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SHIRE OF YILGARN
MINUTES - ORDINARY MEETING OF COUNCIL
FRIDAY, 19th November 2010

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 19th November 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
J Merrick Project Officer

The meeting was declared open for business at 2.07pm.

PUBLIC QUESTION TIME

Nil

DISCLOSURE OF INTEREST

- Cr Kenward Declared an Impartiality Interest in the Manager for Environment, Health and Building Item 10.1 & 10.2
- Cr Truran Declared an Impartiality Interest in the Manager for Environment, Health and Building Item 10.2

APOLOGIES & LEAVE OF ABSENCE

Nil

SUSPENSION OF STANDING ORDERS

280/2010

Moved Cr G Kenward Seconded Cr W Della Bosca that Council suspends Standing orders to hear from Mr John Merrick Project Officer Westonia / Yilgarn merger.

CARRIED (7/0)

PROJECT OFFICERS REPORT

Submission to:	Ordinary Meeting of Council - Friday, 19th November 2010
Agenda Reference:	Nil
Subject:	Amalgamation - Outline of Overview and Implementation Plan
File Reference:	2.5.2.3
Author:	John Merrick - Project Officer
Disclosure of Interest:	Not applicable
Date of Report:	18 th November 2010

1. OVERVIEW

a. Introduction

Following a workshop meeting with the Joint CEO and the Director Westonia Operations, the scope of my first task was developed and which reflects an overview of the services currently being provided by both Shires.

My first task is to commence the preparation of this report for Council which will provide a snapshot of all services in the context of operational, physical and delivery of these services. The report is to detail each of the services provided and to then be expanded to include a plan for implementation of the various components.

b. Identified Services

- Health – food, water, environment.
- Building – approvals, compliance, supervision.
- Roads – maintenance and construction.
- Locations – halls, parks, toilets, amenities.
- Community Services – youth, aged, welfare and care.
- People – employment, business, lifestyle and support.
- Recreation – swimming pools, ovals, sporting facilities.
- Libraries – diversity of products offered.
- Doctors – surgery, nursing, extended care.
- Waste Management – landfill, recycling, curbside pickups.
- State Government Infrastructure – water, sewerage, power.
- Bushfire Control – Volunteers, equipment, infrastructure.
- MVL Services – extent, usage, locations.
- Plant and Equipment – to include motor vehicles.
- Housing – welfare, aged, staff.

c. Identified Administrative Services

- Current major contracts.
- Staffing structures and conditions.
- Information Technology.
- Internal processes and procedures.
- Compliance and Governance.
- Communications.
- Financial Management.

2. IMPLEMENTATION PLAN

In conjunction with the preparation of the above overview of current services, I will be working on the Implementation Plan, which requires the need to determine two outcomes;

1. Where are we now, where do we want to be, how do we get there and who will be responsible for the various components.
2. We also need to establish those things we **MUST** do and those that we **CAN** do, when they are to be done and by whom.

2.1.1 Administrative Functions

- Delegations register
- Policy manual
- Insurances
- Rating structures
- Town Planning Schemes
- Staffing: structure, contract, award, EBA's, induction.
- Risk management
- Electoral; cycle, wards, representation.
- Information Technology
- Communications; radio, phones, bushfire, website.
- Local Laws
- Codes of Conduct
- OH&S
- Review of contracts and leases.
- Plant replacement program.
- Records management including, archives, retention and disposal.
- Roman 1 and 2.
- Strategic Plan.
- Forward Capital Works Plan
- Asset management
- Financial Management and Budgeting.

2.1.2 Training

- Change management:
- Team building:
- Information Technology
- New systems and procedures.
- Records management.
- Asset management.

2.3 Councillors

Councillors specific training opportunities could extend to the following areas:

- Code of Conduct
- Roles and responsibilities.
- Strategic Planning.
- Change Management.
- CEO recruitment, performance.
- Rates setting.
- Town Planning.

2.4 Office Accommodation

Review of existing facilities to determine suitability following integration.
Current and future needs to be assessed in conjunction with staff structures.
Determine whether funding/ grants available for construction/ modification.

2.5 Works Depots

Similar to office accommodation with a review of needs in terms of benefits to be achieved from an integrated work's maintenance program.

2.6 New Town Planning Scheme

Research need for a full scale review of current Yilgarn schemes and what impact that review would have on Westonia.

2.7 Financial Management Systems

Through the implementation program, three separate briefs are required for:

- Rates modeling
- Budget structure
- Forward capital works plan

All of which can be funded through the local government reform fund, as well as:

- New ledger cost structures
- Ten year financial plan
- Asset management plan
- Systems review linked to (perhaps) ITVision for chart of accounts
- New fees and charges schedule separate from the policy manual.

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In conjunction with the development of the above overview report for Council, which, in effect, is a “due diligence” undertaking, I have been requested to prepare a quarterly newsletter for communication to the public, and perhaps present progress reports to occasional public forums.

My program requires my attendance for an average of two weeks per month, and I will be in Southern Cross 15/11 to 19/11, home office 22/11 to 26/11, Westonia 29/11 to 3/12 and Southern Cross 13/12 to 17/12.

I have agreed with the CEO to remain flexible to suit both Councils and look forward to the challenges this project presents.

Recommendation

That Council receives the Project Officers report

281/2010

Moved Cr Truran and Seconded Cr Auld that the report from the Project Officer, Mr John Merrick be received and that Council resume Standing Orders.

CARRIED (7/0)

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

282/2010

Moved Cr Kenward Seconded Cr Auld that the Minutes of the previous Meeting of Council held on Friday 22nd October 2010, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

JOINT MEETING OF WESTONIA YILGARN REGIONAL COUNCIL

283/2010

Moved Cr W Della Bosca Seconded Cr Kenward that the Minutes of the Joint Meeting of Westonia Yilgarn Regional Council held Friday 22nd October 2010 be received.

CARRIED (7/0)

YILGARN TOURISM COMMITTEE

284/2010

Moved Cr Kenward Seconded Cr Truran that the Minutes of the Yilgarn Tourism Committee held Monday 8th November 2010 be received.

CARRIED (7/0)

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ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

The Shire President advised the following:-

- That he and the CEO had attended a WE-Roc meeting in Kellerberrin on Wednesday the 27th October 2010. Many issues were discussed including; the central Wheatbelt Tourism Visitors Centre in Merredin, Dog fence submission and Aged Accommodation.
- That he and staff from Yilgarn and Westonia had come together at the Southern Cross Depot on the 25th October to receive OHS silver and bronze awards respectively by LGIS CEO. Staff from both Councils will be meeting again on the 3rd December to celebrate their achievements and start building strong working relationships between the two shires.
- That he along with the CEO will be hooking up by Teleconference on the 25th November, for the Great Easter Zone meeting. Other Councillors are welcome to attend meeting.
- That he and the CEO will be attending the Eastern Wheatbelt Dogging Group meeting on the 13th December 2010 in Merredin.
- He advised that WALGA had published 2009/2010 figures in regards to Council funded expenditure towards roads, and Yilgarn rated high with \$729,000 spent on roads from Municipal funds.
- That he had attended the Motorcycle Club AGM, where he was advised that they would like to purchase two additional ablution blocks to service the camping areas. He indicated to the members of the club that Council would continue to support the SXMC.

Cr Kenward advised that he had attending a Great Western Woodlands Meeting and presented the Dog Fence Submission at the meeting and received a positive response. In addition he had attended the LEMC meeting on the 17th November 2010.

Cr Auld advised that he had been contacted by Dave Hillier from the Department of Water requesting a meeting at Dallyabin Rock Bore site to look into getting the bore activated as there is a shortage of water in the area. From discussion at the meeting between Mr T Pope, Mr N Teale, Mr R Bosenberg, Mr D Hillier and himself it was decided that Council will assist by putting in turning bays at the site and putting down a pad area for the tanks and the clearing of the pipeline track. On completion of the works the Water Corporation will hook up the pump to the tanks and it is envisaged that the local community will be able to draw between 60,000 to 70,000 litres per day for emergency use only.

Cr Truran advised that she had attended the Yilgarn Entertainers production of Shenanigans Wake on the 13th November and it was very enjoyable.

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CHIEF EXECUTIVE OFFICERS REPORT

Submission to:	Ordinary Meeting of Council - Friday, 19th November 2010
Agenda Reference:	7.1
Subject:	Council Meetings 2011 - Dates & Times
File Reference:	2.1.2.4
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th November 2010

Background

Section 12 of the *Local Government (Administration) Regulations 1996* requires a Local Government to at least once a year give local public notice of the dates on which and the time and place at which -

- (a) the ordinary council meetings; and
- (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

(c)

are to be held in the next 12 months.

Comment:

The dates for the 2011 monthly Council meetings are proposed as follows, subject to consideration of meeting times:-

Friday, 21 January 2011	Friday, 15 July 2011
Friday, 18 February 2011	Friday, 19 August 2011
Friday, 18 March 2011	Friday, 16 September 2011
Friday, 15 April 2011	Friday, 21 October 2011
Friday, 20 May 2011	Friday, 18 November 2011
Friday, 17 June 2011	Friday, 16 December 2011

In submitting the above meeting dates for 2011, Council also may wish to review meeting times and whether the current format is suitable. Over the years Council has made a number of changes to meeting times to reflect the change in the order of business.

It is considered that the current format has worked well and should be continued for a further 12 months.

Statutory Environment

Section 12 of the *Local Government (Administration) Regulations 1996* relating to advertising meeting dates and times.

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Policy Implications

Nil

Financial Implications

Nil

Recommendation

That in accordance with Section 12 of the *Local Government (Administration) Regulations 1996* relating to the advertising of meeting times and dates of monthly Ordinary Council meetings, the following schedule of times and dates be adopted for the 2011 year:-

- Luncheon to commence at 12.30pm and conclude at 1.30pm
- Information Session to commence at 1.30pm to 2.00pm
- **Monthly Council meetings to commence at 2.00pm on the following dates:-**

Friday, 21 January 2011	Friday, 15 July 2011
Friday, 18 February 2011	Friday, 19 August 2011
Friday, 18 March 2011	Friday, 16 September 2011
Friday, 15 April 2011	Friday, 21 October 2011
Friday, 20 May 2011	Friday, 18 November 2011
Friday, 17 June 2011	Friday, 16 December 2011

Voting Requirements

Simple Majority

285/2010

Moved Cr Auld Seconded Cr J Della Bosca that Council accepts the proposed Monthly Council meeting dates for 2011 to be:

<i>Friday, 21 January 2011</i>	<i>Friday, 15 July 2011</i>
<i>Friday, 18 February 2011</i>	<i>Friday, 19 August 2011</i>
<i>Friday, 18 March 2011</i>	<i>Friday, 16 September 2011</i>
<i>Friday, 15 April 2011</i>	<i>Friday, 21 October 2011</i>
<i>Friday, 20 May 2011</i>	<i>Friday, 18 November 2011</i>
<i>Friday, 17 June 2011</i>	<i>Friday, 16 December 2011</i>

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday, 19 November 2010
Agenda Reference:	7.2
Subject:	Tourism Promotion Strategy
File Reference:	1.3.10.3
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th November 2010

Background

The Council is asked to provide issues for upcoming executive meeting with respect to the Wheatbelt Region Tourism strategy and funding for tourism promotion or other arrangements going forward.

Comment

Council has received correspondence from the Executive Officer WE-Roc in relation to Tourism marketing and promotion. The matter is paraphrased as follows:

The issue of funding for tourism promotion and establishing a WE-ROC Travel Group were considered by WE-ROC Council at the meeting held on Wednesday 25 August 2010, where it was resolved:

That the correspondence from Ms Pam Masters, Manager Central Wheatbelt Visitor Centre, be noted and the development of a WE-ROC Travel Group be referred to the Executive for further consideration.

At the Executive Meeting held in September a letter from Pam Masters the Manager of the Central Wheatbelt Visitor centre was considered and it was resolved:

That the WE-ROC Executive recommends to the WE-ROC Council that WE-ROC:

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

Consideration of the above issue probably also has bearing on the issue on tourism marketing which was considered by Council at its October meeting in Kellerberrin, with the following resolution agreed upon.

That the matter lie on the table and Ms Pam Masters, Manager Central Wheatbelt Visitor Centre be invited to attend the next WE-ROC Executive Meeting to discuss the integration of

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visitor centre services within the region and the process for the implementation of the recommendations contained in the Central Wheatbelt Tourism Strategy 2009-2014.

It was agreed that the matter be referred to member Councils to prioritise projects for further consideration, with the Executive to discuss the matter again at the first Executive meeting for 2011.

The executive officer has noted that "Whilst February 2001 seems some distance off, sadly like our birthdays it will come round far sooner than we would like! As a consequence I would be grateful if you could perhaps include the issue in your Council's next agenda for consideration."

Further that: "In finalising Pam's visit it would be beneficial if I could have your input as to what issues/aspects of the Strategy you would like to discuss with Pam. I would therefore be very grateful if you could provide me with issues that your Council would like raised during this meeting.

The matter is therefore referred to Council for consideration and suggestions of relevance might include:

- **Support for the Visitor Centre in Merredin.**

It is important to identify a methodology for disseminating tourism information and to coordinate promotional activities across the region. Is Council of a view that it provides sufficient support for this role? Is Council of a view in relation to the additional costs for the marketing, the central Wheatbelt map as proposed by the Executive?

- **Involvement of NEWROC and Roe ROC in relation to the implementation of the strategy.**

Is this a proposal that Council would support? If not what are the alternatives?

Given the expenditure of Council on Tourism infrastructure and the vision statement that Council will place and 'added focus on Tourism, to ensure

It would not appear too difficult to form the view that Council would support proposals for additional expenditure from WE-ROC on tourism promotion, the reprint of the Central Wheatbelt map and visitor guide and the involvement of NEWROC and RoeRoc on a joint implementation of the Central Wheatbelt Tourism Strategy.

On that basis this is the strategy that is recommended, however it is for Council to consider and provide and alternative feedback to the WE-Roc executive in terms of where this issue should be heading.

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Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

This matter would need to be incorporated into the 2010/2011 budget. Based on what has been suggested the additional contribution would be a one sixth share of the allocation or approximately \$5,400.

Recommendation

That Council advise WE-Roc that it supports proposals for additional expenditure from WE-ROC on tourism promotion, the reprint of the Central Wheatbelt map and visitor guide and the involvement of NEWROC and RoeRoc on a joint implementation of the Central Wheatbelt Tourism Strategy.

Voting Requirements

Simple Majority

286/2010

Moved Cr Truran Seconded Cr Auld that Council advises WE-ROC that it supports proposals for additional expenditure from WE-ROC on tourism promotion, the reprint of the Central Wheatbelt map and visitor guide and the involvement of NEWROC and RoeRoc on a joint implementation of the Central Wheatbelt Tourism Strategy.

CARRIED (7/0)

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Attachment: Letter from Pam Masters:

Helen Westcott
The Secretary
Wheatbelt East Regional Organisation of Councils
PO Box 6456
EAST PERTH 6892
W.A.

Dear Helen,

RE: WEROC tourism marketing for 2010/11

In order to assist the WEROC Shires in their marketing decisions this financial year I have outlined the usual contributions that WEROC make to tourism marketing over the year. As there has been a change in CEOs during the year I have also provided an outline of the relationship of the Central Wheatbelt Visitor Centre to WEROC in marketing for our Region.

The Financial contribution to tourism marketing has been

1. \$4,400 (Inc GST) half page advertisement in **The West Wheatbelt Supplement** produced in 2010 in early July and generally sponsored overall by the Wheatbelt Development Commission. The advert this year attracted over 50 requests for the Map and Visitor Guide.
2. \$2,500 (Inc GST) A full page in the **Australia's Golden Outback Region Holiday Planner** outlining routes through our region and our Map and Visitor Guide. Payable November 2010 for the 2011 Planner which comes out in February 2011. This is about half the actual cost of a page at normal commercial rates.
3. \$600 .A contribution to consumer show attendance at Perth at \$200 per show. The shows include the Caravan & Camping Show, the Kings Park Wildflower Show and the 4WD Show. \$ 200 per show allows our banner and brochure to be displayed at the AGO stand at each of these shows. We are also able to send people to assist at the Shows at our expense. In 2009/10 we attended one show the Perth C&C Show in March 2010. I attended on behalf of WEROC with my expenses paid by the Shire of Merredin.

TOTAL: approx. \$7,500.

Every second year we have the cost of the revision and reprint of **the Central Wheatbelt Map & Visitor Guide**. This will be again due in the **2011/2012 Financial Year** and is an outlay of approximately **\$12,000** depending on how many maps are printed.

Opportunity in 2011: In September 2011 the RV Motor Home Association is having its National Rally in Kalgoorlie. It is anticipated that this will attract a lot of pre and post Rally touring through our region. The AGO is planning a campaign to attract this market to stay

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longer in the Golden Outback and in our towns. No doubt joint promotional opportunities to advertise to this target market will become available and I would suggest that WEROC consider additional advertising funds to participate in these campaigns. **\$5,000**

Summary: 2010/11 - \$12, 500 to \$13,000
2011/12 - \$22,000

Unlike other Regional Organisation of Councils in this area WEROC does not have a sub regional tourism body that undertakes promotion of the area on a more consistent basis.

For example Roe Tourism and New Travel receive a budget from the Shires in their area of Around \$16,000 per year. From this they undertake a variety of activities in the marketing sphere including the activities listed above. They are invited to join the Australia's Golden Outback in joint marketing campaigns during Spring and Autumn which enable them to leverage additional dollars and build resilience in their advertising.

The other advantage of giving consideration to the formation of a sub regional tourism group is that it improves communication between towns and fosters new ideas for promotion and development of tourism attractions and facilities.

Role of Central Wheatbelt Visitor Centre

It is a perception among some WEROC members that the Central Wheatbelt Visitor Centre is undertaking promotion for WEROC.

Although we do assist, at present, by contacting and booking the promotion that WEROC chooses to undertake and co-ordinating the revision of the Map, our role, according to our MOU, is for providing visitor servicing for all our MOU partners and not marketing.

There is little discussion among WEROC members as to how they wish to see their area promoted and to what target markets. It is also difficult for the CWVC and AGO to know who to contact to suggest that a particular marketing opportunity may benefit WEROC members.

As Visitor Centre Manager I endeavour to attend all sub regional tourism group meetings in our area and am available to assist the groups with their advertising and marketing when asked. I however, do not design their campaigns, book their advertising or pay the accounts. The choice of where they chose to advertise, the type of advertising and how much they spend is theirs.

It is my recommendation that WEROC consider

1. Providing a budget for a least a continuation of the promotion undertaken in past year plus an additional allocation for the RV Rally in 2011 at Kalgoorlie.
2. Provision for the reprint and revision of the Map and Visitor Guide on a bi annual basis. Next edition due 2011/12
3. Promote discussion on the formation of a sub regional tourism group to assist to promote the Central Wheatbelt region.

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4. Advise the Central Wheatbelt Visitor Centre who in WEROC they should contact should a joint marketing promotion related to the RV National Rally arise or in relation to any of the promotion listed above and the decision making process related to the same.

Many thanks

Yours sincerely,

Pam Masters
Manager

8TH August 2010.

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Submission to:	Ordinary Meeting of Council - Friday, 19 November 2010
Agenda Reference:	7.3
Subject:	Bush Fire Cautions
File Reference:	5.1.3.1
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	November 2010

Background

There have been three instances where a formal caution has been issued with respect to the lighting of fires without permits.

Comment

I report that the following people have been cautioned with respect to breaches of the requirements in relation to the Bush Fires Act 1954.

- Mr Danny Quadrio; Lighting fire without permit & failing to follow direction of an authorised officer.
- Mr Dwayne Kings; lighting fire without permit.
- Mr John Williamson: lighting fire without permit.

Statutory Environment

The Bush Fires Act 1954 makes provision for the issue of fines with respect to breaches of the Legislation. The CEO has delegated power to issue infringement notices or cautions as appropriate.

Policy Implications

Nil

Financial Implications

The statutory penalties for such offences are substantial and in extreme circumstances can be as high as \$10,000 and up to 12 months imprisonment, should such a matter proceed to court. (Clause 17 (12))

Recommendation

That the report be received.

RECEIVED

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Submission to:	Ordinary Meeting of Council – Friday, 19 November 2010
Agenda Reference:	7.4
Subject:	Project Officer - Westonia Yilgarn
File Reference:	2.5.2.3
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	November 2010

Background

The Council has received funding for the recruitment of a project officer to coordinate the merger of the Westonia and Yilgarn Regional Council.

Comment

The Consultant Mr John Merrick has been recruited on a part time basis approximately two weeks per month to work with the Chief Executive Officer, Councillors and other stakeholders to develop statutory processes and procedures in line with the Department of Local Government's "Amalgamation Guide" of February 2010.

John has over 20 years experience in Local Government in Western Australia and recently retired as the Chief Executive Officer of the Shire of Chittering, having held similar positions at the Shire of Erwin and Deputy/Director at the Cities of Bayswater and Belmont. He has a Diploma of Business Administration and qualifications in Local Government and is well regarded in the industry.

John will be at the Council meetings this week and his first priority will be to familiarise himself with the two Council's and the work that has been undertaken to date. He will initially need to overview the governance, management, services provided, operational structures, policies and procedures of the two Councils and then work on the development of a transition plan.

The role of the Project officer includes:

- a. In close liaison with the joint Chief Executive Officer identify 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.
- a. Review existing and recommend new policies, delegations and operational procedures, financial and management reporting systems for the new Shire.
- b. Assist with the preparation of a draft corporate strategic plan for the new Council.
- c. Assist with the preparation and implementation of contracts for information technology, communications and works necessary for the transition.
- d. Prepare an integrated budget for the new Council.
- e. Review Rating policies for consideration by the new Council.
- f. Provide regular updates to the Councillors and community on progress towards integration.
- g. Prepare and submit reports as necessary.

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- h. In liaison with CEO, apply for grants when appropriate to contribute towards the financing of Council projects.
- i. Ensure the Council comply with statutory requirements including the Local Government Act and other relevant legislation.
- j. When required attend Council and Committee meetings.
- k. Perform or oversee the preparation of special projects or reports.
- l. Ensure that the Shires of Westonia and Yilgarn Councils are perceived in a positive manner and that any specific publicity/public relations activities are undertaken effectively.

Given the Christmas New Year period it is suggested that the next meeting of the Westonia Yilgarn Regional Council be held on Friday 28th January in Westonia commencing at 10.00am.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Council has received \$50,000 initially funding for the project officer from the Department of Local Government and further funding has been applied for to cover expenditure relating to his consultancy work and associated costs.

Recommendation

That the report is received and that the next meeting of the Westonia Yilgarn Regional Council is held at Westonia on Friday 28 th January, 2011 commencing at 10.00am.
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Voting Requirements

Simple Majority

287/2010

Moved Cr Kenward Seconded Cr W Della Bosca that Council accepts the report as received and agrees that the next meeting of the Westonia Yilgarn Regional Council is held at Westonia on Friday 28th January, 2011 commencing at 10.00am.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council - Friday, 19 November 2010
Agenda Reference:	7.5
Subject:	Recreation Precinct Redevelopment
File Reference:	1.3.8.14
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	November 2010

Background

I report that on the process that will be undertaken to complete this project within the allocated funds that are available and within the time lines allowed. Council has authorised the CEO to call tenders for this project.

Comment

One of the ways in which this project was to proceed was to engage an architect to design the overall buildings and then prepare a detailed specification. This would mean that at the time of going to tender, those wishing to tender would have to do so in accordance with the specified design, building materials and overall concept plan.

This is a fairly common way of undertaking major building projects that involved architects and significant public funding. The design plans would specify detail of building framing, service conduits, roof materials etc and the builder would have to tender and build what was designed. The problem with this method is that there is little room for the builder to recognise and allow for changes that might result in a more cost effective outcome.

After some recent experience with a major building project the Manager Environmental Health & Building expressed concern that if we allowed the architect to fully design the project and prepare a detailed specification, there may not be sufficient flexibility within the design to permit the contractor an opportunity to make design changes that might improve the final product and/or reduce significant costs.

Therefore, it is proposed that this project be undertaken as a design and build project with the Consultant architect required to complete an overall project design and then Council would invite expressions of Interest with respect to a design and build tender.

Council can then compare different versions of the same overall concept from different builders using different methods to determine which best suits the Council and then request a detailed tender on that particular version of the plan. This process is allowable in accordance with the tendering regulations.

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Therefore rather than call tenders at this stage, Council has invited expressions of interest for undertaking the project works the outcome of which will result in selective tenders based on the concept design with the contractor having responsibility for final design and any modifications.

I believe that this will allow for the broadest possible span of building designs and competitive costing within the overall schematic as proposed by the architects MCG Architects Pty Ltd.

MCG Architects would be required to undertake the following tasks as part of their project brief:

1. Completion of the overall schematic designs and layout for the project.
2. Prepare an information kit for prospective expressions of interest.
3. Deal with inquiries from prospective building companies concerning the Expressions of Interest process and after closing, provide information concerning the various EOIs received.
4. Assist Council with identification of shortlisted companies for tender.
5. Prepare an information kit for selective Tenders.
6. Deal with inquiries from prospective building companies concerning the tender process and after closing provide information concerning the various tender's received.
7. Prepare contract and final tender documentation.
8. Assist with the evaluation of the Tenders received.
9. Project planning and Supervision for construction.
10. Project Management to completion.

As a minimum the information pack referred to in (2) above would include:

1. Concept designs and floor plans.
2. Overall project brief (page or so)
3. Plan showing service connections and locations.
4. Photos of existing facilities and location.

Any other information that is relevant to the project.

The Architects have agreed to this methodology and to the scope of works and it is anticipated that Council would be able to decide on a shortlist for tender at its January meeting and a final tender by the February meeting.

A copy of the advertisement is included with the report for information.

Statutory Environment

The Council may invite expressions of interest before inviting tenders. Local Government (Functions and General) Regulations 1996 clause 21.

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Policy Implications

Nil

Financial Implications

Council has allocated funds towards the project.

Recommendation

That Council receives the report.

Voting Requirements

Simple Majority

288/2010

Moved Cr Truran Seconded Cr Kenward that Council receives the report and endorses the actions taken by CEO.

CARRIED (7/0)

**EXPRESSIONS OF INTEREST
TENDER No. 3/2010
PROPOSED RECREATION PRECINCT REDEVELOPMENT
Cnr Canopus & Spica Streets, Southern Cross**

The Shire of Yilgarn invites Expressions of Interest (EOI) from suitably qualified and experienced contractors to design and construct the following:

Scope of Works:

1. Design, supply and erect a club house building for Tennis and Bowls in accordance with all aspects of the current BCA edition & overall schematic plan as available from the Architects. (Contractor must be a registered Builder)
2. Construct an 8 rink artificial surface Bowling green.
3. Associated works including new and replacement fencing, lighting, children's playground and misc works.
4. Demolition & clearing of existing buildings & site. Preparation of site levels suitable for the building construction methods selected.

Criteria EOI:

Expression of Interest must, as a minimum, address the following criteria:

1. Contractor's previous experience and capacity to undertake project.
2. Flexibility of design, construction and fit for purpose.
3. Ease of maintenance.
4. Value for Money
5. Referees for similar projects.

Inquiries:

For enquiries concerning the overall project contact Wendy Dallywater Manager Environmental Health and Building Services. Phone 08 90491001.

Inquiries concerning overall concept design or specifications:

Contact Lloyd Pringle MCA Architects Pty Ltd of 4a Spencer Street , Bunbury WA 6230. Tel (08) 97916993, Fax (08) 97918993.

EOI Close:

With the Shire of Yilgarn, Antares Street (P.O Box 86) Southern Cross WA 6426 Email: aso@yilgarn.wa.gov.au or fax ; 08 90491429 before 4.30pm on Wednesday 22nd December 2010. Late EOI will not be accepted.

Council will consider EOI's received and will invite tenders for construction from one or more of respondents for all or part of the work specified. The lowest or any EOI is not necessarily accepted. Canvassing of Councillors will result in automatic disqualification of tender.

Jeff Sowiak
Chief Executive Officer

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Submission to:	Ordinary Meeting of Council - Friday, 19 November 2010
Agenda Reference:	7.6
Subject:	Great Western Woodlands
File Reference:	7.2.1.19
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	November 2010

Background

The report considers a recent proposal for the Great western Woodlands Group to establish a Memorandum of Association that will require Council endorsement.

Comment

The Council is a representative member of the Great Western Woodlands committee responsible for providing community input into the management of this area. The Group has as its key objective to work together to develop and implement a management plan for the landscape scale conservation of the Great Western Woodlands which has minimal impacts on other land users.

The draft heads of agreement is attached and provides for a forum which allows a diversity of interests to be represented in a process to develop common ground that supports conservation of the Great Western Woodlands through improved management and protection of culture and heritage, integrated with existing and future economic activity, and with minimal impacts to land users.

Council has an interest in the Great Western Woodlands as the area includes part of the Shire and the Wild Dog Fence once completed will become an integral part of the requirement to preserve the Bio-Diversity of the Great Western Woodlands.

The Council's inclusion on the advisory group is also important to protect the interests of the Community in the management of the Great Western Woodlands.

The agreement does not commit the Council to any financial obligations other than the requirement to participate in meetings and in this regard Cr Kenwood is Council's representative on this committee.

The draft agreement is recommended for endorsement by Council.

Statutory Environment

Nil.

Policy Implications

Nil

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Financial Implications

Nil.

Recommendation

That Council endorses the draft Heads of Agreement for "The Woodlands Initiative".

Voting Requirements

Simple Majority

289/2010

Moved Cr W Della Bosca Seconded Cr Pasini that Council endorses the draft Heads of Agreement for "The Woodlands Initiative".

CARRIED (7/0)

Draft

Heads of Agreement for “The Woodlands Initiative” – supporting cooperation between key organisations for The Great Western Woodlands

Contents

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1. Preamble

Since 2004 there has been increasing scientific and public focus on the environmental values of an area now known as the Great Western Woodlands. A number of key management issues have been identified, and there is recognition that many of these are most efficiently addressed through a joint approach involving the major interests, industries and communities involved.

There was bi-partisan support for improved conservation of the Great Western Woodlands at the 2008 election, leading to the establishment of a Stakeholder Reference Group to advise DEC in the production of a biodiversity and cultural conservation strategy.

At the conclusion of this formal government consultation process, the stakeholder group decided to continue meeting and working through key issues, with the aim of progressing good integrated management of the area through broadening the scope of the DEC driven process and seeking to develop a cohesive non government voice on key issues.

This document aims to clearly define the basis of the working relationship between stakeholders, allowing us to work together more efficiently.

2. Mission

All stakeholders will work together to develop and implement a management plan for the landscape scale conservation of the Great Western Woodlands which has minimal impacts on other land users.

3. Purpose

Provide a forum which allows a diversity of interests to be represented in a process to develop common ground that supports conservation of the Great Western Woodlands through improved management and protection of culture and heritage, integrated with existing and future economic activity, and with minimal impacts to land users.

4. Key principles

We commit to:

- respecting and engaging cooperatively with each other;
- working to share information and understanding to underpin better decisions;
- recognising the importance of striking a balance between various interests;
- recognising that natural resilience is key to maintaining a healthy landscape, and connectivity is critically important in maintaining this;
- acknowledging that the Great Western Woodlands is intact but not pristine (but it's healthy now and we want to keep it that way);
- acknowledging the importance of Aboriginal heritage and culture;
- respecting and incorporating all the forms of knowledge (local, scientific, traditional etc);
- ongoing informed consultation, engagement and education; and
- recognising that this process is voluntary and underpinned by goodwill, which is not taken for granted.

5. Key objectives

We will work together to:

- achieve recognition and cohesive management of the area as one large, intact piece of bushland;

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- support good communication and engagement across all organisations involved;
- increase the 'security of purpose' provided for conservation, community, commercial and traditional owner values in and use of the Woodlands;
- promote and progress a strategic approach to land-use planning which gives all stakeholders a voice, enables greater security of purpose for the various land-uses, focuses management resources and reduces cumbersome administrative processes;
- build a much greater understanding of what the Woodlands really represent and need, encompassing ecological, social and cultural values;
- accelerate the speed at which beneficial change occurs, so as to capitalise on the current bi-partisan political support for the Woodlands;
- develop and promote mechanisms that increase the transparency and efficiency of the area's management;
- support the achievement and targeted delivery of substantial financial & human resources for ongoing management;
- ensure the rights of Traditional Owners are respected, with a high level of engagement in ownership, management and protection of culture and heritage; and
- maximise local community leadership and involvement.

6. Operating guidelines

- All groups involved in this alliance retain the right to speak and act publicly in their own right on any issue.
- We will not speak as a group on any specific issue until and unless agreement has been reached on that specific issue.
- We will develop and outline unifying strategic directions for local management based on the principals in this agreement.
- We will aim for transparency in our dealings as a group and respect the sensitivities and needs of other stakeholders.

7. Relationship with Government

- Recognising that governments have political and statutory constraints, we will seek cooperation with them, and will invite government representatives to be involved in our meetings and processes, but will reserve the right to make decisions that are independent of government.
- We will aim for cooperative and constructive dialogue with all relevant government agencies, and direct dialogue with all relevant Ministers.
- We will work, collectively and individually, through key government processes for the area, particularly the DEC Biodiversity and Cultural Conservation Strategy, and seek to add value within and beyond these processes.
- We will adapt our arrangements so as to not duplicate key government processes.

8. Identifying the group

When speaking or acting collectively, the signatories of this Heads of Agreement will be known as the “Woodlands Initiative”.

9. Membership of the Initiative

Involvement with the Initiative is open to private sector organisations and community based organisations with interests in the Woodlands and a willingness to work together with other organisations within the principles and towards the objectives outlined in this agreement.

We anticipate being a core leadership group but with mechanisms that reach out and engage a wider circle. We view our primary membership as comprising:

- Larger conservation organisations and locally based conservation organisations directly involved in working for a better future for the Woodlands
- Representative industry bodies whose membership has direct involvement in the Woodlands
- Formal representatives of the Traditional Owners
- Local Government authorities whose area includes part of the Woodlands and are directly representative of local community interests in and adjoining the Woodlands.

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- Mining companies operating in the Woodlands who are pro-actively supporting the work of the Initiative.
- Representative scientific organisations working in the Woodlands

Decisions on accepting new signatories will be made collectively by those already signed on. Every attempt will be made to be inclusive while maintaining an equitable balance between the various perspectives and interests.

Any organisation wishing to terminate their involvement can do so at any stage by notifying the nominated Chairperson in writing.

10. Meetings

The Initiative will hold a general meeting of signatories at least twice yearly, but is free to arrange other meetings or communications as deemed appropriate.

11. Governance

The Initiative will remain in existence as an agreement between the signatories and is not intended to establish itself as a legal entity.

It will elect a Chair and Deputy Chair from its signatories whose role will be to:

- Call and Chair meetings
- Ensure an agreed set of minutes is prepared and circulated from each meeting
- Represent the collective interests of the signatories in relation to the Woodlands when authorised to do so by the signatories.

12. Duration and Review

This agreement will operate from when more than six organisations become signatories.

The operation of this agreement will be reviewed annually at a meeting of signatories, and will expire 24 months from when it becomes operative.

13. By agreement between:

Name:
.....

Organisation:
.....

Position:
.....

Date:

Name:
.....

Organisation:
.....

Position:
.....

Date:

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Submission to:	Ordinary Meeting of Council, Friday 19 November 2010
Agenda Reference:	7.7
Subject:	Community Funding Program 2010/2011 Budget Allocation
File Reference:	1.3.11.2
Author:	Jeff Sowiak, Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 November 2010

Background

The Shire of Yilgarn Community Funding Program was developed to provide a source of funding for non-profit organisations operating within the district. As part of its 2010/2011 Budget, Council agreed to make available \$13,750 (Gst incl) for two categories of funding - 'Essential Equipment' (\$13,200) and 'Travel Assistance' (\$550).

Application forms were made available to the public from the 25 August 2010 and the closing date for return of these applications was Friday 29 October 2010.

Comment

At the close of applications, submissions were received from the organisations below. The submissions for funding in the "Essential Equipment Category" are within the budgeted amount of \$13,750.

Essential Equipment Category -

Mt Hampton Volunteer Fire Brigade (21 x Kit Bags)	\$ 2,000.00
SX Motorcycle Club (4 x Two way radios)	\$ 2,000.00
Moorine Rock Playgroup (Microwave & Fridge)	\$ 500.00
Yilgarn HACC Seniors Group (Carpet Bowls Mat)	\$ 1,900.00
Southern Cross Golf Club (14 x Synthetic Tee Boxes)	\$ 2,000.00
Yilgarn Pottery Club (Shelve & Styles Kit)	\$ 700.00
Southern Cross Playgroup (Shade Sail)	\$ 1,600.00
Moorine Rock Tennis Club (Gas Bayonet Point)	\$ 1,100.00
SX Football Club (Cricket Pitch Covers)	\$ 2,000.00
TOTAL (Essential Equipment):	\$13,800.00

Travel Assistance Category -

Southern Cross Football Club	\$550.00
TOTAL (Travel Assistance):	\$550.00

On assessing all applications based on the criteria of essential equipment and travel assistance two (2) organisations were excluded due to the following reasons:-

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- Yilgarn HACC Seniors Group - Recently the Senior's Co-Ordinator - Ms R Blair has ordered an additional Carpet Bowls Mat which has been paid for with Seniors donations over the years.
- SX Football Club - It is believed that a DSR grant can be sourced to pay for the Cricket Pitch cover and the club will be advised to meet with the Shire Administration Service Office to source this funding.

The recommendation is for the payment of \$10,450, which is \$3,300 below budget.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

2010/2011 Budget allocation of \$12,500 for the Community Funding Program is to be allocated as outlined below.

Recommendation

That Council provides funding under the 2010/2011 Shire of Yilgarn Community Funding Program to the following community and sporting organisations:-

Essential Equipment Category -

Mt Hampton Volunteer Fire Brigade (21 x Kit Bags)	\$2,000.00
SX Motorcycle Club (4 x Two way radios)	\$2,000.00
Moorine Rock Playgroup (Microwave & Fridge)	\$ 500.00
Southern Cross Golf Club (14 x Synthetic Tee Boxes)	\$2,000.00
Yilgarn Pottery Club (Shelve & Styles Kit)	\$ 700.00
Southern Cross Playgroup (Shade Sail)	\$1,600.00
Moorine Rock Tennis Club (Gas Bayonet Point)	\$1,100.00
TOTAL (Essential Equipment):	\$9,900.00

Travel Assistance Category -

Southern Cross Football Club	\$550.00
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Voting Requirements

Simple Majority

REASON FOR AMENDMENT TO RECOMMENDATION

Cr's agreed that the Volunteer Fire Brigade could fund some of the cost of the kit bag through ESL grants or through other FESA sources, and that the community funds of \$2,000 should be split between the VFB and the SX Football Club for their Cricket pitch covers. The remainder of the unspent community funds should be kept for a worthy recipient during the year.

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290/2010

Moved Cr J Della Bosca Seconded Cr W Della Bosca that Council agrees to provide funding under the 2010/2011 Shire of Yilgarn Community Funding Program to the following community and sporting organisations.

Essential Equipment Category -

<i>Mt Hampton Volunteer Fire Brigade (21 x Kit Bags)</i>	<i>\$1,000</i>
<i>SX Motorcycle Club (4 x Two way radios)</i>	<i>\$2,000</i>
<i>Moorine Rock Playgroup (Microwave & Fridge)</i>	<i>\$ 500</i>
<i>Southern Cross Golf Club (14 x Synthetic Tee Boxes)</i>	<i>\$2,000</i>
<i>Yilgarn Pottery Club (Shelve & Styles Kit)</i>	<i>\$ 700</i>
<i>Southern Cross Playgroup (Shade Sail)</i>	<i>\$1,600</i>
<i>Moorine Rock Tennis Club (Gas Bayonet Point)</i>	<i>\$1,100</i>
<i>SX Football Club (Cricket Pitch Covers)</i>	<i>\$1,000</i>
TOTAL (Essential Equipment):	\$9,900

Travel Assistance Category -

<i>Southern Cross Football Club</i>	<i>\$550.00</i>
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CARRIED (7/0)

	Late Item
Submission to:	Ordinary Meeting of Council, Friday 19 November 2010
Agenda Reference:	7.8
Subject:	Heavy Vehicle Road Improvement Contributions
File Reference:	6.3.2.2
Author:	Jeff Sowiak, Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	19 November 2010

Comments

The CEO reported upon negotiations with ARG concerning the use of Koolyanobbing road for RAV haulage and the Council's policy concerning the imposition of Heavy Vehicle Road Improvement Contribution (HVRIC). He suggested that given the amount of money involved it would be in Council's best interest to better understand its legal position and cost recovery options with respect to the imposition of Heavy Vehicle Road Haulage Contributions.

291/2010

Moved Cr Truran seconded Cr W Della Bosca that Council seek legal advice concerning the options for cost recovery with respect to the Council's Heavy Vehicle Improvement Contribution.

CARRIED (7/0)

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	Late Item
Submission to:	Ordinary Meeting of Council, Friday 19 November 2010
Agenda Reference:	7.9
Subject:	Wheatbelt General Practice - Yilgarn
File Reference:	1.3.12.1
Author:	Jeff Sowiak, Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	19 November 2010

Comment

The CEO has received a report from Wheatbelt GP outlining the following:

On the 25th August 2010 the Network was officially handed over management responsibilities of the Southern Cross Medical Centre which has since been renamed the Wheatbelt General Practice Yilgarn (WGPY). During this time the following has been in progress:

- Review of the proposed Management Agreement
- Staff recruitment including WGNP orientation
- Set up of accounts, ordering and IT Systems
- Staff training on Best Practice Software
- Sourcing General Practitioners through RFDS locum services.
- Providing a General Practice Service to the people of Yilgarn including supporting the local hospital's emergency services.

Practice Expenses

The WGPY Balance Sheet shows a \$31,603.92 deficit as at the 31st October 2010.

Comparison of Practice Activities and Expenses to Annual Program

The requested annual plan is currently being developed. WGPY is progressing well including being closer to the recruitment of a permanent doctor. This will have a positive impact on the expense of running the practice as the current locum rates being paid are much higher than those which would be paid for permanent staff. A higher standard of patient care is currently being provided in an accredited practice offering a wide range of services including minor procedures, workers compensation claims, pre-employment medicals etc.

Further activities to be performed in conducting the practice

The data entry back log due to delays in the installation of IT systems is expected to be completely resolved during the next quarter. During this time all Medicare refunds from the current quarter will be received.

The priority of finding a permanent GP will continue into the up and coming quarter.

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Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

There is an allocation in the 2010/11 Budget for Councils payment towards WGPY shortfall to run the practice.

292/2010

Moved Kenward Seconded Cr J Della Bosca that Council receives the report from Wheatbelt GP and authorizes payment of the invoice for operational losses to date once CEO has received satisfactory explanations and utilization of the donated funds for reimbursement of WGPY capital expenditure.

CARRIED (7/0)

DEPUTY CHIEF EXECUTIVE OFFICERS REPORT

Submission to:	Ordinary Meeting of Council – Friday 19 th November 2010
Agenda Reference:	8.1
Subject:	Audit Report to the 30th June 2010
File Reference:	8.2.3.1
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th November 2010

Background

Mr Wen-Shien Chai, appointed representative of Council's Auditor, Mr David Tomasi of UHY Haines Norton Chartered Accountants, was in Southern Cross on Wednesday 20th and Thursday 21st October 2010 to carry out Council's Final Audit.

Mr Chai indicated at the time he was very pleased with the concluded financial position of Council to the 30th June 2010, being in a reasonably strong financial position. Mr Chai conveyed this opinion to the Shire President during his discussions early on the second morning.

Comment

In concluding the Final Audit, Mr David Tomasi of Haines Norton Chartered Accountants is required to sign off on the completed Audit Report and Management Report to the 30th June 2010.

The Audit Report is expected to be signed on the 12th November 2010 by Mr Tomasi, and provided this occurs, the recommendation contained within this report will be considered.

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The Chief Executive Officer signed the Management Representation Letter as well as the 2010 Financial Report on the 10th November 2010, indicating that this report was complete to a point that Mr Chai was satisfied with.

Statutory Environment

Local Government Act 1995 Section 5.54 relating to the Acceptance of annual reports and Auditors Reports.

Policy Implications

None

Financial Implications

This document will form part of the Annual Report

Strategic Implications

None

Voting Requirements

Simple majority required

Recommendation

That Council receives the Audit Report to the 30th June 2010, as prepared by Mr David Tomasi of UHY Haines Norton Chartered Accounts, and this document be adopted as the Shire of Yilgarn's Audit Report for the year ended 30 June 2010.

293/2010

Moved Cr Kenward Seconded Cr Auld that Council receives the Audit Report to the 30th June 2010, as prepared by Mr David Tomasi of UHY Haines Norton Chartered Accounts, and this document be adopted as the Shire of Yilgarn's Audit Report for the year ended 30 June 2010.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 19 th November 2010
Agenda Reference:	8.2
Subject:	Acceptance of the Annual Financial Report
File Reference:	8.2.3.1
Author:	Vivienne Murty - Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th November 2010

Background

A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as prescribed.

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This Report is now enclosed for Council's acceptance.

Statutory Environment

Local Government Act 1995 Section 6.4 Financial Report.

Policy Implications

None

Financial Implications

None

Strategic Implications

None

Voting Requirements

Simple majority required

Recommendation

That Council accept the Annual Financial Report to the year ended 30th June 2010.

294/2010

Moved Cr Kenward Seconded Cr Pasini that Council accepts the Annual Financial Report to the year ended 30th June 2010.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 19 November 2010
Agenda Reference:	8.3
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Vivienne Murty - Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th November 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 31st October 2010:

- Statement of Financial Position
- Statement of Investments,
- Statement of Surplus,
- Monthly Statement of Financial Activity
- Rates Receipt Statement (prepared to 9th November 2010)

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

Statutory Environment

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

Policy Implications

None

Financial Implications

None

Strategic Implications

None

Voting Requirements

Simple majority required

Recommendation

That the Various Financial Reports for the period ending 30th October 2010 as presented, be received.

295/2010

Moved Cr J Della Bosca Seconded Cr Truran that Council accepts the Various Financial Reports for the period ending 30th October 2010 as presented, be received.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th November 2010
Agenda Reference:	8.4
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th November 2010

Background

Municipal Fund – Cheque Numbers 35676 to 35843 totalling \$535,387.92, Municipal Fund – Cheque Numbers 964 to 967 totalling \$120,863.76, Trust Fund – Cheque Number 401893 to 401895, totalling \$3,005.75 and Trust Fund – Cheque Numbers 5699 to 5702 (DPI Licensing), totalling \$60,632.25 are presented for endorsement as per the submitted list.

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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.

Recommendation

That Council endorse the accounts covered by Municipal Fund – Cheque Numbers 35676 to 35843 totaling \$535,387.92, Municipal Fund – Cheque Numbers 964 to 967 totaling \$120,863.76, Trust Fund – Cheque Number 401893 to 401895, totaling \$3,005.75 and Trust Fund – Cheque Numbers 5699 to 5702 (DPI Licensing), totaling \$60,632.25 are presented for endorsement as per the submitted list.

Voting Requirements

Simple majority.

296/2010

Moved Cr Kenward Seconded Cr Pasini that Council endorse the accounts covered by Municipal Fund – Cheque Numbers 35676 to 35843 totaling \$535,387.92, Municipal Fund – Cheque Numbers 964 to 967 totaling \$120,863.76, Trust Fund – Cheque Number 401893 to 401895, totaling \$3,005.75 and Trust Fund – Cheque Numbers 5699 to 5702 (DPI Licensing), totaling \$60,632.25 are presented for endorsement as per the submitted list.

CARRIED (7/0)

COUNCIL ADMINISTRATION BUILDING FIRE RECOVERY PLAN

Comment

In the past week's news the City of Claremont's Administration offices had an electrical fire and there was extensive damage done to their. The Council raised questions regarding the Shires recovery plan in the event of a fire at Shire of Yilgarn's Administration Office.

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The DCEO advised Council of an email received from Mr Ken Stranger Manager of Perfect Computer Solutions, who are the IT company the Shire of Yilgarn use for computing services. Mr Stranger explained in his email that:

Yilgarn runs 2 servers - one for Exchange (email) and control of the overall system in terms of usernames / passwords and some minor miscellaneous storage of data. The other server runs Synergy and associated back end database, and also contains the main admin data storage for the Shire.

The backup system implemented utilises small hard drives as used in laptop computers. One a day is inserted into a "hot swap" drive bay unit in the database server.

Yilgarn has currently 5 backup drives which are rotated on a daily basis and other than the one currently in the server should be housed off site in a secure location, or if on site should be in a heat and fire proof safe.

The backup method is broadly as follows:

- the exchange server backs up over the network to a file on the database server
- the database server is backed up to the removable backup drive
- all shire related data is backed up which includes Synergy, admin data, roman data, key data, and anything else deemed relevant to Shire operations.
- backups are verified as part of the backup operation in that this proves the entire backup set can be read off the backup drive and is compared back to the server drives it came from.
- a report is generated to relevant staff and PCS relating to backup success / failure

The backup method is under review by PCS for all sites at the moment, but this current system is maintaining about 3 or 4 weeks of data - this can be expanded by using more backup drives and changing the rotation schedule of these drives.

The CEO assured council that a Fire Recovery Plan will be developed over the upcoming months and be presented to Council.

297/2010

Moved Cr J Della Bosca Seconded Cr Pasini that Council develops a Fire Recovery Plan for the Shire of Yilgarn's Administration Offices.

CARRIED (7/0)

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Council adjourned for afternoon tea at 4.30pm and returned at 4.40pm

MANAGER OF WORKS REPORTS

Submission to:	Ordinary Meeting of Council November 19th 2010
Agenda Reference:	Works 9:1
Subject:	WALGA Preferred Supply Contract – TPS0814 - 2010/2011 Grader
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.4.3.4
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	5th November 2010

Background

In accordance with Councils 2010/2011 Financial Year Plant Replacement Program tenders were invited through WALGA'S Preferred Supply Contract – TPS0814 to supply and deliver one only Articulated Grader and to trade, or the outright purchase (alternative tender) of Councils current Volvo 710 Articulated Grader.

An estimated change over amount of \$280,000 has been allowed for in the 2010/2011 Financial Year Budget for this vehicle.

The trade vehicle (Volvo 710 grader) was purchased in 2003 under Councils Plant Replacement Program. At the time of this report the Volvo 710 grader had completed 9,261 hours. The primary function of the trade vehicle is to carry out maintenance grading gravel sheeting works on council's road network.

The proposed replacement grader will be carrying out heavy formation works, gravel sheeting and maintenance grading. Because of the nature of works the replacement grader will be performing a fourteen foot blade and minimum net power output rating of 120 kilowatts has been included in the new grader specifications.

Comment

Specifications to new Articulated Grader being:

Make & Model tendered _____

Date of Manufacture _____
(must be 2010 model)

Overall operating weight _____ Kg
(min 17,500kg max 18,500kg)

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Engine

Net power output (min 120kw - 175kw) _____ Kw _____ hp (SAE rated)

Cylinders _____

Make _____

Capacity _____ litres

Engine driven air compressor (if not please state)

Transmission & Drive

Power-shift & Differential lock/unlock

Frame

Articulated

Blade

suit two 7 foot cutting edges with overlays

Cab

Enclosed cab with Rollover Protection Structure

Air-conditioning/Heater

Tilting Console, Operators emergency warning system, Hour metre fitted

Window tint to all windows, wiper and washers to front and rear windows

One 2kg fire extinguisher fitted to inside of cab.

Canvas seat covers fitted, Slope meter fitted

Communications Equipment

GME Electraphone TX 3440 (remote head) (40 channel) complete with aerial

VHF-TAIT 8200 radio (remote head and SelCall) fitted including aerial and microphone equipped with bush fire frequencies, channels 32, 45 and 59.

Scarifiers

Rear mounted scarifiers (nine shanks)

Tyres

Goodyear/Bridgestone 14 x 24 multi directional 12 ply rating (if un-available please state other).

Spare Wheel

One spare wheel mounted on rear scarifier frame with manual winch

Others

Tool box fitted to frame, equipped with basic tool kit, Tow hitch fitted (front and rear)

Tyre inflation kit, socket to suit wheel nuts, extension bar and power bar.

Two flashing amber beacons in protective cage, front and rear cab roof mounted

The following tenders were received for the trade of councils Volvo 710 grader and for the purchase of a replacement grader (*GST exclusive*)

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Westrac

Westrac have quoted three graders for the replacement of Councils current Volvo 710 grader, these being the 120M, 12M and 140M caterpillar graders.

1) 120M Caterpillar Grader (GST exclusive)	\$310,000.00
<i>Extra Cat Warranty (60 months/6000hrs)</i>	<u>\$ 2,867.00</u>
<i>total</i>	<u>\$312,867.00</u>
<i>less trade-in -</i>	\$ 57,000.00
<i>Net changeover</i>	\$255,867.00

Specification 120M Grader

Engine – Caterpillar six cylinder Cat C-6.6, diesel engine

Displacement	6.6 litres
Net power output (variable)	103kw minimum– 114kw maximum
Operating Weight	16, 900kg
Transmission	Power Shift

2) 12M Caterpillar Grader (GST exclusive)	\$340,994.00
<i>Extra Cat Warranty (60 months/6000hrs)</i>	<u>\$ 4,110.00</u>
<i>total</i>	<u>\$345,104.00</u>
<i>less trade-in -</i>	\$ 57,000.00
<i>Net changeover</i>	\$288,104.00

Specification 12M Grader with “joystick steering”

Engine – Caterpillar six cylinder Cat C-6.6 VHP, diesel engine

Displacement	6.6 litres
Net power output (variable)	118kw minimum– 129kw maximum
Operating Weight	18,010kg
Transmission	Power Shift

3) 140M Caterpillar Grader (GST exclusive)	\$383,086.00
<i>Extra Cat Warranty (60 months/6000hrs)</i>	<u>\$ 4,525.00</u>
<i>total</i>	<u>\$387,611.00</u>
<i>less trade-in -</i>	\$ 57,000.00
<i>Net changeover</i>	\$330,611.00

Specification 140M Grader with “joystick steering”

Engine – Caterpillar six cylinder Cat C-7, diesel engine

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Displacement	7.2 litres
Net power output (variable)	136kw minimum– 148kw maximum
Operating Weight	19,380kg
Transmission	Power Shift

Tender specifications called for a minimum net power output rating of 120kw and a minimum operating weight of 17,500kg both specifications for the 120M grader are below this. Given the nature of works the replacement grader is expected to perform both the kilowatts and weight ratings of the 120M grader are consider to be light on and therefore unsuitable. It should also be noted that the net power output rating of the 12M grader is below the minimum specified kilowatt rating of 120.

Warranty

Westrac offer a 36 month or 6000 machine hour warranty (which ever comes first) on the machines offered for tender. Westrac also offer an Extra Cat Warranty (*which has been included in the above change over cost*) of 60 months/6000 machine hour total machine warranty for an additional monetary amount of which has been included in the above change over cost.

Fuel

Fuel consumption for both the 12M and 140M graders is noted in the specification at being between 18 - 25 liters per hour (*heavy workload*). Although the above mentioned fuel usage per hour for both machines is fairly liberal, it is expected the fuel usage under heavy workload will be around 20 litres per hour.

Resale value for both Caterpillar graders after an eight life cycle ranges between 25% and 35% on new machine price (*12M \$86,276 - \$120,786 and for 140M \$96,902 - \$135,663*)

Komatsu

Komatsu has offered two graders for tender these being the GD555-5 and GD655-5 graders.

1) Komatsu GD555-5 Grader (GST exclusive)	\$323,000.00
<i>less trade-in -</i>	\$ 70,000.00
Net changeover	\$253,000.00

Specification for Komatsu GD555-5

Engine – Komatsu SAA6D107E-1, six cylinders, diesel engine

Displacement	6.69 liters
Net power output (variable)	118kw minimum – 144kw maximum
Operating Weight	18,120 kg
Transmission	Power Shift

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2) Komatsu GD655-5 Grader (GST exclusive)	\$350,500.00
<i>less trade-in -</i>	\$ 70,000.00
Net changeover	\$280,500.00

Specification for Komatsu GD655-5

Engine – Komatsu SAA6D107E-1, six cylinders, diesel engine

Displacement	6.69 liters
Net power output (variable)	134kw minimum – 163kw maximum
Operating Weight	18,520 kg
Transmission	Power Shift

Tender specifications called for a minimum net power output rating of 120kw. The kilowatt rating of the Komatsu GD555-5 is 118kw. Given the nature of works the replacement grader is expected to perform the kilowatts rating of the Komatsu SAA6D107E-1 grader is consider to be light on and therefore unsuitable.

Komatsu also offer demonstration models with less than 50 hours on the hour metre for sale at a discount price: Komatsu GD555-5 demo unit less \$10,000 (GST exclusive) on new machine price and a Komatsu GD655-5 demo unit less \$15,000 (GST exclusive) on new machine price. These demo graders are considered unsuitable as the specifications states to supply and delivery of a new grader.

Warranty

Komatsu offer a premium warranty of 36 months/6000 hours and a extended warranty of 60 months / 6000 hours on the power train

No resale value was offered on the by Komatsu following a eight year life cycle

Hitachi

Hitachi have offered one grader for tender this being a John Deere 770G

1) John Deere 770G (GST exclusive)	\$347,000.00
<i>Extended Warranty (60 months/6000hrs)</i>	<u>\$ 1,330.00</u>
<i>total</i>	<u>\$348,330.00</u>
<i>less trade-in -</i>	\$ 65,000.00
Net changeover	\$283,330.00

Specification for John Deere 770G

Engine - John Deere 6090H, six cylinder, turbo charged, diesel engine

Displacement	9 litres
Net power output (variable)	123kw – 172kw

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Operating Weight	18,900
Transmission	Power Shift

Warranty

Hitachi offers a full machine warranty for the period of 12 months/2000 machine hours, along with a power train warranty of 36 months or 6000 hours. For an additional monetary amount (*which has been included in the above change over cost*), Hitachi also offer an extended power train warranty of 60 months/6000 machine hour.

Fuel

Fuel consumption for the 770G grader under heavy workload is expected to be 19-20 litres per hour.

Resale value for the John Deere graders after an eight life cycle is estimated at being 35% (\$121,915) of the outright purchase cost

The tender submitted by Komatsu for the Komatsu GD655-5 grader has a change over cost of \$280,500 (*GST exclusive*) and is within specification. The warranty offered for this grader is good. It is disappointing that a resale value following an eight year life cycle was not supplied.

Councils Manager for Works has contacted a current Komatsu grader owner and mechanical personal that has worked on Komatsu machinery of who has indicated that the Komatsu graders are good maintenance graders but when exposed to heavy continuous construction works the turning circle and blade are subject to above normal wear in comparison to other graders on the market. This is of some concern as the nature of the works the new grader will be carrying out will include heavy construction works.

The tender submitted by Hitachi for the John Deere 770G grader is within the specification called for with a change over cost of \$283,330 (*GST exclusive*). The warranty offered by Hitachi for the John Deere 770G is 12 months or 2000 hours full machine warranty along with a power train warranty of 36 months/6000 hours. In addition Hitachi also offer a 60 month 6000 hour extended warranty on the power train (*cost for the extended power train warranty has been included in the change over cost*).

The tender submitted by Westrac for the Caterpillar 140M grader is within the specifications called for with a change over cost of \$330,611 (*GST exclusive*). The warranty offered by Westrac for the Caterpillar 140M grader is Westrac offer a 36 month or 6000 machine hour. In addition Westrac also offer a 60 month 6000 hour extended warranty on the power train (*cost for the extended power train warranty has been included in the change over cost*).

The change over cost of \$330,611 for the Caterpillar 140M grader is by far the highest in comparison to the Komatsu grader (\$280,000) and the John Deere grader (\$283,330).

A budget estimate of \$280,000 has been allowed for in Council's 2010/2011 Financial Year Plant Replacement Program for the change over of this grader. If Council opted to purchase the Caterpillar 140M grader it would be over the budget estimate by some \$50,611.

History has shown that both the Caterpillar and John Deere graders have a very good trade value following eight year life cycle.

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Council is currently running a John Deere 770G grader similar to the one that has been offered for purchase from Hitachi of which was purchased in 2009/2010. This grader has been performing well to date.

The following recommendation is based on past and present performances of councils fleet of John Deere Graders Council has purchased over the past years. The extended warranty offer on the power train has been included in the change over cost of the grader.

Statutory Environment: Tender Regulations

Policy Implications: N.A.

Financial Implications: Budgeted monetary allocation has been allowed for in Councils 2010/2011 Plant Replacement Program for the change over of this vehicle

Strategic Implications: Ten-Year Plant Replacement Program

Recommendation

Council accepts the tender submitted by Hitachi Construction Machinery, and trade its current Volvo 710 Grader for the tendered price of \$65,000 (*GST exclusive*), and purchase the John Deere 770G Grader as per the tendered specification submitted by Hitachi Construction Machinery, for the change over cost of \$283,330 (*GST exclusive*)

Voting Requirements

Simple Majority

298/2010

Moved Cr Kenward Seconded Cr W Della Bosca that Council accepts the tender submitted by Hitachi Construction Machinery, and trade its current Volvo 710 Grader for the tendered price of \$65,000 (GST exclusive), and purchase the John Deere 770G Grader as per the tendered specification submitted by Hitachi Construction Machinery, for the change over cost of \$283,330 (GST exclusive)

CARRIED (7/0)

Submission to	Ordinary Meeting of Council – Friday 19th November 2010
Agenda Reference	9:2
Subject	Five Year Plant Replacement - 4x2 Light Tip Truck
Location/Address	N/A
Name of Applicant	N/A
File reference	6.4.3.4
Author	Robert Bosenberg - Manager of Works
Disclosure of Interest	N/A
Date of Report	9 th November 2010

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Background

In accordance to Councils 2010/2011 Plant Replacement Program, quotations were invited to supply and deliver one only 4x2 light tip truck and to trade one of Councils current 4x2 Mitsubishi Canter 4x2 light tip truck (YL-046).

The Mitsubishi Canter 4x2 light tip truck (YL-046) offered for trade is currently being utilised by council's road maintenance staff for bitumen repair works and road furniture installation.

The trade vehicle was purchased in September 2005 and has speedometer reading of 120,300km as of 9th November 2010. A estimated change over amount of \$60,000 has been allowed for in the 2010/2011 Financial Year Plant Replacement Budget for this vehicle.

Comments

Specification of new 4 x 2 Light Tip Truck as follows:

Make & Model tendered

Date of Manufacture

GVM (minimum 6000kg)

Engine (diesel motor naturally aspirated)

Net power output _____kw

Cylinders _____

Motor Capacity _____litres

Transmission & Drive manual transmission

Tipping Body smooth plate floor (maximum legal size) with steel drop sides in two sections with mid posts, height approx 400mm, full height plate cab shield, opening and grille for rear window vision, two shovel brackets, drop and swing tailgate manually operated.

Hydraulic Hoist Make_____Lifting capacity_____tonnes,
cab mounted controls

Suspension heavy duty suspension

Equipment Two Jacks one wheel brace
1 fire extinguisher 2kg fitted to front of tip body
Mud flaps to all wheels
Two rotating amber beacons in protective cage cab roof mounted
One spare tyre on carrier
One fitted 60litre Aluminium water tank
Air-conditioning, Canvas seat covers to all seats

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Vinyl floor coverings with rubber floor mats (driver and passenger side)
AM/FM radio/CD Player
Bullbar - Alloy painted black, bar work not to interfere with service of cab and engine
Tow Bar - double tongue and 50mm ball with 7 pin electrical connection
Sun Protection - window tint to side and rear windows, sunvisor fitted over windscreen matching colour to cab.

Communication Equipment GME Electrophone TX 3440 fitted, complete with aerial
Tait 8200 bush fire two-way complete, with Shire of Yilgarn frequencies 32, 45 and 59, aerial cab mounted.

The following tenders were received (*GST inclusive*)

1) Skipper Trucks

Mitsubishi Fuso Canter 2010 model	\$72,028.00
Less trade-in	<u>\$26,015.00</u>
Net changeover (<i>GST inclusive</i>)	<u>\$46,013.00</u>

Engine	Mitsubishi 4M50-3AT7 Turbo
Cylinders	4 cylinder diesel
Capacity	4.9 litres
Net power output	110kw
GCM	10,000kg
GVM	6,500kg
Hoist lifting capacity	8 tonnes
Warranty – 36 months or 100,000km	

2) WA Hino

Hino 300 Series 716 Dump 2010 model	\$68,216.18
Less trade-in	<u>\$21,000.00</u>
Net changeover (<i>GST inclusive</i>)	<u>\$47,216.18</u>

Engine	Hino NOVC-TV ADR 80/01
Cylinders	4 cylinder diesel
Capacity	4.9 litres

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Net power output	114kw
GCM	10,000kg
GVM	6,500kg
Hoist lifting capacity	8 tonnes
Warranty – 36 months or 100,000km	

3) WA Hino

Hino 300 Series 716 Med 2010 model	\$73,425.51
Less trade-in	<u>\$21,000.00</u>
Net changeover (<i>GST inclusive</i>)	<u>\$52,425.51</u>

Engine	Hino NOVC-TV ADR 80/01
Cylinders	4 cylinder diesel
Capacity	4.9 litres
Net power output	114kw
GCM	10,000kg
GVM	6,500kg
Hoist lifting capacity	8 tonnes
Warranty – 36 months or 100,000km	

4) Major Motors

Isuzu NH NPR 300 Med 2010 model	\$80,465.00
Less trade-in	<u>\$17,500.00</u>
Net changeover (<i>GST inclusive</i>)	<u>\$62,965.00</u>

Engine	SiTEC Series II 155
Cylinders	4 cylinder diesel
Capacity	5.2 litres
Net power output	114kw
GCM	10,500kg
GVM	6,500kg
Hoist lifting capacity	8 tonnes
Warranty – 36 months or 100,000km	

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All vehicles quoted have a pay load capacity of 3.5 tonne's. The Mitsubishi Fuso has 4.9 litre motor with a net output rating of 110kw @ 2700 rpm's. The Hino vehicles have a 4.9 litre motor with a net output power rating of 114kw @ 2900 rpm's. The Isuzu has 5.2 litre motor with a net power rating of 114kw @2900rpm's. The standard warranties on all vehicles are similar (*36 months or 100,000km*).

The tender submitted by Skipper Trucks for the net change over cost of \$46,013 (*GST inclusive*) is the lowest. An allocation of \$60,000 has been allowed for in Council's 2010/2011 Financial Year Plant Replacement Budget for the change over of this vehicle.

Policy Implications : In accordance to Councils Policy 4.5 Purchasing – Quotes and Tenders

Financial Implications : Monetary allocation has been allowed for in Councils 2010/2011 Financial Year Plant Replacement Program

Strategic Implications : Ten Year Plant Replacement Program

Recommendation

That Council purchase 4x2 Mitsubishi Fuso Light Tip Truck from Skipper Trucks, for the quoted purchase price of \$72,028 (*GST inclusive*), and trade Council's existing 2005 Mitsubishi Canter Light Tip Truck for the quoted trade price of \$26,015 (*GST inclusive*), resulting in a change-over cost of \$46,013 (*GST inclusive*).

Voting Requirements

Simple Majority

299/2010

Moved Cr Truran Seconded Cr Auld that Council agrees to purchase 4x2 Mitsubishi Fuso Light Tip Truck from Skipper Trucks, for the quoted purchase price of \$72,028 (GST inclusive), and trade Council's existing 2005 Mitsubishi Canter Light Tip Truck for the quoted trade price of \$26,015 (GST inclusive), resulting in a change-over cost of \$46,013 (GST inclusive).

CARRIED (7/0)

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Submission to	Ordinary Meeting of Council – Friday 19th November 2010
Agenda Reference	9:3
Subject	Replacement 4x4 Dual Cab Personnel Carrier
Location/Address	N/A
Name of Applicant	N/A
File reference	6.4.3.4
Author	Robert Bosenberg - Manager of Works
Disclosure of Interest	N/A
Date of Report	10th November 2010

Background

Quotations were invited to supply and deliver one only 4x4 Dual Cab Personnel Carrier and to trade, Councils current 4x4 Dual Cab Personnel Carrier (*YL-163*), in accordance with Councils 2010/2011 Financial Year Plant Replacement Program.

The vehicle that is been offered for trade is currently been utilised by councils road construction staff for transport to and from constructions programs. It also carries diesel fuel, grease and cutting edges for road plant being utilised for these construction programs. The proposed new vehicle will be used by council's staff for similar activities.

This vehicle at any given time can be carrying up to 2-3 tonne pay load. It is also equipped with a 4x4 dual range transmission to handle wet condition emergency call out situations.

The trade vehicle was purchased in 2005 and has speedometer reading of 129,300km as of 10th November 2010. A estimated change over amount of \$65,000 has been allowed for in the 2010/2011 Financial Year Plant Replacement Budget for this vehicle.

Comments

Specifications of new 4x4 Dual Cab Personnel Carrier is as follows:

Make & Model tendered _____

Type 4x4 Dual Cab Personnel Carrier, (*minimum 6 seater*)

Date of Manufacture _____

GVM (minimum 5000kg) _____ Kg

Engine (*diesel motor naturally aspirated*)

Net power output _____ kw

Cylinders _____

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Motor Capacity	_____ litres
Transmission	manual dual range
Drive	four wheel drive
Steel Tray	checker plate floor, width to match cab width, minimum required length only, drop sides approx 300mm high, full height cab shield (frame and grille), two shovel brackets fitted
Suspension	heavy duty suspension
Equipment	Two Jacks one wheel brace 1 fire extinguisher 2kg fitted to front of tray body Mud flaps to all wheels Two rotating amber beacons in protective cage cab shield mounted One spare tyre on carrier fitted One fitted 60litre Aluminum water tank One external tool box for pad lock fitted to chassis. air-conditioning Canvas seat covers to all seats Vinyl floor coverings with rubber floor mats front and back AM/FM radio/CD player
Bullbar	steel painted black, bar work not to interfere with service of cab and engine
Tow Bar	double tongue and 50mm ball with 7 pin electrical connection fitted
Sun Protection	window tint to side and rear windows, sunvisor fitted over windscreen matching colour to cab
Communication Equipment	GME Electrophone TX 3440 fitted complete Tait TM 8200 bush fire two-way complete, with Shire of Yilgarn frequencies 32, 45 and 59, aerial cab mounted.

The following quotations were received (*GST inclusive*)

1) Skipper Trucks

Mitsubishi Fuso 4x4 Crew Cab 2010 model (<i>seven seater</i>)	\$83,325.00
Less trade-in	<u>\$38,060.00</u>
Net changeover	<u>\$45,265.00</u>
Engine	Mitsubishi Intercooled Turbo
Cylinders	4 cylinder diesel

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Capacity	4.9 litres
Net power output	110kw
GCM	9,200kg
GVM	6,000kg
Warranty – 36 months or 100,000km	

2) Major Motors

Isuzu NH NPR 300 4x4 Crew Cab 2010 model	\$90,249.50
Less trade-in	<u>\$25,000.00</u>
Net changeover	<u>\$65,249.50</u>

Engine	SiTEC Series II 155
Cylinders	4 cylinder diesel
Capacity	5.2 litres
Net power output	114kw
GCM	9,200kg
GVM	6,000kg

Warranty – 36 months or 100,000km

The Mitsubishi Fuso 4x4 Crew Cab quoted by Skipper Trucks has 4.9 litre motor with a net output rating of 110kw @ 2700 rpm's. The Isuzu quoted by Major Motors has 5.2 litre motor with a net power rating of 114kw @2900rpm's. The standard warranties on both vehicles are similar (*36 months or 100,000km*).

The tender submitted by Skipper Trucks for the net change over cost of \$45,265 (*GST inclusive*) is the lowest. An allocation of \$65,000 has been allowed for in Council's 2010/2011 Financial Year Plant Replacement Budget for the change over of this vehicle.

Policy Implications : In accordance to Councils Policy 4.5 Purchasing – Quotes and Tenders

Financial Implications : Monetary allocation has been allowed for in Councils 2010/2011 Financial Year Plant Replacement Program

Strategic Implications : Ten Year Plant Replacement Program

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Recommendation

That Council purchase Mitsubishi Fuso 4X4 Dual Cab from Skipper Trucks, for the quoted purchase price of \$83,325 (*GST inclusive*), and trade Council's existing 2005 Mitsubishi 4x4 Dual Cab for the quoted trade price of \$38,060 (*GST inclusive*), resulting in a change-over cost of \$45,265 (*GST inclusive*).

Voting Requirements

Simple Majority

300/2010

Moved Cr W Della Bosca Seconded Cr Kenward that Council agrees to purchase the Mitsubishi Fuso 4X4 Dual Cab from Skipper Trucks, for the quoted purchase price of \$83,325 (GST inclusive), and trade Council's existing 2005 Mitsubishi 4x4 Dual Cab for the quoted trade price of \$38,060 (GST inclusive), resulting in a change-over cost of \$45,265 (GST inclusive).

CARRIED (7/0)

Submission to	Ordinary Meeting of Council – Friday 19 th November 2010
Agenda Reference	9:4
Subject	Vehicle Replacement 4x2 Dual Cab Personnel Carrier
Location/Address	N/A
Name of Applicant	N/A
File reference	6.4.3.4
Author	Robert Bosenberg - Manager of Works
Disclosure of Interest	N/A
Date of Report	10 th November 2010

Background

Quotations were invited to supply and deliver one only 4x2 Dual Cab Personnel Carrier and to trade, Councils current 4x2 Dual Cab Personnel Carrier (*YL-4949*), in accordance with Councils 2010/2011 Financial Year Plant Replacement Program.

The vehicle that is been offered for trade is currently been utilised by councils road construction staff for transport to and from constructions programs. It also carries diesel fuel, grease and cutting edges for road plant being utilised on construction programs. It is expected the proposed new vehicle will be used by council's staff for similar activities.

The trade vehicle was purchased in 2005 and has speedometer reading of 173,875km as of 10th November 2010. A estimated change over amount of \$55,000 has been allowed for in the 2010/2011 Financial Year Plant Replacement Budget for this vehicle.

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Comments

Specifications of new 4x2 Dual Cab Personnel Carrier is as follows:

Make & Model tendered	_____
Type	4x2 Dual Cab Personnel Carrier, (<i>minimum 6 seater</i>)
Date of Manufacture	_____
GVM (minimum 5000kg)	_____ Kg
Engine (<i>diesel motor naturally aspirated</i>)	
Net power output	_____ kw
Cylinders	_____
Motor Capacity	_____ litres
Manual Transmission	_____
Steel Tray	checker plate floor, width to match cab width, minimum required length only, drop sides approx 300mm high, full height cab shield (frame and grille), two shovel brackets fitted
Suspension	heavy duty suspension
Equipment	Two Jacks one wheel brace 1 fire extinguisher 2kg fitted to front of tray body Mud flaps to all wheels Two rotating amber beacons in protective cage cab shield mounted. One spare tyre on carrier fitted One fitted 60litre Aluminum water tank One external tool box for pad lock fitted to chassis air-conditioning Canvas seat covers to all seats Vinyl floor coverings with rubber floor mats front and back AM/FM radio/CD player
Bullbar	steel painted black, bar work not to interfere with service of cab and engine
Tow Bar	double tongue and 50mm ball with 7 pin electrical connection fitted

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Sun Protection	window tint to side and rear windows, sunvisor fitted over windscreen matching colour to cab
Communication Equipment	GME Electraphone TX 3440 fitted complete Tait TM 8200 bush fire two-way complete, with Shire of Yilgarn frequencies 32, 45 and 59, aerial cab mounted.

The following quotations were received (*GST inclusive*)

2) Skipper Trucks

Mitsubishi Fuso 4x2 Crew Cab 2010 model	\$69,861.00
Less trade-in	<u>\$28,050.00</u>
Net changeover (<i>GST inclusive</i>)	<u>\$41,811.00</u>

Engine	Mitsubishi Intercooled Turbo
Cylinders	4 cylinder diesel
Capacity	4.9 litres
Net power output	110kw
GCM	9,200kg
GVM	6,000kg

Warranty – 36 months or 100,000km

2) Major Motors

Isuzu NH NPR 300 4x2 Crew Cab 2010 model	\$75,520.50
Less trade-in	<u>\$19,000.00</u>
Net changeover (<i>GST inclusive</i>)	<u>\$56,520.50</u>

Engine	SiTEC Series II 155
Cylinders	4 cylinder diesel
Capacity	5.2 litres
Net power output	114kw
GCM	10,000kg
GVM	6,500kg

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Warranty – 36 months or 100,000km

3) WA Hino

Hino 300 Series 716 Crew Cab 2010 model	\$66,567.17
Less trade-in	<u>\$24,000.00</u>
Net changeover (<i>GST inclusive</i>)	<u>\$42,567.15</u>

Engine	Hino NOVC-TV ADR 80/01
Cylinders	4 cylinder diesel
Capacity	4.9 litres
Net power output	114kw
GCM	10,000kg
GVM	6,500kg

Warranty – 36 months or 100,000km

The Mitsubishi Fuso 4x2 Crew Cab quoted by Skipper Trucks has 4.9 litre motor with a net output rating of 110kw @ 2700 rpm's. The Isuzu 4x2 Crew Cab quoted by Major Motors has 5.2 litre motor with a net power rating of 114kw @ 2900rpm's. The Hino 4x2 Crew Cab quoted by WA Hino has 4.9 litre motor with a net power rating of 114kw @ 2900 rpm's. The standard warranties on all vehicles are similar (*36 months or 100,000km*).

The tender submitted by Skipper Trucks for the net change over cost of \$41,811 (*GST inclusive*) is the lowest. An allocation of \$55,000 has been allowed for in Council's 2010/2011 Financial Year Plant Replacement Budget for the change over of this vehicle.

Policy Implications : In accordance to Councils Policy 4.5 Purchasing – Quotes and Tenders

Financial Implications : Monetary allocation has been allowed for in Councils 2010/2011 Financial Year Plant Replacement Program

Strategic Implications : Ten Year Plant Replacement Program

Recommendation

That Council purchase 4x2 Mitsubishi Fuso Dual Cab from Skipper Trucks, for the quoted purchase price of \$69,861 (*GST inclusive*), and trade Council's existing 2005 Mitsubishi 4x2 Dual Cab for the quoted trade price of \$28,050 (*GST inclusive*), resulting in a change-over cost of \$41,811 (*GST inclusive*).

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Voting Requirements

Simple Majority

301/2010

Moved Cr Pasini Seconded Cr J Dell Bosca that Council agrees to purchase 4x2 Mitsubishi Fuso Dual Cab from Skipper Trucks, for the quoted purchase price of \$69,861 (GST inclusive), and trade Council's existing 2005 Mitsubishi 4x2 Dual Cab for the quoted trade price of \$28,050 (GST inclusive), resulting in a change-over cost of \$41,811 (GST inclusive).

CARRIED (7/0)

Cr Kenward Declared an Impartiality interest in the following Item and left chambers.

MANAGER OF ENVIRONMENTAL HEALTH AND BUILDING REPORTS

Submission to:	Ordinary Meeting of Council - Friday 19 th November, 2010
Agenda Reference:	10.1
Subject:	Planning Application - Home Occupation Application - Garden Nursery
Location/Address:	Lot 250 (H/No 47/48) Polaris Street, Southern Cross
Name of Applicant:	Ms Samantha Whitelaw
File Reference:	3.1.7.5
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	11 th November, 2010

Background

Ms Samantha Whitelaw has applied for planning approval to establish a Garden Centre or Garden Nursery with her partner Mr Michael Southorn from the property Mr Southorn owns at Lot 250 Polaris Street, Southern Cross. The proposed business would be a small scale Garden Centre including a plant nursery for the supply of garden supplies to retail customers in the Shire. If there is the demand in the future they will look to expand the business to include bulk supply of mulch, topsoils, decorative rocks, and sands, plus bagged mulch/soils/rocks/sands, plus garden ornaments, statues, bird baths, and ponds. It may include pesticides, herbicides, and insecticides but they would prefer not to supply these items.

From the proposed plan provided with the application it looks as if they will give approximately 900 square metres of land at the rear of the lot to the proposed business, which will include a 216 square metres shade sail area where plants will be kept/displayed. See attached letter with proposed plan, plus a location map.

Comment

Town Planning Issues

Lot 250 Polaris Street is zoned "Residential" with a density rating of R10.

The properties that face onto Polaris Street are in the main larger than a quarter of an acre (1012 m²) and are required to be a minimum of 1000 m² in area as they are not connected to the Shire deep sewer system and therefore have on-site wastewater disposal systems such as septic tanks and leach drains. The southern half of Polaris Street properties have been used for various businesses over the years such as transport hire businesses, wildlife rescue nursery, and crane hire business. One could argue that a garden nursery is no different to an extensive private garden, however, more gardening supplies will be stored on the site, and customers will be invited to come onto the property to look and make their purchases on-site and thereby generating more vehicle movements on and off the property than would normally occur.

Home Occupation

A Home Occupation is generally a small hobby or small business established on the applicant's residential property where the person wishes to test the demand for their products in the community before spending the money to establish a business on land zoned "Commercial" or "Industrial".

Under the Shire of Yilgarn Town Planning Scheme No 2 a Home Occupation means the following:-

- "means a business or activity carried out within a dwelling house or the cartilage or a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that:
- (a) entails the conduct of a business, office, a workshop only, and does not entail the frequent retail sale or display of goods of any nature;
 - (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
 - (c) does not detract from the residential appearance of the dwelling house or domestic outbuildings;
 - (d) does not entail employment of any person not a member of the occupier's household;
 - (e) does not occupy an area greater than 20 m²;
 - (f) does not display a sign exceeding 0.2 m² in area;
 - (g) in the opinion of the Council is compatible with the principle uses of which land in the zone in which it is located may be put;
 - (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity; and

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- (i) does not entail the presence, parking and garaging of a vehicle of more than two (2) tonnes tare weight."

This application does not meet with the above definition in terms of (a) there will be frequent retail sales or display of goods; (b) if they store and sell animal manure, mulch, compost, and soils, whether packaged or bulk, will impact on the neighbourhood through dust, unpleasant odours, and the attraction of flies and other pests; (e) will exceed the limit of 20 m² area; and (h) from the proposed plan there is a off-road parking area for customers.

The nature of a garden supply or plant nursery business requires more space than a lot of other types of businesses. While accepting this fact, allowing an area of approximately 900 square metres for the business would be excessive. Possibly up to 200 square metres would be a fairer compromise.

Ms Whitelaw has advised me that many of the plants they intend to sell will be purchased from other nurseries and not propagated by herself or Mr Southorn. Likewise most other gardening items are produced by others and Council would not expect Ms Whitelaw or Mr Southorn to manufacture these items for sale.

Council can state what items can not be sold from the property due to the likely impact on neighbours, such as soils and manures due to the issues of dust, offensive odours, and attracting flies and other pests to the property.

This application is for a larger scale business than I imagined when I discussed the proposal with Ms Whitelaw. The scale of business proposed should be established on land zoned "Commercial" or "Industrial", not "Residential".

A similar request was considered by Council at the April 2003 Council Meeting where the then Department of Land Administration (DOLA) advised Council that it had received a request from the owners of Lot 136 Lenneberg Street, Marvel Loch (Mr & Mrs D & P Gardner) to lease or purchase Lot 135 Lenneberg Street for the purpose of storing landscaping materials and parking of vehicles. Mr Gardner had his own landscaping and brick paving business and needed somewhere to store supplies for this business. There was no retail business proposed to be carried out from the property. At that time Council considered the likely impact of the storing of soils, and the manufacture of compost/manures on the neighbouring properties. In this instance Council had no objection to the leasing or the selling of Lot 135 Lenneberg Street to the adjoining land owner for the purpose of storing landscaping materials and parking.

I recommend that Council consider the application but stipulate that the proposed business can only occupy up to a maximum of 200 square metres area; it is not to include the bulk supply of soils, compost, manure, mulch, or decorative rocks due to

the potential adverse impact on neighbouring properties or the sale of pesticides/herbicides/insecticides as the property is a "Residential" property and this activity is not permitted on properties of this zoning, and that any expansion of the business would need to be on land zoned "Commercial" or "Industrial".

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise Ms Samantha Whitelaw & Mr Michael Southorn that Council will grant conditional planning approval for a Home Occupation Licence for a Garden Nursery on the following conditions:-

- 1) that the maximum area occupied or used for the proposed business is 200 square metres;
- 2) no bulk supply of soils, compost, manure, mulch, or decorative rocks is allowed;
- 3) no pesticides, herbicides, or insecticides are to be sold on the property as it is not consistent with the permitted use of land zoning;
- 4) that any expansion of the business would require the business to be relocated on to land zoned "Commercial" or "Industrial"; and
- 5) that all other aspects of the definition of a Home Occupation under the Shire of Yilgarn Town Planning Scheme No 2 are adhered to.

Voting Requirements

Simple Majority.

302/2010

Moved Cr Pasini Seconded Cr Truran that Council advises Ms Samantha Whitelaw & Mr Michael Southorn that Council will grant conditional planning approval for a Home Occupation Licence for a Garden Nursery on the following conditions:-

- 1) *that the maximum area occupied or used for the proposed business is 200 square metres;*
- 2) *no bulk supply of soils, compost, manure, mulch, or decorative rocks is allowed;*
- 3) *no pesticides, herbicides, or insecticides are to be sold on the property as it is not consistent with the permitted use of land zoning;*

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- 4) *that any expansion of the business would require the business to be relocated on to land zoned "Commercial" or Industrial"; and*
- 5) *that all other aspects of the definition of a Home Occupation under the Shire of Yilgarn Town Planning Scheme No 2 are adhered to.*

CARRIED (6/0)

Cr Kenward and Cr Truran declared an impartiality interested in the following item. Cr Kenward at this time had not returned and Cr Truran left the Council chambers.

Submission to:	Ordinary Meeting of Council – Friday 19 th November, 2010
Agenda Reference:	10.2
Subject:	Planning Application - Proposed Retail Business from Town Rural Property
Location/Address:	Lot 41 & Location 209 Driver Street, Moorine Rock
Name of Applicant:	Mr Alan Nicholson – Moorine Rock AG Supplies
File Reference:	3.1.7.5
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	11 th November, 2010

Background

Mr Alan Nicholson has applied to Council for planning approval to operate a retail business from his home on Lot 41 Driver Street and the farm property of Location 209 Driver Street, Moorine Rock. Mr Nicholson is an agent for Ravensdown and 4 Farmers, plus other companies. Mr Nicholson would like permission to sell agricultural chemicals and general farm requisites. See attached letter and location map.

Comment

Mr Nicholson lives on Lot 41 Driver Street but also uses the shed located on Location 209 Driver Street for the storage of chemicals which he is an agent for Ravensdown and 4 Farmers. Lot 41 which is owned by Mr Stuart A Nicholson, is located just within the Moorine Rock townsite boundary. Location 209 which is also owned by Mr S A Nicholson is just outside the townsite boundary.

Under the Shire of Yilgarn Town Planning Scheme No 2 all land within the townsite of Moorine Rock is zoned "Townsite". From the Town Planning Scheme text –

"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 satisfied that they will benefit the community and not result in being a nuisance."

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From Table 1 Zoning Table the closest land use for a retail business would be a "shop" which has an 'AA' symbol for land zoned "Townsite". The 'AA' symbol means that "the use is not permitted unless the Council has granted planning approval." See attached copy of Table 1 Zoning Table.

While Lot 41 is within the townsite boundary it is used for farming purposes and has done so for many years. Location 209 is zoned "Rural/Mining" under the Town Planning Scheme and is also used for farming purposes. A retail business is not consistent with a farming business which primarily grows/produces a saleable product that is sold to a wholesaler. Farm gate sales to customers are surplus product grown/produced from the farm such as eggs, fruit, honey. The sale of such products at the farm gate should also first receive Council approval before selling commences.

In Mr Nicholson's case, I am aware that he became an agent for 4 Farmers selling farm chemicals from the property several years ago, and this matter was raised for information at a Council Meeting. I am aware that both 4 Farmers and Mr Nicholson are working with AgSafe to become licensed handlers of farm chemicals. 4 Farmers sell herbicides; insecticides; fungicides; veterinary products that are externally or internally administered to animals to control pests; associated chemical products such as wetting agents, carrier oils, dyed foaming agents; and seed dressings.

I have recently become aware that Mr Nicholson has expanded his retail business. In his letter Mr Nicholson has referred to Ravensdown which is a New Zealand company with an Australian division that sells fertilisers and farm chemicals similar to 4 Farmers. Mr Nicholson has advised me that he also sells products or is an agent for David Grays, Australian Independent Retailers, and Farm Works. Mr Nicholson has advised that he has people who ring him and ask if he can get a product and he then endeavours to source the product for the customer but in many instances the product does not come onto his property but goes directly to the customer.

I have been informed that Mr Nicholson also sells other items such as motor oil, personal protective equipment, work boots, bulk cleaning chemicals, and other products. Vehicle tyres were also raised as a product that Mr Nicholson sells, but Mr Nicholson has advised me he does not sell tyres. I am aware that this expansion of Mr Nicholson's retail business is an issue for local commercial traders in Southern Cross.

As Mr Nicholson has been trading in farm chemicals for several years now I would recommend that he is allowed to continue on the condition that he obtains and holds all relevant licenses for the handling of such chemicals and that these licenses if not already held are to be obtained as soon as possible. Mr Nicholson has advised that he could achieve this by the end of February 2011 as he believes he is nearly fully compliant. Personal protective equipment associated with the use and handling of the above farm chemicals I would recommend that he is allowed to continue selling

for as long as he is selling farm chemicals. Maybe the fertilisers for agricultural applicant could also be allowed but Mr Nicholson advised me that he sells more farm chemicals than fertilisers from Ravensdown. However, all other items being sold should not be approved and Mr Nicholson should cease sales forthwith, allowing that he may sell only what stock he currently has on site.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advises Mr Alan Nicholson that he will be granted planning approval to carry on a retail business from Lot 41 and Location 209 Driver Street, Moorine Rock to trade in the following goods only and that all other types of retail trading are to cease forthwith once he has sold all existing stock on site:-

- 1) farm pesticides, herbicides, insecticides, and seed dressings on the condition that he obtains all necessary licenses for the purchase, storage, and transport of these chemicals from AgSafe, Department of Consumer Education and Protection, WorkSafe, and the Department of Health by 28th February 2011; and
- 2) associated personal protective equipment for the use with the farm chemicals listed above but only while he is licensed to handle these types of chemicals; and
- 3) mineral fertilisers for agricultural applications.

Voting Requirements

Simple Majority.

303/2010

Moved Cr Pasini Seconded Cr W Della Bosca that Council advises Mr Alan Nicholson that he will be granted planning approval to carry on a retail business from Lot 41 and Location 209 Driver Street, Moorine Rock to trade in the following goods only and that all other types of retail trading are to cease forthwith once he has sold all existing stock on site:-

- 1) *farm pesticides, herbicides, insecticides, and seed dressings on the condition that he obtains all necessary licenses for the purchase, storage, and transport of these chemicals from AgSafe, Department of*

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- Consumer Education and Protection, WorkSafe, and the Department of Health by 28th February 2011; and*
- 2) *associated personal protective equipment for the use with the farm chemicals listed above but only while he is licensed to handle these types of chemicals; and*
 - 3) *mineral fertilisers for agricultural applications.*

CARRIED (5/0)

Cr Kenward and Cr Truran returned to Chambers

Submission to:	Ordinary Meeting of Council – Friday 19 th November, 2010
Agenda Reference:	10.3
Subject:	Application to Conduct Exploration Drilling
Location/Address:	Along Southern Cross South, Cramphorne Road, and Meranda North Road, Mt Hampton
Name of Applicant:	Maka Minerals Pty Ltd – Mr Philip Hoff, Director
File Reference:	3.2.1.7
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	11 th November, 2010

Background

Maka Minerals Pty Ltd has written to Council advising that it has applied for Exploration Licence E77/1885 (“Bayly”) which within the Yilgarn Shire. So as to not disturb farming activities too much it is Maka Minerals’ intension to carry out exploration drilling along roadways looking for the particular minerals. Drilling will be at a depth greater than 30 metres. Maka Minerals is seeking Council’s comments on this application. See attached letter and location map.

Comment

Under the Mining Act any works within a gazetted townsite or within 2Kms of the boundary of a gazetted townsite requires comment from the Local Government. In this instance, the proposed drilling operations will be along road reserves of roads controlled by the Shire, and are seeking the Shire’s permission to help with its application to the Department of Mines and Petroleum (DoMP).

In line with similar application previously received from other applicants, Council should grant approval to Maka Minerals Pty Ltd to carry out the roadside drilling based on the following general conditions:-

- 1) That dust suppression is carried out so that others are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company’s mining conditions;

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

The Manager of Works has drawn a cross-sectional diagram of a formed road and indicated the area in which drilling is not allowed. See attached copy of the cross-section diagram.

It is proposed that the abovementioned standard conditions and the cross-section diagram will be written into a policy for adoption into the Council Policy prior to the time of the Policy Review.

Policy Implications

Nil

Statutory Requirements

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

Financial Implications

Nil

Recommendation

That Council grants approval to Maka Minerals Pty Ltd to carry out drilling along sections of the Southern Cross South Road, the Cramphorne Road, and the Meranda North Road reserves within the Exploration Lease E77/1885 ("Bayly") as shown on the attached map on the following conditions:-

- 1) That dust suppression is carried out so that people living nearby and traffic using the road are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of Maka Minerals Pty Ltd and the Department for Environment's mining conditions;
- 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 and harvest ban is called;
- 7) No drill holes are to extend under any public railway line or any roadways 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 minimise damage to capped drill holes during maintenance grading) - refer to Typical Cross Section of Road Formation diagram;
- 8) Safety signs are to be erected in accordance with Australian Standards - to warn both mining staff, contractors, and the public/ visitors in the area - a copy of the traffic management plan is to be forwarded to Shire's Manager of Works for his acceptance;
- 9) All drill holes are to be capped as soon as possible/practicable after drilling;
- 10) 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.; and
- 11) That Maka Minerals 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.

304/2010

Moved Cr Auld Seconded Cr Pasini that Council grants approval to Maka Minerals Pty Ltd to carry out drilling along sections of the Southern Cross South Road, the Cramphorne Road, and the Meranda North Road reserves within the Exploration

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Lease E77/1885 ("Bayly") as shown on the attached map on the following conditions:-

- 1) *That dust suppression is carried out so that people living nearby and traffic using the road are not adversely affected;*
- 2) *That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of Maka Minerals Pty Ltd and the Department for Environment's mining conditions;*
- 3) *Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread 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 and harvest ban is called;*
- 7) *No drill holes are to extend under any public railway line or any roadways 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 minimise damage to capped drill holes during maintenance grading) - refer to Typical Cross Section of Road Formation diagram;*
- 8) *Safety signs are to be erected in accordance with Australian Standards - to warn both mining staff, contractors, and the public/ visitors in the area - a copy of the traffic management plan is to be forwarded to Shire's Manager of Works for his acceptance;*
- 9) *All drill holes are to be capped as soon as possible/practicable after drilling;*
- 10) *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.; and*
- 11) *That Maka Minerals 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)

Submission to:	Ordinary Meeting of Council - Friday 19 th November, 2010
Agenda Reference:	Late Item 10.4
Subject:	Request to Purchase Crown Land
Location/Address:	Lot 242 Polaris Street, Southern Cross
Name of Applicant:	Department of Regional Development and Lands - Ms Kerrie Bridger
File Reference:	1.6.17.2
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	18 th November, 2010

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Background

The Department of Regional Development and Lands (DRDL) has received a request from Mr David Latter to purchase Crown Lot 242 Polaris Street, Southern Cross. The DRDL is considering selling the lot on a 'stand alone basis' if deemed suitable for release. The DRDL is seeking Council's comments on this proposal. See attached location map.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 Lot 242 is zoned "Residential" with a density rating of R10.

The lot is 1619m² in area which is more than the minimum area required (1012m²) for an on-site wastewater disposal system such as a septic tank and leach drain system.

Scheme water, power, and telephone services are available to this lot as they run pass the property. Likewise the rubbish collection and school bus services would also be available. Polaris Street is a formed sealed road.

Mr Latter currently owns Lot 249 Polaris Street, Southern Cross, which is located further south along Polaris Street. At the May 2010 Council Meeting Council considered a similar application for Lot 282 Polaris Street which adjoins Mr Latter's property of Lot 249. I understand from the DRDL that in the case of Lot 282 it offered both adjoining land owners the option of purchasing half of the lot, which I believe was accepted by both. Thus Mr Latter is still looking for a separate lot to develop by building a dwelling on the property. I understand that the DRDL is not looking to offer the adjoining land owner to purchase half this lot as the southern boundary adjoins Pavonis Street. The lot will be advertised for public sale.

I am not aware of any reason to object to Lot 242 Polaris Street being sold and developed by constructing a dwelling on it.

Statutory Environment

Shire of Yilgarn Town Planning Scheme No 2.

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council advise the Department of Regional Development and Lands that it has no objections to Crown Lot 242 Polaris Street, Southern Cross being sold as freehold on a 'stand alone basis'.

Voting Requirements

Simple Majority.

305/2010

Moved Cr Pasini Seconded Cr Truran that Council advises the Department of Regional Development and Lands that it has no objections to Crown Lot 242 Polaris Street, Southern Cross being sold as freehold on a 'stand alone basis'.

CARRIED (7/0)

CLOSURE

There being no further business to discuss, the Shire President declared the meeting closed at 5.45pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 19th November 2010 are confirmed as a true and correct record of that meeting on Friday, 17th December 2010.

Cr Romolo Patroni
SHIRE PRESIDENT