchase 1 x 2010 WM Model Holden Caprice Sedan from Golden City Motors for the quoted purchase price of \$55,712.12, and trade Council's existing 2009 Holden Caprice Sedan for the quoted sale price of \$37,012.12, resulting in a change-over cost of \$18,700.00 inclusive of GST.

REASON FOR AMENDMENT TO RECOMMENDATION

Recently, Council Officers were notified of a special offer from Holden to WALGA members of a \$4,000 rebate (excl GST) on Holden Caprice vehicles if purchased after 1st August 2010. The DCEO contacted Golden City Motors to request an adjusted quote to include the rebate of \$4,000 offered by Holden. The quoted adjusted changeover is now \$14,300.

209/2010

Moved Cr Truran Seconded Cr J Della Bosca that Council agrees to purchase 1 x 2010 WM Model Holden Caprice Sedan from Golden City Motors for the quoted purchase price of \$51,312.12, and trade Council's existing 2009 Holden Caprice Sedan for the quoted sale price of \$37,012.12, resulting in a change-over cost of \$14,300.00 inclusive of GST.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council August 20th 2010
Agenda Reference:	Works 9:4
Subject:	Yilgarn Agriculture Society - Antares Street and
Canopus	Street Road Closure for the purpose of Show Day Street
	Parade
Location/Address:	Canopus Street
Name of Applicant:	Yilgarn Agriculture Society
File reference:	12809
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	5 th August 2010

Background

Correspondence has been received from the Yilgarn Agriculture Society seeking Council permission to close section of Antares Street from Canopus Street intersection to Great Eastern Highway, section of Canopus Street from Sirius Street to Antares Street, section of Achernar Street from Antares Street to Spica Street and a section of Spica Street from Canopus Street to Achernar Street. The purpose of the road closures is for the annual Yilgarn Agriculture Show Street Parade being held on Saturday 28th August.

Comment

The street parade will commence at 10:30am departing from the Canopus Street showground gates travelling west along Canopus Street to the intersection of Antares Street, and then heading south along Antares Street (*contra to existing traffic flow*) turning at the Great Eastern Highway onto the opposite side of Antares Street heading north and then turning onto Achernar Street heading east across the intersection of Spica Street and entering the showground at the main gate located on Achernar Street. The parade is expected to last an hour and be completed by 11:30am.

To accommodate the street parade there will be a requirement to close roads at the following locations, Canopus Street from Spica Street to Antares Street, Antares Street from Canopus Street to Great Eastern Highway, Achernar Street from Antares Street to Spica Street and Spica Street from Achernar Street to Spica Street.

In the past council staff have implemented traffic management plans and carried out road closures required for the street parades for the Yilgarn Agriculture Society. If Council grants permission to Yilgarn Agriculture Society to hold a street parade to promote the 2010 Agriculture Show then it is expected Council staff will be carrying out the road closures as previous years.

Recommendation

That Council grants permission to the Yilgarn Agriculture Society for the closure of Canopus Street from Spica Street to Antares Street, Antares Street from Canopus Street to Great Eastern Highway, Achernar Street from Antares Street to Spica Street and Spica Street from Achernar Street to Spica Street for the purpose of Yilgarn Agriculture Society street parade on Saturday 28th August 2010 commencing at 10:30am and finishing at 11:30am on the proviso that the following points are adhered to:

- 1) Road closures and detours routes to be clearly sign posted
- 2) Through access to pedestrian pathways are to remain accessible to members of the public at all times.
- 3) Road closure to be advertise in "Crosswords" two weeks prior to the event, by the applicant

Voting Requirements

Simple Majority

210/2010

Moved Cr Pasini Seconded Cr Truran that Council grants permission to the Yilgarn Agriculture Society for the closure of Canopus Street from Spica Street to Antares Street, Antares Street from Canopus Street to Great Eastern Highway, Achernar Street from Antares Street to Spica Street and Spica Street from Achernar Street to Spica Street for the purpose of Yilgarn Agriculture Society street parade on Saturday 28th August 2010 commencing at 10:30am and finishing at 11:30am on the proviso that the following points are adhered to:

- 1) *Road closures and detours routes to be clearly sign posted*
- 2) *Through access to pedestrian pathways are to remain accessible to members of the public at all times.*
- 3) *Road closure to be advertise in "Crosswords" two weeks prior to the event, by the applicant.*

CARRIED (7/0)

KOOLYNOBBING ROAD - HEAVY HAULAGE OF SALT

The Manager for Works reported that there has been an increase in roadtrain activity on the Koolyanobbing Road. The increase has been due to Australian Government Railway's (ARG) decision to take the hauling of salt to Perth and Bunbury off the rail and haul it by road. He expressed his concerns with ARG intending to haul 100,000 tonne of salt per year on the Koolyanobbing Road.

He explained that it appears that the decision to haul salt by road is driven by economics i.e. cheaper to haul salt by road than it is to repair/replace current fleet of rail carriages being used to haul salt. The decision to haul 100,000 tonne per year is concerning, as council the body responsible for the ongoing maintenance cost of the Koolyanobbing Road was at no stage notified of the changes in transporting the Salt.

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There has been a noticeable increase to pavement damage and gravel shoulder damage to the Koolyanobbing Road since the increase in roadtrain activity. There have also been several complaints from motorists in small vehicles being forced off the road by roadtrains whilst passing.

The Manager for Works pointed out that Main Roads Heavy Vehicle Operations (MRHVO) have issued roadtrain permits to haulage companies to haul salt on Koolyanobbing Road without first obtaining council approval. In the past there was a requirement for haulage companies to obtain council approval to utilise council roads for roadtrain operation before applying to MRHVO for permits. This allowed council to notify haulage companies of any conditions that council may have on roads, that haulage companies are seeking approval to operate on. As pointed out by Council's Manager for Works in this instance this did not occur.

Correspondence has been forwarded onto the Minister for Transport expressing Council's concern in relation to this issue along with emails sent to MRHVO requesting to have the permits for the roadtrains hauling salt withdrawn. Mr Bosenberg advised that a response from the Minister for Transport and MRHVO have not been received to date.

RECEIVED

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MANAGER OF ENVIRONMENTAL HEALTH AND BUILDING REPORTS

Submission to:	Ordinary Meeting of Council - Friday 20 th August, 2010
Agenda Reference:	10.1
Subject:	Forward Capital Works Plan 2010/2011 to 2014/2015
Location/Address:	Shire of Yilgarn
Name of Applicant:	Manager Environmental Health & Building Services and Mr Bret Howson of Howson Management
File Reference:	
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th August, 2010

Background

I refer to Agenda Item 7.2 of the Ordinary Meeting of Council held on 21st May 2010 where the previous Chief Executive Officer, Mr Peter Clarke, advised Council that local governments were now required to produce a Forward Capital Works Plan prior to 31st December 2010 in order for local governments to receive future Royalties for Regions Country Local Government Funding (CLGF). This Plan is to identify major projects expected to be carried out within a 5 year period.

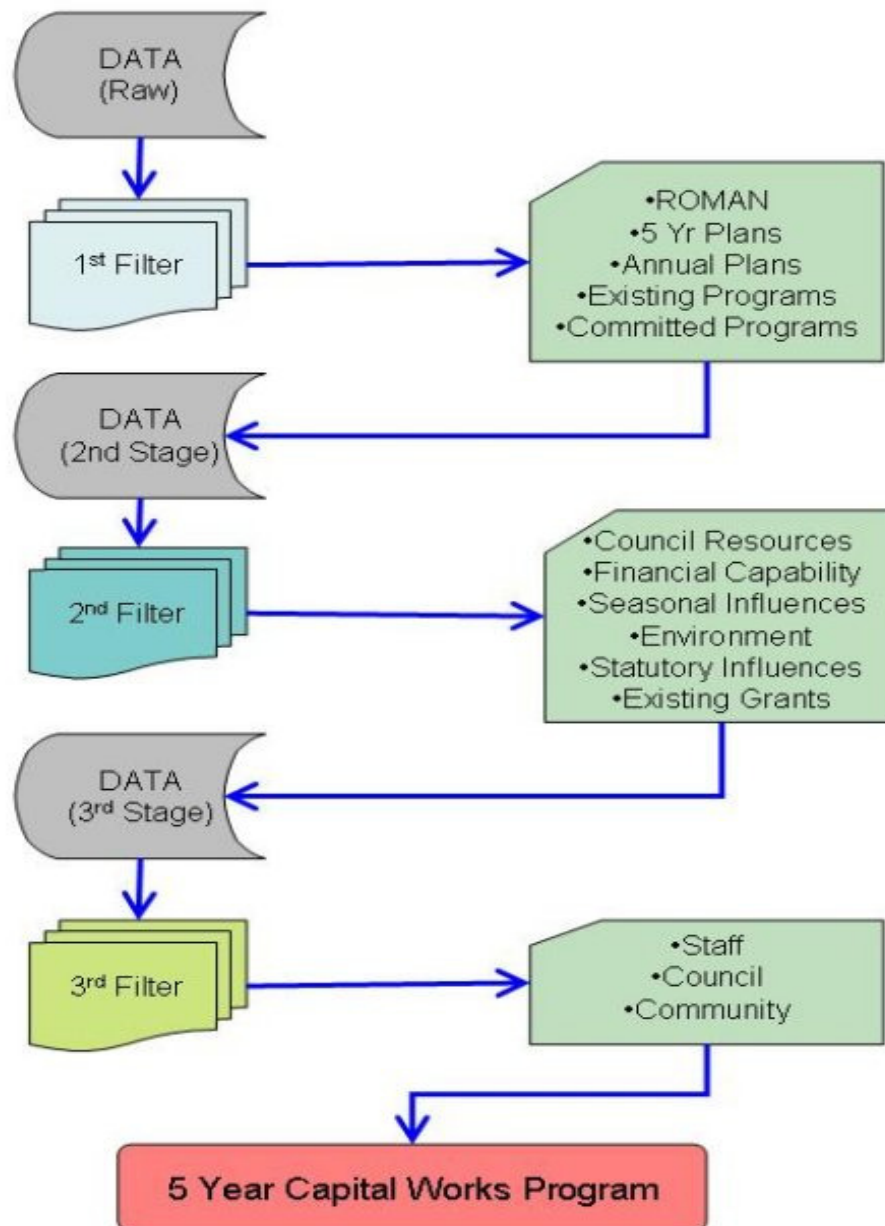
At the May 2010 Meeting Council acknowledged this requirement and set about to appoint a consultant to assist with the drafting of 5 Year Forward Capital Works Plan. Mr Bret Howson of Howson Management was referred to the Acting Chief Executive Officer, Mr Eddie Piper, and was duly appointed to draft this Plan.

Comment

Basically the preparation of the 5 year Forward Capital Works Plan (FCWP) is to identify actual capital projects, and then add actual costs and timeframes against them to create a working document for realistic forward planning. This document becomes the key to the timely provision of services and infrastructure for the community as well as the efficient, accurate use of available funds.

The FCWP lists the capital projects and allocates time and funds to the activities and tasks associated with each project. These projects have been determined by Council and senior staff in accordance with the broader objectives of a Future Plan to attempt to achieve the vision of Council's Strategic planning.

The Shire of Yilgarn's FCWP has been created in three stages which are the general development and planning stages of any major project in Local Government:



Forward Capital Works Plan - Methodology

In accordance with the Departments' guidelines, the Shire of Yilgarn's FCWP addresses:

- infrastructure items only, not plant and equipment.
- infrastructure that is owned by Council. (If not, reasons should be provided for Council wishing to spend funds on assets which it does not own. – i.e. Wild Dog Fence)
- expenditure for 5 years, commencing in 2010-11.
- Council approval of the FCWP.
- Information on capital works expenditure by Council in 2009-10.

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The FCWP contains an opening statement on what the plan covers and confirms Council approval for it with a signature by the Shire President and Chief Executive Officer. It should include a commitment to review the plan each year.

A summary table has been provided as an overview of the Forward Capital Works Plan by the grouping of projects (e.g. Roads and Bridges, Footpaths, Drainage, Open Space, Buildings, Commercial Activities, Foreshores and Marine Safety, Waste, Recreation, Other). The tables include a total expenditure figure for each year and identifies whether capital works expenditure is either for, Renewal, New Assets or Asset Expansion, or Upgrade.

The FCWP has a summary page for each project providing the following information:

- Purpose of the project.
(Information on whole-of-life cost has not been included on each project as the injection of capital funds from CLGF will renew or replace many aging assets, and in return will clearly reduce the on-going costs to Council.

In many cases there is little historical data relating precisely to whole of life costs of the existing or new assets, and producing these types of cost models can only be created accurately when specific to a certain scenario. Reviewing these scenarios at a later date may result in misleading or incorrect data being taken forward into following plans or budgets.

Each capital project will be presented to Council during normal annual budget deliberations with the relative costing models for consideration at that time.)

- Background on the project.
- Explain how the project meets the intent of the Council's strategic plan. Expenditure (actual and budgeted) on the project in 2009-10.
- Breakdown of funding sources and amount of funding from each source for each out year, including where Council has identified the Country Local Government Fund as a funding source.
- A risk management assessment of each project, including an analysis which addresses scenarios where one or more funding source for a project is reduced, not available or delayed.
- An indication of whether a project involves expenditure for renewal, new assets, or asset expansion or upgrade.
- Any other issues relating to the project.

Statutory Environment

Whilst Forward Capital Works Plans do not have a statutory requirement at this stage, it is good practice to improve the process of planning for the future of the district, which is a requirement under the Local Government Act 1995, Section 5.56(1)

Policy Implications

There are no policy implications with the item.

Financial Implications

There are no specific financial implications with the item, however many projects listed in the FCWP will require additional or matching funds from "other" sources. Council should develop a procedure so funding applications are made in a timely fashion and in accordance with the procedures of the funding agency to ensure that Council's projects are not deferred.

Recommendation

1. That Council receive and endorses the Shire of Yilgarn's Forward Capital Works Plan 2010/2011 to 2014/2015.
2. That Council request the Chief Executive Officer to develop a method of Council reviewing the Forward Capital Works Plan annually.

Voting Requirements

Simple Majority.

Forward Capital Works Plan to be reviewed by Councillors and Agenda Item to be re-presented at September Council Meeting.

RECEIVED

Submission to:	Ordinary Meeting of Council - Friday 20 th August, 2010
Agenda Reference:	10.2
Subject:	Application to Conduct Exploration Drilling
Location/Address:	Along Blythe Road Reserve, Bodallin - E77/516
Name of Applicant:	Department of Mines and Petroleum - Director General
File Reference:	10306
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	27 th July, 2010

Background

The Department of Mines and Petroleum has written to Council advising that it has received an application from Edna May Operations Pty Ltd to carry out exploration drilling along Blythe Road Reserve, north of the Great Eastern Highway.

In respect to road reserves, the Minister for Mines and Petroleum is required to first consult with the Minister for Local Government before granting consent to mine. The Minister for Local Government has given a general clearance provided the matter is first referred to the Local Authority for comment.

Comment

No exploration drilling or other mining should take place within the built-up or developed areas, and cannot occur within the townsite or within a 2Km buffer area around the townsite boundary without Council approval. The section of Blythe Road north of the Great Eastern Highway is within the 2Km buffer of the Bodallin townsite, approximately 140-160m from the townsite boundary.

The impact on the residents of the townsite will be minimal as there is a natural bush area on the east side of the townsite.

During harvest time Blythe Road is used by farmers going to and from the Bodallin CBH grain bins and it would be preferable for any exploration activity to cease during this period. While farmers could use the Bodallin North Road as an alternative route, out of habit they will want to continue to use Blythe Road being that little bit closer to their farms. Likewise the intersection with Penton Road and the Great Eastern Highway will be critical points that need to be managed well.

In the past Council has granted permission for exploration drilling to be carried out north of the Southern Cross CBH bins and Mr Terry Beaton's farm, but withheld approval for exploration drilling within Lot YL AA 88 Southern Cross Airstrip off the Great Eastern Highway; A Reserve 7478 Lot 605 "Recreation" off Koolyanobbing-Southern Cross Road; Reserve 16597 Lot 94 "Wastewater Disposal Ponds" off the Koolyanobbing-Southern Cross Road; Reserve 8849 Location 1480 "Common" off the Koorda-Southern Cross Road; and including the Lake Koorkoordine system.

While there are issues with this application, outside of the harvest period, the impact on local residents will be minimal but still need to comply with Council's general conditions for exploration drilling along road reserves:-

- 1) That dust suppression is carried out so that people living nearby and traffic using the road or intersecting road are not adversely affected;
- 2) That any saline ground water found is contained by pumping in into a water trailer and disposed of through normal mining practices under the terms of

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- Edna May Operations Pty Ltd's mining conditions imposed by the Department for Environment and Conservation;
- 3) Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread or affect the environment;
 - 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
 - 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;
 - 6) A fire fighting unit is to be available at all times, and drilling is to cease if a total fire ban, or harvest and movement ban is called;
 - 7) No drill holes are to extend under any public railway line or any roadway without first notifying the governing authority. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimize damage to capped drill holes during maintenance grading - refer to Typical Cross Section of Road Formation diagram;
 - 8) Safety signs are to be erected in accordance with Australian Standards - to warn mining staff, contractors, and the public/visitors in the area.
 - 9) A copy of the Edna May Operation Pty Ltd's traffic management plan is to be forwarded to the Shire's Manager of Works for his acceptance prior to any work being carried out;
 - 10) All drill holes are to be capped as soon as possible/practicable after drilling;
 - 11) If working within 100m of a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;
 - 12) That Edna May Operations Pty Ltd contacts land owners whose land adjoins the Blythe Road Reserve advising them of the proposed drilling program so that farmers are able to relocate livestock that may be adversely affected by the exploration work; and
 - 13) That Edna May Operations Pty Ltd advertise the proposed drilling program in the local newsletter "Crosswords" prior to commencing operations to notify the general public of this work.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise the Department of Mines and Petroleum that it grants approval for Edna May Operations Pty Ltd to carry out exploration drilling along the Blythe Road Reserve within its Exploration Lease E77/516 provided that the following conditions are adhered to:-

- 1) That dust suppression is carried out so that people living nearby and traffic using the road or intersecting road are not adversely affected;
- 2) That any saline ground water found is contained by pumping in into a water trailer and disposed of through normal mining practices under the terms of Edna May Operations Pty Ltd's mining conditions imposed by the Department for Environment and Conservation;
- 3) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread or affect the environment;
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;
- 6) A fire fighting unit is to be available at all times, and drilling is to cease if a total fire ban, or harvest and movement ban is called;
- 7) No drill holes are to extend under any public railway line or any roadway without first notifying the governing authority. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimize damage to capped drill holes during maintenance grading - refer to Typical Cross Section of Road Formation diagram;
- 8) Safety signs are to be erected in accordance with Australian Standards - to warn mining staff, contractors, and the public/visitors in the area.
- 9) A copy of the Edna May Operation Pty Ltd's traffic management plan is to be forwarded to the Shire's Manager of Works for his acceptance prior to any work being carried out;
- 10) All drill holes are to be capped as soon as possible/practicable after drilling;
- 11) If working within 100m of a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;
- 12) That Edna May Operations Pty Ltd contacts land owners whose land adjoins the Blythe Road Reserve advising them of the proposed drilling program so that farmers are able to relocate livestock that may be adversely affected by the exploration work; and
- 13) That Edna May Operations Pty Ltd advertise the proposed drilling program in the local newsletter "Crosswords" prior to commencing operations to notify the general public of this work.

Voting Requirements

Simple Majority.

211/2010

Moved Cr Kenward Seconded Cr Pasini that Council advises the Department of Mines and Petroleum that it grants approval for Edna May Operations Pty Ltd to carry out exploration drilling along the Blythe Road Reserve within its Exploration Lease E77/516 provided that the following conditions are adhered to:-

- 14) That dust suppression is carried out so that people living nearby and traffic using the road or intersecting road are not adversely affected;*
- 15) That any saline ground water found is contained by pumping in into a water trailer and disposed of through normal mining practices under the terms of Edna May Operations Pty Ltd's mining conditions imposed by the Department for Environment and Conservation;*
- 16) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread or affect the environment;*
- 17) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;*
- 18) All rubbish is to be disposed of at the local landfill site in the appropriate manner;*
- 19) A fire fighting unit is to be available at all times, and drilling is to cease if a total fire ban, or harvest and movement ban is called;*
- 20) No drill holes are to extend under any public railway line or any roadway without first notifying the governing authority. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimize damage to capped drill holes during maintenance grading - refer to Typical Cross Section of Road Formation diagram;*
- 21) Safety signs are to be erected in accordance with Australian Standards - to warn mining staff, contractors, and the public/visitors in the area.*
- 22) A copy of the Edna May Operation Pty Ltd's traffic management plan is to be forwarded to the Shire's Manager of Works for his acceptance prior to any work being carried out;*
- 23) All drill holes are to be capped as soon as possible/practicable after drilling;*
- 24) If working within 100m of a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;*
- 25) That Edna May Operations Pty Ltd contacts land owners whose land adjoins the Blythe Road Reserve advising them of the proposed drilling program so that farmers are able to relocate livestock that may be adversely affected by the exploration work; and*
- 26) That Edna May Operations Pty Ltd advertise the proposed drilling program in the local newsletter "Crosswords" prior to commencing operations to notify the general public of this work.*

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council - Friday 20 th August, 2010
Agenda Reference:	10.3
Subject:	Demolition of the Old Pony Club Room and Other Buildings
Location/Address:	Pt Lot 88 Great Eastern Highway, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	13202
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th August, 2010

Background

In 2008 I telephoned Mrs Maurine Beaton, previous Secretary or President of the Southern Cross Pony Club, regarding the future of the Southern Cross Pony Club and facilities located on the north-east section of Lot 88 Great Eastern Highway, Southern Cross. At the time, Mrs Beaton advised that the Pony Club had folded and would not recommence activities. I raised the issue of demolishing the old clubroom which was damaged on the north side plus the other buildings on-site and returning the land to being native bushland. Mrs Beaton had no objections but would speak to some other members of the Club. Mrs Beaton advised that the large shed had been promised to the Southern Cross Motor Cycle Club but that some of the material stored in the large shed belonged to previous Pony Club members and that she would arrange for the items to be removed.

I again telephoned Mrs Beaton in mid-2009 regarding this issue and Mrs Beaton confirmed that none of the past Club members had an objection to the old club rooms being demolished. Mrs Beaton was still endeavouring to have the items removed from the large shed.

Comment

The old clubrooms are deteriorating, the buildings are no longer required, and the removal of these buildings and the locking of the boundary gates would deter anyone camping on the site. There is also the safety issue if anyone visits the buildings with broken glass and wall sheeting on the ground and in-situ.

The removal of the storage shed and clean-up of that area would be the Southern Cross Motor Cycle Club, if the Club still wants the shed.

Statutory Environment

Section 403 of the Local Government (Miscellaneous Provisions) Act 1960.

Policy Implications

Nil

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Financial Implications

The demolition of the old clubroom, toilet block, small tank stand and removal of building rubble from the site would cost approximately \$500.00. The Manager of Works, Mr Robert Bosenberg, has advised that the money to cover this work is available from Works General Maintenance.

Recommendation

That Council agrees to carry out the demolition of the old Southern Cross Pony Club clubroom, toilet block, and other buildings and to maintain the land on the north-east section of Lot 88 Great Eastern Highway as native bushland.

Voting Requirements

Simple Majority.

212/2010

Moved Cr Truran Seconded Cr J Della Bosca that Council agrees to carry out the demolition of the old Southern Cross Pony Club clubroom, toilet block, and other buildings and to maintain the land on the north-east section of Lot 88 Great Eastern Highway as native bushland.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 20 th August, 2010
Agenda Reference:	10.4
Subject:	Southern Cross Men’s Group – Use of Shed
Location/Address:	Old Shire Depot, Reserve 9895 Lot 697
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th August, 2010

Background

As Council is aware, the Southern Cross Men’s Group has been looking for a place or shed that they can use for their own purposes including where they can carry out works for the community such as the current project of refurbishing the public seats in Antares Street, Southern Cross. Recently Mr Stan Beaton of the Men’s Group spoke with Mr Stan Gillman, lessee of the Old Shire Depot premises, with regards to the possibility of utilising one of the sheds for their work.

Mr Gillman has telephoned me to advise that he has no objections and would be happy for the Men’s Group to operate out of the main shed on the property. Mr Gillman said that there is a small kitchen with a refrigerator that the Men’s Group can

use also. Having the Men's Group operating from the site will also help with the security of the property.

Comment

Last week the old lunchroom and ablution block at the front of the property was badly damaged with most of the internal wall sheeting having been broken, the toilet cistern pulled off the wall, the hand basin pulled off the wall, and the shower wall pushed over. This building is periodically targeted by certain youths over the years and it is now at a point where it is better to remove the building rather than trying to make it secure again. The building will be removed on 16th August 2010 along with the vehicle maintenance pit near by.

If the Men's Group are to use the Old Depot as their base, there needs to be toilet facilities on-site. The original toilet facility is to be demolished and is not suitable to be repaired. Mr Gillman has installed a transportable ablution block within the fenced yard for his staff but is now advertising the building for sale for \$15,000.00. If Council is interested in purchasing the ablution block Mr Gillman may negotiate this price downwards, and he is giving Council first option of the building.

While this may seem a lot to spend on a toilet block, note that this cost is less than what the new disabled toilet at the Southern Cross Cemetery cost which was built on-site (\$21,000 approximately) and for the new transportable toilet block only at Bodallin (\$30,000 approximately). Mr Gillman's toilet block is already on-site and connected to water and the septic tank and leach drain system.

Statutory Environment

Health Act 1911 as amended.

Policy Implications

Nil

Financial Implications

An application for Regional and Local Community Infrastructure Program - (RLCIP) Round 3 2010-11 grant funding was completed for the re-roofing of the Yilgarn History Museum and was forwarded to the Australian Government Department of Infrastructure, Transport, Regional Development and Local Government. Under the RLCIP Round 3 Grant Funding all local governments would receive a minimum of \$30,000, which was also the allocation for the majority of local governments across Australia. Thus the application was for a total of \$30,000. Council budgeted an amount of \$39,600 in its 2010/11 Budget for this work. Therefore assuming that this application will be successful, there will be approximately \$20,000 available from the History Museum that could be allocated to other works/projects, such as the purchase of the transportable toilet block from Mr Gillman.

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Recommendation

1. That Council agrees that toilet facilities should be provided at the Old Shire Depot yard for the Southern Cross Men's Group.
2. That the Shire Administration Staff be authorised to negotiate with Mr Stan Gillman for the purchase of the transportable ablution block already on-site and connected to the septic tank system.
3. That Council agrees, if successful with the RLCIP Round 3 Grant Application, that the funds to purchase the ablution block come from the funds already allocated to the re-roofing of the Southern Cross History Museum.

Voting Requirements

Simple Majority

213/2010

Moved Cr Kenward Seconded Pasini that Council agrees that toilet facilities should be provided at the Old Shire Depot yard for the Southern Cross Men's Group.

2. *That the CEO be authorised to negotiate with Mr Stan Gillman for the purchase of the transportable ablution block already on-site and connected to the septic tank system.*
3. *That Council agrees, if successful with the RLCIP Round 3 Grant Application, that the funds to purchase the ablution block come from the funds already allocated to the re-roofing of the Southern Cross History Museum.*

CARRIED (7/0)

The CEO, Jeff Sowiak Declared an interest in the following Agenda Item.

Submission to:	Ordinary Meeting of Council - Friday 20 th August, 2010
Agenda Reference:	10.5
Subject:	Proposed Re-roofing of the CEO's House
Location/Address:	Lot 883 (H/No 37) Taurus Street, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	9002
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th August, 2010

Background

At the July 2010 Council Meeting when Council adopted the draft Council Budget it included an amount of \$20,000.00 for the re-roofing of the CEO's house at 37 Taurus Street, Southern Cross. Quotes have been received for this work which also includes the installation of insulation under the roof sheeting and new gutters throughout for approximately twice this amount.

Comment

While my initial estimate and budget figure was \$35,000.00, this amount was reduced during the Administration Staff budget review to \$20,000.00. Due to the significant price difference the additional cost can not be accommodated from the funds allocated to this property as monies have already been spent to re-carpet throughout, carry out re-painting works, and various minor maintenance work.

Council may choose to do one of the following:-

- reallocate additional funds from the Building Reserve Account, which currently has a total of \$106,672.93, or
- funds could be re-allocated from another project such as the replacement of the front stage curtain in the Southern Cross Community Centre for the amount of \$20,000, or
- that we wait to see if there are funds that can be re-allocated in the December or March Budget Review process, or
- the project is deferred for 12 months and the project is re-considered for inclusion in the 2011/2012 Budget.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The financial implications are outlined above with 4 possible resolutions to this problem.

Recommendation

That Council defer the project to see if additional funds are identified in the December or March Budget Review process and for the reallocation of these funds to be brought before Council at the time.

Voting Requirements

Simple Majority

REASON FOR AMENDMENT TO RECOMMENDATION

The CEO's residence has recently had the ceiling repaired and painted and new carpets laid throughout the house. Council agrees to have the roof replaced sooner rather than later, due to the possible damage that that may occur with a heavy downpour of rain and agrees to have the additional costs transferred from the Building Reserve.

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214/2010

Moved Cr Auld Seconded Cr Kenward that Council agrees to have the CEO's house re-roofed as soon as can be organized and the additional cost be transferred from the Building Reserve.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 20 th August, 2010
Agenda Reference:	10.6
Subject:	Planning Application - Home Occupation Application - Food Premises from Residence
Location/Address:	Location 532 Sandalwood Rock Road, Mt Hampton
Name of Applicant:	Mrs Linda Rose
File Reference:	10303 & 7016
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th August, 2010

Background

Mrs Linda Rose has applied for planning permission to establish a Home Occupation business from her home on Location 532 Sandalwood Rock Road, Mt Hampton. Mrs Rose wishes to operate a food business consisting of small scale manufacturing of cookies, slices, and cakes for sale either directly to the customer or to establish food premises within the Yilgarn Shire.

See attached application letter.

Comment

Town Planning Issues

Under the Shire of Yilgarn Town Planning Scheme No 2 clause 3.2 Zoning Table - Table 1, a Home Occupation on land zoned "Rural/Mining" has an 'AA' symbol. This means that the use is not permitted unless the Council has granted planning approval. Attached is a copy of the definition of a home occupation listed in the Shire's Town Planning Scheme No 2. Mrs Rose's proposal complies with this definition.

Health Issues

The current food legislation is "risk based" and certain "low risk" foods may be allowed to be produced within a residential home kitchen, provided the local government grants its approval. Cookies, slices, and cakes that are not filled with or covered with "potentially harmful foods" such as dairy products (cream, cream cheese, yogurt, etc) are considered "low risk".

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I visited Mrs Rose on Thursday 12th August 2010, inspected her kitchen area, and discussed the various aspects of standard commercial food production. The kitchen facility is in very good condition and is relatively new. A separate pantry for dry goods, and separate refrigeration unit can be provided for the food production business so that items are clearly separated from the domestic items. We discussed aprons, hair covering, disposable gloves, transportation of the goods to customers, etc, as well the potentials for cross-contamination within and outside the home.

There are two areas that do not fully comply with a standard commercial kitchen, which are:-

- 1) there is no separate hand washing facility;
- 2) there is no ability to close off the kitchen area from the living areas of the house.

The first issue may be waived based on the nature of the food handling or food processing. In this case, the foods are low risk food, Mrs Rose will ensure that her children are being cared for by others (eg at school or her husband will look after the children), no pets are allowed inside the house, and there is a double bowl sink with a flip lever mixer tap handle where one bowl (the half bowl) can be designated as the hand washing facility and liquid soap and single use hand towels are already provided.

The second issue can be addressed in that Mrs Rose is having a new island work bench installed and the existing dining table will be re-positioned to designate the commencement of the kitchen area.

The Department of Health has advised that a local government may approve situations that do not fully comply with the legislation where it believes that alternative measures may be used to limit the potential risk.

In this instance I believe Council could grant approval to Mrs Rose using her home kitchen as a food premises due to the means of addressing the non-compliance as outlined above, and because of the low risk nature of the foods being produced.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2, the Health Act 1911, and the Food Act 2008.

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council grants approval to Mrs Linda Rose to use her home kitchen as a food premises while acknowledging the areas that do not fully comply with a standard commercial kitchen but accept the proposed means of addressing these issues, and grants her a Home Occupation Licence to conduct a food business from her home situated on Location 532 Sandalwood Rock Road, Mt Hampton.

Voting Requirements

Simple Majority.

215/2010

Moved Cr Pasini Seconded Cr Kenward that Council grants approval to Mrs Linda Rose to use her home kitchen as a food premises while acknowledging the areas that do not fully comply with a standard commercial kitchen but accept the proposed means of addressing these issues, and grants her a Home Occupation Licence to conduct a food business from her home situated on Location 532 Sandalwood Rock Road, Mt Hampton.

CARRIED (7/0)

SWIMMING POOL BREAK-IN

Miss Dallywater advised Council that there had been a break-in at the swimming pool kiosk, there had been \$50 damaged done to the window shutter but no other items were taken or damaged.

CARAVAN PARK SEWERAGE STATION

Miss Dallywater advised Council that additional upgrade work was required at the Sewerage Station at the Southern Cross Caravan Park. A new Pump and Duck fill valve needs to be replaced, the costs will be taken from the maintenance account.

CLOSURE

There being no further business to discuss, the Shire President declared the meeting closed at 5.46pm.

Council went into Committee at 6.00pm

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 20th August 2010 are confirmed as a true and correct record of that meeting on Friday, 17th September 2010.

Cr Romolo Patroni
SHIRE PRESIDENT