

MINUTES
ORDINARY COUNCIL MEETING
Friday 17th August 2012

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 17th August 2012.

PRESENT

Cr P R Patroni, Shire President

Crs W A Della Bosca, D Auld, J Della Bosca, D J Pasini, G Guerini, O Truran

Council Officers: V Piccoli, Deputy Chief Executive Officer
 R J Bosenberg, Manager for Works
 W J Dallywater, Manager Environmental Health & Building
 J F Guerini, Finance Manager

INFORMATION SESSION

ALICE HURLBATT – ENVIRONMENT SUPERINTENDENT– ST BARBARA MINES

Ms Hurlbatt advised council that St Barbara have taken the suggestion from Manager of Works, Robert Bosenberg that the alternate route along Edward Find Road is the better haulage route, they will be undergoing construction works for approximately 3-4 weeks, a traffic management plan will be prepared and sent to the Manager of Works for approval.

In addition, St Barbara has spoken to local farmers in regards to using their gravel pits and accessing roads while the construction is underway. They are hoping to have the project completed by October.

St Barbara will be organising a public meeting to be held on the 1st or 2nd week of September to let the community know the direction of St Barbara's with the impending shut down in December 2012, and to address any questions the community may have in regards to the closing of the Marvel Loch Mine.

The meeting was declared open for business at 2.00pm.

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

Mr J Sowiak, Chief Executive Officer

DISCLOSURES OF INTEREST

Cr W Della Bosca – Proximity Interest – relating to Item 10.4

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

167/2012

Moved Cr W Della Bosca Seconded Cr Guerini that the Minutes of the previous Meeting of Council held on Friday 20th July 2012, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

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168/2012

Moved Cr Pasini Seconded Cr Auld that the minutes for the WEROC meeting held 27th June 2012, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

169/2012

Moved Cr Truran Seconded Cr Auld that the minutes for the WEROC meeting held 25th July 2012, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

170/2012

Moved CR W Della Bosca Seconded CR J Della Bosca that the minutes for the Tourism Advisory Committee Meeting held on the 13th August 2012, be confirmed as a true and correct record of that meeting, and accepts the below recommendation to Council.

CARRIED (7/0)

Recommendation to Council

Moved K Crafter Seconded R Blair that the Tourism Committee recommends to Council that in an effort to foster Tourism in the Yilgarn District that Council investigate the establishment of a Visitor Centre in Southern Cross.

CARRIED

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:-

- That he and Cr's W Della Bosca, Truran and Auld attended Local Government week in Perth and he especially enjoyed the talk given by Jackie Stewart (former race car driver) at the conference.
- That he was approached by David Tomasi from UHY in regards to some issues in which he has now resolved.
- That he and Manager for Works attended the Regional Road Group meeting in Northam and were disappointed that a lot of the other groups were unorganised in preparing their funding applications.
- That he, the DCEO and Mr Ron Burro attended an EWDSG meeting in Merredin on the 9th of August, issues that were discussed involved; the changeover of dog traps, reports from the doggers on decreasing stock loss and dog kills and proposed administration changes for the committee.

ACTING CEO'S CONTRACT

After lengthy discussions in regards to the remaining term of the Acting CEO's contract it was decided that council will offer the Acting CEO Mr Jeff Sowiak an Executive Officer position with the same entitlements as his exiting contract, for the remainder of his term. The Executive Officer role will be to work with the newly appointed Chief Executive Officer Ms Vivienne Piccoli in a handover capacity or alternatively if this is not acceptable offer a payout for the remainder of his contract to the 28th September 2012.

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171/2012

Moved Cr Auld Seconded Cr Guerini that council offers the Acting CEO Mr Jeff Sowiak an Executive Officer position with the same entitlements as his exiting contract for the remainder of his term. The Executive Officer role will be to work with the newly appointed Chief Executive Officer Ms Vivienne Piccoli in a handover capacity or alternatively if this is not acceptable offer a payout for the remainder of his contract to the 28th September 2012.

CARRIED (7/0)

NEWLY APPOINTED CEO – MS V PICCOLI

Council resolved at the July meeting to appoint Ms Vivienne Piccoli to the position of Chief Executive Officer for a period of 3 years. Council decided to bring forward the CEO's commencement date to Monday 20th August 2012.

172/2012

Moved Cr J Della Bosca Seconded Cr Guerini that Council endorses the changes to Ms Vivienne Piccoli contract, commencing as Chief Executive Officer at the Shire of Yilgarn from Monday 20th August 2012.

CARRIED (7/0)

- Cr Auld advised that he attended the Library Group Meeting at Local Government Week and was very impressed with the libraries and the technology now available and that all the old books will be sent to third world countries.

- Cr W Della Bosca advised that he will be attending the next DOAC meeting with Ron Burro. He also attended a meeting at Local Government week in regards to FIFO and found that it is having an effect across the whole country, not just in the Yilgarn.

- Cr Truran advised that she enjoyed the Local Government week and especially enjoyed Jackie Stewart. She also informed council that she will be attending a DEHAC Meeting and that Felicity Jefferies will also be attending.

- Cr J Della Bosca advised that Tidy Town Judging was happening on Wednesday 22nd August. Also that Westonia and Moorine Rock Schools were getting together to have a Mini Olympics and is hoping that the Shire of Westonia will reconsider supporting the Be-Active Scheme.

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Submission to:	Ordinary Meeting of Council – Friday 17 th August 2012
Agenda Reference:	7.1
Subject:	Senior Staff Performance Review
File Reference:	Personal File
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	27 July 2012

Background

The CEO is required to report to Council annually on the completion of the performance and remuneration review of Senior Staff (other than the CEO) that are employed by the Council.

Comment:

Council has determined that the positions as shown in the table hereunder are Senior Staff positions and this report is to advise Council that the CEO has conducted the annual performance and remuneration review for Senior Staff as is required.

All Senior Staff were given the option to have a third party involved in undertaking the review and none of the staff who were reviewed elected to exercise this option.

Accordingly, the review was undertaken by the CEO and I am pleased to report that all three Senior Officers of Council received a favourable performance review. There are no issues to report in terms of performance that require action. I have concluded that Council is well served in terms of the competence, commitment and capability of the senior staff.

There were no changes to the conditions of employment for Senior Staff and the remuneration increases granted as shown, are within budget.

Position	Employee	% Increase
Ms Vivienne Murty	Deputy CEO	4.2%
Ms Wendy Dallywater	Manager E H & B	4.01%
Mr Robert Bosenberg	Manager of Works	4.06%

For the purposes of the annual report the following is a summary of the annual salary entitlements of Senior Staff:

Range	Number
190-200K	1
120-130K	1
110-120K	1
100-110K	1

Annual Salary is defined as being cash salary plus superannuation.

Comment

Nil

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Statutory Environment

Division 4 of the Local Government Act.

Policy Implications

Employment is subject to policies of Council.

Financial Implications

The increase is within the salary range and budget for these positions.

Strategic Implications

None

Voting Requirements

Simple Majority

Recommendation

That Council receives the report from the Chief Executive Officer and formally commends the following Senior Staff of the Council: Ms Vivienne Murty Deputy Chief Executive Officer, Ms Wendy Dallywater, Manager Environmental Health and Building and Mr Robert Bosenberg Manager for Works for their favourable performance over the past year.

173/2012

Moved Cr Auld Seconded Cr Pasini that Council receives the report from the Chief Executive Officer and formally commends the following Senior Staff of the Council: Ms Vivienne Murty Deputy Chief Executive Officer, Ms Wendy Dallywater, Manager Environmental Health and Building and Mr Robert Bosenberg Manager for Works for their favourable performance over the past year.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council - Friday 17th August 2012
Agenda Reference:	7.2
Subject:	Recruitment of Deputy CEO
File Reference:	1.1.1.2
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	8 th August 2012

Background

With the promotion of the Deputy Chief Executive Officer, Council at its last meeting approved of advertising for the position of Deputy Chief Executive Officer.

Comment:

In accordance with the Council's decision at its last meeting, advertisements inviting applications for the position of Deputy Chief Executive Officer were inserted in the West Australian on Saturday 28th July and the Local Government Job Directory on Monday 30th July as well as a number of internet based job directories. The position was also advertised in the Crosswords and on Council's website.

The salary package for the position was advertised in the range of \$120K to \$156k with a cash component of between \$80k and \$110. Other benefits included staff housing, motor vehicle, super and utilities as per Council policy.

The applications closed at 4pm on Thursday 16th August and interviews by the CEO and DCEO are to be undertaken on Friday 24th August. The SP has been invited to participate in the interview process.

The CEO will report to Council on the number and overall interest in the position from the applications received.

In accordance with the legislation an offer of employment will be made by the CEO subject to endorsement at Council's meeting in September.

Statutory Environment

LGA section 5.37 Senior Employees.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That the report be received.

Information Received

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Submission to:	Ordinary Meeting of Council - Friday 17 th August 2012
Agenda Reference:	7.3
Subject:	Be Active Community Sport
File Reference:	1.6.25.3, 1.6.9.1
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 th August 2012

Background

Council is a joint sponsor of the Central and Eastern Wheatbelt “Be-Active Program” with WEROC Council’s for approximately 15 years and whilst the current MOU signed in June 2009 is due for renewal, two of the six Council’s have decided to withdraw support for the scheme.

Comment

The “Be-Active” scheme has been operating for fifteen years and involves the Council’s of Kellerberrin, Westonia, Yilgarn, Merredin, Tammin and Bruce Rock .

There are four “Be Active” coordinators across the Wheatbelt that are supported by Healthway, the Local Governments and the National Heart Foundation, with the aim of increasing participation in physical activity across the community

Being active is a key requirement for good health and for achieving and maintaining a healthy weight. However, currently only one in four Western Australian adults are getting the minimum of thirty minutes of physical activity they need each day for good health.

The scheme was initiated by Healthway in October 1996 and continues to evolve with the changing face of sport and recreation in the region.

The scheme co-ordinator Mr Rodney Thornton has been a regular visitor to the Shire and has been active with the school, pool and sporting clubs , providing assistance with programs , visiting sports trainers and activities and the Council has in the past contributed approximately \$11,000 per year to the scheme.

The withdrawal of Merredin and Westonia from the Scheme will have an impact on both the overall cost to remaining members and the additional time available for the Co-ordinator. It is understood that the annual contribution from Merredin was \$11,000 and Westonia \$7,500 leaving an additional \$18,500 to be split between the remaining contributors.

Council has in the past indicated its willingness to be part of the MOU and now needs to formally decide if it is prepared to meet the additional cost in return for service, for the project to continue into the future with only four out of six interested Council’s.

At this stage it is anticipated that the cost to each remaining Council would increase in the order of \$5,000 to \$6,000 per annum with a notional increase in hours available to this Council of approximately 170hours per annum.

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A meeting of the remaining Be-Active Committee members has been convened for the week following Council and it is important therefore that Council determine its position in relation to extending the hours of the co-ordinator and the cost to Council.

Policy Implications

Nil

Financial Implications

The impact will need to be factored into the budget review to December.

Recommendation

That Council advise the remaining members of the Be-Active Committee that it supports an extension of the Memorandum of Understanding for the Be-Active Committee and is prepared to meet the additional pro-rata cost consequential upon the withdrawal of the Shires of Merredin and Westonia on the understanding that this will increase the available hours for the remaining Council members.

Information Received

Submission to:	Ordinary Meeting of Council – Friday 17 th August 2012
Agenda Reference:	7.4
Subject:	Primary Health Care Demonstration Site
File Reference:	1.3.12.6
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	8 th August 2012

Background

The Council has indicated its willingness to express an interest in Southern Cross being nominated for selection as a Primary Health Care Demonstration site and it is now necessary to formally review the matter and decide if this proposal is to be pursued.

Comment:

The Southern Inland Health Initiative (SIHI) has over half a billion dollars in funding to strengthen community health services including funding for the establishment of Primary Health Care Demonstration Sites (PHCD). The aim of the PHCD site project is to “provide safe, appropriate and sustainable health care into the future.”

It is fairly obvious that the current hospital structure is a relic of bygone days when doctors lived in communities, performed surgery and utilised local operating theatres and specialist services such as day surgery and midwifery.

Today, it would be fair to say that no Government of any persuasion will be willing to invest the capital and operating funds necessary to deliver what had existed in the past. Notwithstanding that there simply isn't enough medical staff, either doctors or nurse professionals willing and available to commit to such a model.

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The Multipurpose Service initiative formulated over 20 years or more ago to maximise the economies of scale and management of health services by combining both primary health as well as aged care, also appears to be under threat, as being unable to deliver the services to the community that the Commonwealth aged care packages were designed to deliver.

The rural aged care/hospital model being promoted for today is to support ageing in the home, through appropriate levels of home and community care services. This is then augmented by General Practice clinics with visiting specialists and acute triage facilities for accident and emergency.

It is of concern to Local Government for some time that neither the Commonwealth nor WA Government have provided sufficient funding for GP services in communities and have increasingly shifted that responsibility to Local Governments, by default.

The PHCD Site is not be a panacea for all the medical service and funding needs of the community but it is an opportunity to rework the capital infrastructure to meet what can be identified as the future community demand for services. It will not however, be able to redress or reinstate the services that have been lost and in this regard there will most probably continue to be a gradual change to health service delivery and perhaps diminishing communities' best expectations.

Council has a strong financial and community interest in health services and provides substantial financial and other incentives to attract and retain a GP and Pharmacist in Southern Cross. With a growing population, both in terms of permanent residents and FIFO workers, it is important to ensure that the provision of GP services in particular, is clearly part of any future health service model. Similarly with an ageing population it is not acceptable to simply shut down current facilities and services without making provision for local services, either in the home or in some other fashion.

The MPS model has ensured that there is a 24hour emergency service operating in Southern Cross and that there are aged care beds available and in use, at times overflowing into the general hospital.

Whilst it appears that WA Health has concerns with the current arrangements and is suggesting that they are unsustainable and cannot continue, Council and the community, at this time are being asked to seek a PHCD site. In doing so there are concerns that the PHCD site model makes no provision for aged care and it would be unacceptable for the residents in the local facilities to be moved elsewhere.

There are therefore two possible alternatives, maintaining the status quo may result in a process of ongoing incremental changes to service delivery. The second alternative is to accept the proposal for a PHCD site model and work in a consultative way with the WA Health, SIHI staff, Wheatbelt GP practice and other service providers to try and develop new and more appropriate health facilities and a workable model of health care for this community into the future.

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Whilst the second option is attractive, at present, given the uncertainty about the future aged care model, this may not be the time to take that step.

On that basis it is recommended that Council not proceed with the application for PHCD site until such time as WA Health identify a workable health care model that address Primary, General Practice and Aged care. Further that negotiation of such a model should include the Council, Wheatbelt GP and other health care agencies.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council not proceed with the application for PHCD site until such time as WA Health identify a workable health care model that address Primary, General Practice and Aged care. Further that negotiation of such a model should include the Council, Wheatbelt GP and other health care agencies.

Information Received

Submission to:	Ordinary Meeting of Council - Friday 17th August 2012
Agenda Reference:	7.5
Subject:	WEROC Regional Economic Development
File Reference:	1.6.25.1
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	8 th August 2012

Background

WEROC has organised a regional forum in Merredin to promote economic development opportunities across the region and Council is asked to promote the forum to local Businesses.

Comment:

Shortly an invitation to will be extended to all business leaders in the WEROC to a workshop on economic development. This initiative follows on from discussions by the Wheatbelt East Regional Organisation of Councils (WE-ROC) on ways of developing economic resilience and greater cooperation amongst in the eastern Wheatbelt.

The workshop, held under the auspices of Economic Development Australia (EDA) and funded through Regional Development Australia (RDA) Wheatbelt, will be held in Merredin on 5 and 6 October 2012. The workshop will commence with a case study sundowner and dinner on Friday 5 October and a full day workshop on Saturday 6 October.

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EDA's purpose in facilitating these workshops is to promote sustainable economic development across Australia. The workshop will be delivered via the Regional and Remote Area Economic Development Training Program (RRATP) and will be tailored to meet local community and regional needs. It will be developed and delivered *pro bono* by EDA members.

In preparation for this, the facilitators have asked participants to consider some of the issues which they believe impact on economic development in this region. The following are some which have been identified as being relevant to the Member Councils of WE-ROC and include;

- Location advantage in our closeness to Perth;
- Value adding to and diversity of primary production;
- Opportunity to offer cheaper land and infrastructure for commercial and industrial opportunities;
- Opportunity to increase employment within the towns and across the region as a whole; and
- Opportunity to develop and expand tourism across the region.

Participant's thoughts on these issues and possible future development is appreciated as the program will include case studies of economic development in other places. Council's through their Shire President have been asked to write to potential business and invite them to participate in the forum.

The information from interested participants will be collated no later than Friday 7 September 2012 to facilitate planning for the forum. Council is asked to support and promote the forum.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council support and promote the Regional Economic Development Forum proposed by WEROC on October 5th & 6th.

Information Received

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Submission to:	Ordinary Meeting of Council – Friday 17 th August 2012
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Vivienne Piccoli – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th August 2012

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 July 2012

- ✓ Rates Receipt Statement (prepared to 9th August 2012)
- ✓ Statement of Investments
- ✓ Monthly Statement of Financial Activity – Deferred to September

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 31st July 2012 as presented, be received.

174/2012

Moved Cr W Della Bosca Seconded Cr Guerini that the various Financial Reports for the period ending 31st July 2012 as presented, be received.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 17 th August 2012
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Vivienne Piccoli – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th August 2012

Background

Municipal Fund – Cheque Numbers 37916 to 37972 totalling \$246,306.58, Municipal Fund EFT numbers 647 to 689 totalling \$703,379.12, Municipal Fund – Cheque Numbers 1055 to 1059 totalling \$183,194.96, Trust Fund – 401980 to 401984 totalling \$24,667.06 and Trust Fund – Cheque Numbers 5799 to 5803 (DPI Licensing), totalling \$80,420.25 are presented for endorsement as per the submitted list.

Statutory Environment

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

Policy Implications / Delegation Register

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

Financial Implications

Reduction to Bank Accounts balances.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Recommendation

Municipal Fund – Cheque Numbers 37916 to 37972 totalling \$246,306.58, Municipal Fund EFT numbers 647 to 689 totalling \$703,379.12, Municipal Fund – Cheque Numbers 1055 to 1059 totalling \$183,194.96, Trust Fund – 401980 to 401984 totalling \$24,667.06 and Trust Fund – Cheque Numbers 5799 to 5803 (DPI Licensing), totalling \$80,420.25 are presented for endorsement as per the submitted list.

175/2012

Moved Cr Truran Seconded Cr Auld Municipal Fund – Cheque Numbers 37916 to 37972 totalling \$246,306.58, Municipal Fund EFT numbers 647 to 689 totalling \$703,379.12, Municipal Fund – Cheque Numbers 1055 to 1059 totalling \$183,194.96, Trust Fund – 401980 to 401984 totalling \$24,667.06 and Trust Fund – Cheque Numbers 5799 to 5803 (DPI Licensing), totalling \$80,420.25 are presented for endorsement as per the submitted list.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday, 17th August 2012
Agenda Reference:	Works 9.1
Subject:	Tender: 1/2012-2013 Hot Sprayed Bitumen
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.6.2.4
Author:	Robert Bosenberg - Manager for Works
Disclosure of Interest:	N.A.
Date of Report:	6 th August 2012

Background

Tenders were invited for the annual supply and spraying of hot bitumen for the 2012/2013 Financial Year Road Construction Program. Bitumen required for the 2012/2013 Road Construction Program is for the Moorine Rock South Road, Bodallin North Road, Parker Range Road and Koolyanobbing Road.

It is estimated 337,795 litre of bitumen is required for 2012/2013 of which 217,255 litres will be sprayed in lots of above 25,000 litres and the remaining 120,540 litres will be sprayed in lots off between 10,000 to 25,000 litres.

Also included in the form of tender is a requirement for companies tendering to submit a cost per tonne to carry out pre-coating of 1400 tonnes of aggregate.

Comments

Under the terms and conditions of the tender document the cost per litre of bitumen is fixed for the duration of the acceptances of the tender until 30th June 2014.

The following two tenders from Boral Asphalt, Bitumen Surfacing, Bitutek and RnR Contracting were received (*GST exclusive*): -

1. Boral Asphalt (*GST exclusive*)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.94 per litre	\$ 1.91 per litre
10,000 25,000	\$ 1.44 per litre	\$ 1.42 per litre
over 25,000	\$ 1.43 per litre	\$ 1.40 per litre
<i>Adhesive Agent</i>	<i>\$.0049 per litre</i>	

Pre-coating Aggregate \$11.81 per tonne

Expected total cost to Council's Construction Program

65,100 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 93,744.00
55,440 litres in job lots of 10,000 to 25,000 litres of 98/2:	\$ 78,724.80
217,255 litres in job lots above 25,000 litres of 98/2:	\$304,157.00
337,795 litres x \$0.0049 per litre adhesive agent	\$ 1,655.20
1400 tonnes aggregate x \$11.81 per tonne	\$ 16,534.00
<i>Total</i>	<u>\$494,815.00</u>

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2. Bitumen Surfacing (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 2.167 per litre	\$ 2.156 per litre
10,000 25,000	\$ 1.386 per litre	\$ 1.375 per litre
over 25,000	\$ 1.287 per litre	\$ 1.276 per litre

Adhesive Agent - \$ 0.055 per litre

Pre-coating Aggregate \$ 6.60 per tonne

Expected total cost to Council's Construction Program

65,100 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 90,228.60
55,440 litres in job lots of 10,000 to 25,000 litres of 98/2:	\$ 76,230.00
217,255 litres in job lots above 25,000 litres of 98/2:	\$277,217.38
337,795 litres x \$0.0055 per litre adhesive agent	\$ 1,857.87
1400 tonnes aggregate x \$11.81 per tonne	<u>\$ 9,240.00</u>
<i>Total</i>	<u>\$454,773.85</u>

3. Bitutek (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.617 per litre	\$ 1.595 per litre
10,000 25,000	\$ 1.287 per litre	\$ 1.265 per litre
over 25,000	\$ 1.232 per litre	\$ 1.210 per litre

Adhesive Agent - \$ 0.0055 per litre

Pre-coating Aggregate \$ 3.58 per tonne

Expected total cost to Council's Construction Program

65,100 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 83,783.70
55,440 litres in job lots of 10,000 to 25,000 litres of 98/2:	\$ 70,131.60
217,255 litres in job lots above 25,000 litres of 98/2:	\$262,878.55
337,795 litres x \$0.0055 per litre adhesive agent	\$ 1,857.87
1400 tonnes aggregate x \$3.58 per tonne	<u>\$ 5,012.00</u>
<i>Total</i>	<u>\$423,663.72</u>

4. RnR Contracting (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.430 per litre	\$ 1.430 per litre
10,000 25,000	\$ 1.265 per litre	\$ 1.265 per litre
over 25,000	\$ 1.210 per litre	\$ 1.210 per litre

Adhesive Agent - \$ 0.0066 per litre

Pre-coating Aggregate \$ 1.54 per tonne

Expected total cost to Council's Construction Program

65,100 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 82,351.50
55,440 litres in job lots of 10,000 to 25,000 litres of 98/2:	\$ 70,131.60
217,255 litres in job lots above 25,000 litres of 98/2:	\$262,878.55
337,795 litres x \$0.005 per litre adhesive agent	\$ 2,229.45
1400 tonnes aggregate x \$1.54 per tonne	<u>\$ 2,156.00</u>

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Total \$419,747.10

Pre-coating of aggregate by RnR Contracting is inclusive in the rates per litre under the following conditions:

RnR Contracting will supply the following:

- 1) Precoater with operator
- 2) Accommodation and meals

Shire of Yilgarn to supply loader for pre-coating, (*hire of loader is at RnR costs this has been included in cost per tonne for pre-coating*)

As it can be seen from the above calculations the tender by RnR (\$419,747.10) is the lowest tender submitted.

When setting the 2012/2013 Financial Year Construction Budget a monetary allocation of \$422,243 was allowed for in councils construction program for the pre-coating of aggregate and purchasing of bitumen products to carry out bitumen spray works.

RnR Contracting supplied council with its required hot sprayed bitumen for the 2011/2012 Financial Year. Although there was one occasion that RnR Contracting could not supply bitumen as prompt as council would have liked, overall the service and quality of bitumen supplied by RnR Contracting in 2011/2012 was satisfactory.

Policy Implications: In line with Council's Policy, "*Finance 3.5 Purchasing Quotes and Tenders*"

Financial Implications: Monetary costs associated for the supply, and spraying of hot bitumen has been allowed for in councils 2012/2013 Construction Program Budget

Strategic Implications: 2012/2013 Construction Program

Recommendation

That Council accepts the tender submitted by RnR Contracting for the supply and spraying of hot bitumen and pr-coating of aggregate for the 2012/2013 Financial Year.

Voting Requirements

Simple Majority

176/2012

Moved CR W Della Bosca Seconded Cr Pasini that Council accepts the tender submitted by RnR Contracting for the supply and spraying of hot bitumen and pr-coating of aggregate for the 2012/2013 Financial Year.

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 17th August 2012

Submission to:	Ordinary Meeting of Council - Friday 17 th August 2012
Agenda Reference:	Works 9:2
Subject:	Supply and Delivery of Granite Aggregate for the 2012/2013 Financial Year Construction/Maintenance Program
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.6.7.3
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	3rd August 2012

Background

Quotations were invited for the annual supply and delivery of washed Granite Aggregate in accordance with council's 2012/2013 Financial Year Road Construction/Maintenance Program.

Aggregate demand for the 2012/13 Financial Year Road Construction Programs is for bitumen seal works on Moorine Rock South Road, Koolyanobbing Road, Parker Range Road and Bodallin North Road. The estimated combined quantities required for these works is 1400 tonne.

Comments

Invitation for quotations to supply Council with washed aggregate for the 2012/2013 Financial Year were sent out to AGspread, Little Industries and Hanson. Aggregate specifications are in accordance with relevant Australian Standards and Main Roads Western Australian specifications. Closing date for quotations been received no later than 4:00pm Friday 27th July 2012.

The following delivery locations and volumes were included in the quotation documentation:

350 tonne of 10 mm washed aggregate delivered 55km south of Moorine Rock

300 tonne of 14 mm washed aggregate delivered 45km south of Moorine Rock

100 tonne of 10mm washed aggregate delivered 50km north of Southern Cross (Koolyanobbing Road)

300 tonne of 10mm washed aggregate delivered approximately 40km North of Bodallin (North Bodallin Road)

350 tonne of 10mm washed aggregate delivered approximately 5km east of Moorine Rock (Parker Range Road)

The following Quotations were received (*GST Inclusive*)

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AGSPREAD

<i>Volume</i>	<i>Description</i>	<i>Unit Price</i>
<i>Total</i>		
350 tonne	10 mm washed aggregate delivered 55km south of Moorine Rock	\$66.28 per tonne
	\$23,198.00	
300 tonne	14 mm washed aggregate delivered 45km south of Moorine Rock	\$64.28 per tonne
	\$19,389.00	
100 tonne	10mm washed aggregate delivered 50km north of Southern Cross (Koolyanobbing Road)	\$66.28 per tonne
	\$6,628.00	
300 tonne	10mm washed aggregate delivered 40km North of Bodallin	\$66.28 per tonne
	\$19,884.00	
350 tonne	10mm washed aggregate delivered 5km east of Moorine Rock	\$66.28 per tonne
	\$23,198.00	
	Total	
	\$92,297.00	

Hanson

<i>Volume</i>	<i>Description</i>	<i>Unit Price</i>
<i>Total</i>		
350 tonne	10 mm washed aggregate delivered 55km south of Moorine Rock	\$67.82 per tonne
	\$23,737.00	
300 tonne	14 mm washed aggregate delivered 45km south of Moorine Rock	\$66.83 per tonne
	\$20,049.00	

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100 tonne	10mm washed aggregate delivered 50km north of Southern Cross (Koolyanobbing Road)	\$69.85 <i>per tonne</i>
		\$6,985.00
300 tonne	10mm washed aggregate delivered 40km North of Bodallin	\$63.58 <i>per tonne</i>
		\$19,074.00
350 tonne	10mm washed aggregate delivered 5km east of Moorine Rock	\$62.21 <i>per tonne</i>
		\$21,773.50
		\$91,618.50
		Total

Little Transport

<i>Volume</i>	<i>Description</i>	<i>Unit Price</i>
<i>Total</i>		
350 tonne	10 mm washed aggregate delivered 55km south of Moorine Rock	\$97.52 <i>per tonne</i>
		\$34,132.00
300 tonne	14 mm washed aggregate delivered 45km south of Moorine Rock	\$90.75 <i>per tonne</i>
		\$27,225.00
100 tonne	10mm washed aggregate delivered 50km north of Southern Cross (Koolyanobbing Road)	\$97.13 <i>per tonne</i>
		\$9,713.00
300 tonne	10mm washed aggregate delivered 40km North of Bodallin	\$118.25 <i>per tonne</i>
		\$35,475.00

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350 tonne 10mm washed aggregate
delivered 5km east of
Moorine Rock

\$94.38 per tonne

\$33,033.00

Total

\$139,578.00

As shown in the calculations above Hanson's total amount of \$91,618.50 (*GST inclusive*) is \$678.50 less than AGspread total amount of \$92,297 (*GST inclusive*) and \$47,856.25 less than that of Little Transport total amount of \$139,578 (*GST inclusive*)

Hanson supplied council with its required aggregate for the 2011/2012 Financial Year. The delivery service and quality of the aggregate supplied by Hanson in 2011/2012 was very good.

In Councils 2012/2013 construction budget an estimated monetary allocation of \$98,000 has been allowed for the supply and delivery of washed aggregate.

Policy Implications:

In line with Council's Policy, "Finance 3.5 Purchasing Quotes and Tenders"

Financial Implications:

Monetary costs associated for the supply of washed aggregate have been allowed for in council's 2012/2013 Construction Program

Strategic Implications:

2012/2013 Construction Program

Recommendation

Council accepts the Quotation submitted by Hanson for the supply and deliver, of washed aggregate required for the 2012/2013 Financial Year.

Voting Requirements

Simple Majority

177/2012

Moved Cr Truran Seconded Cr Guerini that Council accepts the quotation submitted by Hanson for the supply and delivery, of washed aggregate required for the 2012/2013 Financial Year.

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
 Friday 17th August 2012

Submission to Agenda Reference Subject	Ordinary Meeting of Council - Friday 17 th August 2012 9:3 Ten Year Plant Replacement Program - 4x4 Utility
Location/Address	N/A
Name of Applicant	N/A
File reference	6.4.1.5
Author	Robert Bosenberg - Manager for Works
Disclosure of Interest	N/A
Date of Report	6 th August 2012

Background

In accordance to Councils 2012/13 Plant Replacement Program, quotations were invited to supply and deliver one only 4x4 Utility and to trade one of Councils current 4x4 Toyota Landcruiser Utility (YL-38). The Toyota Landcruiser Utility (YL-38) offered for trade is currently being utilised for the transport of councils grading maintenance personnel and fuel supplies to and from worksites. The trade vehicle was purchased in August 2008 and has speedometer reading of 105,000 as of August 2012. A budget change over estimate of \$27,000 has been allowed for in the 2012/13 Financial Year Budget for this vehicle.

Comment

SPECIFICATION - NEW VEHICLE

<i>Engine</i>	diesel motor naturally aspirated
<i>Body</i>	checkered steel tray with drop sides and full height cab shield (<i>frame & mesh in-full</i>)
<i>Suspension</i>	heavy duty suspension
<i>Equipment</i>	steel bull-bar ball & tongue tow-bar air-conditioning mud flaps to all wheels Peanut Type flashing light (<i>tray mounted</i>) vinyl floor coverings and rubber floor mats (<i>driver and passenger sides</i>) canvas seat covers fitted to all seats AM/FM radio spare tyre to be mounted under tray

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Communication Equipment 40 channel UHF two-way complete,

Quotations were sought from Merredin Toyota and Goldfield Toyota for the change of this vehicle.

The following quotations were received (*GST inclusive*)

1	Merredin Toyota	
	79 Series Toyota Landcruiser as per specification	\$60,099.60
	Less Trade In	<u>\$40,099.60</u>
	Net changeover	<u>\$20,000.00</u>
2	Goldfield Toyota	
	79 Series Toyota Landcruiser as per specification	\$60,346.49
	Less Trade In	<u>\$35,000.00</u>
	Net changeover	<u>\$25,346.49</u>

As can be seen from the above the quotations submitted, Merredin Toyota for the net change over cost of \$20,000 (*GST inclusive*) is the lowest.

Policy Implications

In line with Council's Policy, "*Finance 3.5 Purchasing Quotes and Tenders*"

Financial Implications

A monetary allocation of \$27,000 has been allowed for in Councils 2012/2013 Financial Year Plant Replacement Program for the changeover of this vehicle.

Strategic Implications

Ten Year Plant Replacement Program

Recommendation

That Council purchase the Toyota Landcruiser Utility from Merredin Toyota for the quoted purchase price of \$60,099.60 (*GST inclusive*) and trade Council's existing Toyota Landcruiser Utility for the quoted trade price of \$40,099.60 (*GST inclusive*) resulting in a change over cost of \$20,000 (*GST inclusive*)

Voting Requirements

Simple Majority

178/2012

Moved Cr J Della Bosca Seconded Cr Auld that Council purchases the Toyota Landcruiser Utility from Merredin Toyota for the quoted purchase price of \$60,099.60 (GST inclusive) and trade Council's existing Toyota Landcruiser Utility for the quoted trade price of \$40,099.60 (GST inclusive) resulting in a change over cost of \$20,000 (GST inclusive).

CARRIED (7/0)

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Submission to Agenda Reference Subject	Ordinary Meeting of Council - Friday 17 th August 2012 9:4 Ten Year Plant Replacement Program - 4x4 Utility
Location/Address	N/A
Name of Applicant	N/A
File reference	6.4.1.5
Author	Robert Bosenberg - Manager for Works
Disclosure of Interest	N/A
Date of Report	6 th August 2012

Background

In accordance to Councils 2012/13 Plant Replacement Program, quotations were invited to supply and deliver one only 4x4 Utility and to trade one of Councils current 4x4 Toyota Landcruiser Utility (YL-5067). The Toyota Landcruiser Utility (YL-5067) offered for trade is currently being utilised for the transport of councils grading maintenance personnel and fuel supplies to and from worksites. The trade vehicle was purchased in August 2008 and has speedometer reading of 98,000 as of August 2012. A budget change over estimate of \$27,000 has been allowed for in the 2012/13 Financial Year Budget for this vehicle.

Comment

SPECIFICATION - NEW VEHICLE

<i>Engine</i>	diesel motor naturally aspirated
<i>Body</i>	checkered steel tray with drop sides and full height cab shield (<i>frame & mesh in-full</i>)
<i>Suspension</i>	heavy duty suspension
<i>Equipment</i>	steel bull-bar ball & tongue tow-bar air-conditioning mud flaps to all wheels Peanut Type flashing light (<i>tray mounted</i>) vinyl floor coverings and rubber floor mats (<i>driver and passenger sides</i>) canvas seat covers fitted to all seats AM/FM radio spare tyre to be mounted under tray

MINUTES
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Communication Equipment 40 channel UHF two-way complete,

Quotations were sought from Merredin Toyota and Goldfield Toyota for the change of this vehicle.

The following quotations were received (*GST inclusive*)

3	Merredin Toyota	
	79 Series Toyota Landcruiser as per specification	\$60,099.60
	Less Trade In	<u>\$40,099.60</u>
	Net changeover	<u>\$20,000.00</u>
4	Goldfield Toyota	
	79 Series Toyota Landcruiser as per specification	\$60,346.49
	Less Trade In	<u>\$35,000.00</u>
	Net changeover	<u>\$25,346.49</u>

As can be seen from the above the quotations submitted, Merredin Toyota for the net change over cost of \$20,000 (*GST inclusive*) is the lowest.

Policy Implications

In line with Council's Policy, "*Finance 3.5 Purchasing Quotes and Tenders*"

Financial Implications

A monetary allocation of \$27,000 has been allowed for in Councils 2012/2013 Financial Year Plant Replacement Program for the change over of this vehicle

Strategic Implications

Ten Year Plant Replacement Program

Recommendation

That Council purchase the Toyota Landcruiser Utility from Merredin Toyota for the quoted purchase price of \$60,099.60 (*GST inclusive*) and trade Council's existing Toyota Landcruiser Utility for the quoted trade price of \$40,099.60 (*GST inclusive*) resulting in a change over cost of \$20,000 (*GST inclusive*)

Voting Requirements

Simple Majority

179/2012

Moved Cr Auld Seconded Cr Truran that Council purchases the Toyota Landcruiser Utility from Merredin Toyota for the quoted purchase price of \$60,099.60 (GST inclusive) and trade Council's existing Toyota Landcruiser Utility for the quoted trade price of \$40,099.60 (GST inclusive) resulting in a change over cost of \$20,000 (GST inclusive)

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
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Submission to:	Ordinary Meeting of Council 17 th August 2012
Agenda Reference:	Works 9:5
Subject:	Yilgarn Agricultural Society – Antares Street and Canopus Street Road Closure for the Purpose of Show Day Street Parade
Location/Address:	Antares Street/ Canopus Street
Name of Applicant:	Yilgarn Agricultural Society
File reference:	6.1.2.9
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	6 th August 2012

Background

Correspondence has been received from the Yilgarn Agricultural Society seeking Council permission to close section of Antares Street from Canopus Street intersection to Great Eastern Highway, section of Canopus Street from Sirius Street to Antares Street, section of Achernar Street from Antares Street to Spica Street and a section of Spica Street from Canopus Street to Achernar Street. The purpose of the road closures is for the annual Yilgarn Agricultural Show Street Parade being held on Saturday 1st September 2012.

Comment

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

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

In the past council staff have implemented traffic management plans and carried out road closures required for the street parades for the Yilgarn Agricultural Society. If Council grants permission to Yilgarn Agricultural Society to hold a street parade to promote the 2012 Agricultural Show then it is expected Council staff will be carrying out the road closures as previous years.

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Recommendation

That Council grants permission to the Yilgarn Agricultural Society for the closure of Canopus Street from Spica Street to Antares Street, Antares Street from Canopus Street to Great Eastern Highway, Achernar Street from Antares Street to Spica Street and Spica Street from Achernar Street to Spica Street for the purpose of Yilgarn Agricultural Society street parade on Saturday 1st September 2012 commencing at 10:30am and finishing at 11:30am on the proviso that the following points are adhered to:

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

Voting Requirements

Simple Majority

180/2012

Moved Cr W Della Bosca Seconded Cr Guerini that Council grants permission to the Yilgarn Agricultural Society for the closure of Canopus Street from Spica Street to Antares Street, Antares Street from Canopus Street to Great Eastern Highway, Achernar Street from Antares Street to Spica Street and Spica Street from Achernar Street to Spica Street for the purpose of Yilgarn Agricultural Society street parade on Saturday 1st September 2012 commencing at 10:30am and finishing at 11:30am on the proviso that the following points are adhered to:

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

CARRIED (7/0)

MINUTES
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Submission to:	Ordinary Meeting of Council – Friday 17 th August 2012
Agenda Reference:	9.6
Subject:	Replacement of the CEO's Vehicle – YL-1
File Reference:	6.4.1.5
Author:	Robert Bosenberg – Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	7 th August 2012

Background

Included in Councils 2012-2013 Financial Year Budget a monetary allocation has been allowed for the change over of the Holden Caprice Sedan utilised by Council's Chief Executive Officer.

In accordance to Council's "Staff Policy 7.9" it is proposed to replace the Chief Executive Officer's Vehicle at intervals of 30,000 to 40,000 kilometres. The current Holden Caprice was purchased in August 2010 and has a speedometer reading of 35,500km

Comment

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

The vehicle quoted, and submitted for consideration, as follows, with the cost (*GST inclusive*):

Golden City Motors:

1 x 2012 Holden Caprice V Series II Sedan, at a cost of \$48,439.25, with a trade price on the existing vehicle of \$36,939.25 resulting in a change-over cost of \$11,500.00

Summary

Council was notified mid July that through "WALGA" a \$4,000 discount on new Holden Caprices will be made available to Local Government Departments if the new vehicles are ordered prior to 31st July 2012. So as council can take advantage of the "WALGA" discount an order number has been issued to Golden City Motors for the purchase and change over of this vehicle.

Policy Implications

In line with Council's Policies, "Finance 3.5 Purchasing Quotes and Tenders and Motor Vehicle Use 7.9"

Financial Implications

Expenditure for the replacement of this vehicle will be funded from account E14750 – Purchase Plant – Administration, with a budgeted allocation of \$52,580 "GST inclusive" for the trade and purchase being allowed for in Councils 2012/2013 Financial Year Budget for the change over of this vehicle. The change over cost of \$11,500 (*GST inclusive*) will result in an over budget expenditure amount of \$1,985. The increase is due to the additional kms driven since the original quote was done in March 2012.

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Recommendation

That Council endorses the purchase order to Golden City Motors for the purchase of the 2012 Holden Caprice V Series II Sedan for the quoted amount of \$48,439.25 (*GST inclusive*) and trade Council's current 2010 Holden Caprice Sedan for the quoted trade price of \$36,939.25, (*GST inclusive*) resulting in a change over cost of \$11,500.00 (*GST inclusive*)

Voting Requirements

Simple Majority required

181/2012

Moved Cr Pasini Seconded Cr Guerini that Council endorses the purchase order to Golden City Motors for the purchase of the 2012 Holden Caprice V Series II Sedan for the quoted amount of \$48,439.25 (GST inclusive) and trade Council's current 2010 Holden Caprice Sedan for the quoted trade price of \$36,939.25, (GST inclusive) resulting in a change over cost of \$11,500.00 (GST inclusive)

CARRIED (7/0)

CHANGE IN SPEED LIMITS ON THE KOOLYANOBING ROAD, POLARIS STREET AND THREE BOYS ROAD

Robert Bosenberg Manager for Works will be meeting with Main Roads to discuss the change in speed limits on the Koolyanobbing Road and along Cameron road to the Bullfinch Road, and also along Polaris street and Three Boys Road.

It has been identified that these roads need speed signs erected to eliminate the confusion and possible infringement.

182/2012

Moved CR W Della Bosca Seconded CR Pasini that after discussions with Main Roads we adopt the change in speed zones along Koolyanobbing Road, Polaris Street and Three Boys Road.

CARRIED (6/1)

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Submission to:	Ordinary Meeting of Council – Friday 17 th August, 2012
Agenda Reference:	10.1
Subject:	Shire of Yilgarn Customer Service Charter for Wastewater Services - Review
Location/Address:	Townsites of Southern Cross and Marvel Loch
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	4.1.9.18
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	8 th August, 2012

Background

Under clause 7 and Schedule 3 of the Shire of Yilgarn’s licence from the Economic Regulation Authority to operate a wastewater service its Customer Service Charter is required to be reviewed every 3 years. The current Customer Service Charter was adopted in October 2008 and is required to be reviewed by December 2012.

Comment

A notice was placed in the local “Crosswords” publication on 10th May 2012 and also on 2nd August 2012 advertising this review and seeking comments from the public. The deadline for written comments was 1st June and now is Thursday 16th August 2012.

At this time, no comments (written or verbal) have been received regarding the Charter.

Statutory Environment

Compliance with the Shire’s Operating Licence requirements.

Policy Implications Nil

Financial Implications Nil

Recommendation

That Council, after reviewing the Shire of Yilgarn’s Benchmark Customer Service Charter for Wastewater Services and any public comments received, adopts the reviewed document.

Voting Requirements

Simple Majority.

183/2012

Moved Cr Pasini Seconded Cr Truran that Council, after reviewing the Shire of Yilgarn’s Benchmark Customer Service Charter for Wastewater Services and any public comments received, adopts the reviewed document.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 17 th August, 2012
Agenda Reference:	10.2
Subject:	Application to Clear Native Vegetation – Richard Read & Associates Pty Ltd and Highscore Pty Ltd – Dulcie Operations – CPS 5169/1
Location/Address:	Mining Leases M77/581, 77/1246, 77/1250, and Miscellaneous Licence L77/226 west off Forrestania – Southern Cross Road (or Marvel Loch Forrestania Road) South Marvel Loch
Name of Applicant:	Department of Mines and Petroleum – R Mincham, A/Manager Native Vegetation Assessment Branch
File Reference:	7.2.1.20
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	8 th August, 2012

Background

The Department of Mines and Petroleum (DoMP) has received an application from Richard Read & Associates Pty Ltd and Highscore Pty Ltd for approval to clear 61ha of native vegetation for the purposes of the construction of an access road and to carry out mining operations on their Miscellaneous Licence L77/226 and Mining Leases M77/581, 77/1246, 77/1250 respectively, west off Forrestania-Southern Cross Road, South Marvel Loch. See attached letter, aerial photograph, and location map.

Comment

Town Planning Issues

The abovementioned leases and licence areas are zoned “Rural/Mining” under the Shire of Yilgarn Town Planning Scheme No 2. Thus the construction of an access road and carrying out mineral production fit this zoning.

This area has had mining operations carried out over many years and is criss-crossed with exploration grids.

Development Issues

Mr Read has previously spoken to the Shire with regards to establishing an access road and a sand extraction pit on his mining lease. Mr Read has made application to the Department of Regional Development and Lands for permission to establish both on Crown land and has been advised that –

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“... under the Mining Act, sand is regarded as a mineral over Crown land therefore Mining Act tenure is a requirement for sand extraction over Crown land. As such, no Land Administration Act tenure is required provided the Department of Mines and Petroleum (DMP) issues some sort of approval.”

Attached is an aerial photo with proposed layout of the development on the site provided on 13th June 2012.

Environmental Issues

These leases and licence are situated within Jilbadji Nature Reserve 24049 “Conservation of Flora and Fauna and also includes Location 46 and the Dulcie Jean Tank. The Dulcie Jean Tank is a historical site and a tourist site which needs to be preserved and maintained as such.

We believe that the natural water flow in this area is to the north and east of the proposed development and thus there could be contamination from the proposed development via stormwater towards the Dulcie Jean Tank and nearby semi-permanent salt lakes.

There is concern that the area to be cleared is 61ha which is fairly extensive in area. The clearing of this land will likely increase the flow of stormwater across the land towards the Dulcie Jean Tank.

The Manager of Works has raised concerns that the area to be cleared butts up to the Forrestania - Southern Cross Road in two areas which could mean that any treatment or waste pits could be positioned where they extend up to and even encroach onto the road reserve, and there could potentially be leaching from the pits towards the road reserve adversely impacting on the road reserve. For this reason it is recommended that if this development proceeds that there is to be a minimum buffer area 50 metres wide fully vegetated with natural bush vegetation along the length of the Forrestania - Southern Cross Road and also around the boundary of the Dulcie Jean Tank site.

The reason for the minimum buffer is that in the past Council has at least twice found that leachate dams or tailing dams have encroached onto its road reserves - north-east of Bullfinch and also at Radio Hill Mine Site. Once this occurs and damage is done it is very difficult to reverse the situation.

Statutory Environment

Compliance with the Environmental Protection Act 1986.

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council advises the Department of Mines and Petroleum that it has a number of concerns as outlined above regarding the application from Richard Read & Associates Pty Ltd and Highscore Pty Ltd - Dulcie Operations to carry out the clearing of 61 hectares of native vegetation for the purpose of constructing an access road and mineral production on Miscellaneous Licence L77/226 and Mining Leases M77/581, 77/1246, and 77/1250 west off the Forrestania – Southern Cross Road, South Marvel Loch as shown on the aerial photograph and location map provided, and requests that the applicants are required to:-

- 1) ensure that there is a minimum buffer strip of natural bush vegetation 50 metres wide along the boundary of the Forrestania – Southern Cross Road reserve;
- 2) ensure that there is a minimum buffer strip of natural bush vegetation 50 metres wide along the boundary to the Dulcie Jean Tank site;
- 3) ensure that natural waterways (permanent and semi-permanent) within their leases are maintained and not diverted or affected in any way;
- 4) ensure that stormwater on their site can not become contaminated (other than that which falls onto treatment and/or waste pits) and is diverted away from natural waterways and contained within their leases;
- 5) ensure that dust from the activities on the leases are controlled adequately and do not create any problems or adversely affect either users of the Forrestania – Southern Cross Road or visitors to the Dulcie Jean Tank.

Voting Requirements

Simple Majority.

184/2012

Moved Cr Guerini Seconded Cr Truran that Council advises the Department of Mines and Petroleum that it has a number of concerns as outlined above regarding the application from Richard Read & Associates Pty Ltd and Highscore Pty Ltd - Dulcie Operations to carry out the clearing of 61 hectares of native vegetation for the purpose of constructing an access road and mineral production on Miscellaneous Licence L77/226 and Mining Leases M77/581, 77/1246, and 77/1250 west off the Forrestania – Southern Cross Road, South Marvel Loch as shown on the aerial photograph and location map provided, and requests that the applicants are required to:-

- 1) *ensure that there is a minimum buffer strip of natural bush vegetation 50 metres wide along the boundary of the Forrestania – Southern Cross Road reserve;*

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- 2) *ensure that there is a minimum buffer strip of natural bush vegetation 50 metres wide along the boundary to the Dulcie Jean Tank site;*
- 3) *ensure that natural waterways (permanent and semi-permanent) within their leases are maintained and not diverted or affected in any way;*
- 4) *ensure that stormwater on their site can not become contaminated (other than that which falls onto treatment and/or waste pits) and is diverted away from natural waterways and contained within their leases;*
- 5) *ensure that dust from the activities on the leases are controlled adequately and do not create any problems or adversely affect either users of the Forrestania - Southern Cross Road or visitors to the Dulcie Jean Tank.*
- 6) *Ensure the preservation of the 'Mud Hut' and the public access road to the mud hut for visitors.*

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 17 th August, 2012
Agenda Reference:	10.3
Subject:	Significant Public Heritage Assets in WA Wheatbelt Region
Location/Address:	Shire of Yilgarn
Name of Applicant:	National Trust of Australia (WA) - Mr Thomas Perrigo, Chief Executive Officer
File Reference:	1.5.1.5
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	8 th August, 2012

Background

Over the next eight months the National Trust of Australia (WA), in partnership with the State Heritage Office and supported by the Wheatbelt Development Commission, will be carrying out a review of significant public heritage assets in the Wheatbelt Region. This is in order to assess and update current listings and provide whole of region indications for future funding options.

Council is being requested to nominate one or two heritage assets that are of iconic importance in the area. The sites nominated would need to be of significant local, and ideally regional, heritage value and under public management, and can exist within the three traditional spheres of heritage: Natural, Aboriginal and Historic. See attached copy of letter.

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Comment

Based on the abovementioned criteria, the places to be nominated would need to be owned by the Shire or either State or Federal Government.

The possible places for nomination would be:-

Shire owned

- Yilgarn History Museum (on the State Register of Heritage Places, has been classified only by the National Trust, listed on the Shire's Town Planning Scheme, and is an A Management Category on the Shire Municipal Heritage Inventory (MHI) #40), and
- Masonic Temple or Lodge (currently being considered for listing on the State Register of Heritage Places, listed on the Shire's Town Planning Scheme, and is a C Management Category on the Shire's MHI #26);

State Government owned

- Karalee Rocks and Dam site (controlled by the National Trust of WA and is owned by the Water Corporation of WA surrounded by Department of Environment and Conservation reserve land);
- Old Primary School Forrester Resource Centre (owned by the Department of Education and is currently being considered for listing on the State Register of Heritage Places, has been classified by the National Trust, is on the Register of National Estates, listed on the Shire's Town Planning Scheme, and is an A Management Category on the Shire's MHI #12); and
- Former Pumping Station at Ghooli - steam engine pump station (owned by the Water Corporation of WA and is on the State Register of Heritage Places, has been classified by the National Trust, is on the Register of National Estates, listed on the Shire's Town Planning Scheme, and is an A Management Category on the Shire's MHI #46).

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council nominates the Yilgarn History Museum and either/or the Masonic Temple / Lodge or the Old Primary School Forrester Resource Centre as the two places of most historical significance to the Yilgarn District.

Voting Requirements

Simple Majority.

185/2012

Moved Cr Pasini Seconded Cr W Della Bosca that Council nominates the Yilgarn History Museum and the Masonic Temple / Lodge as the two places of most historical significance to the Yilgarn District.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 17 th August, 2012
Agenda Reference:	10.4
Subject:	Purchase of Uniting Church
Location/Address:	Lot 278 (H/No 62) Cnr Antares & Canopus Streets, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	1.3.3.1
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	10 th August, 2012

Background

Recently I received a telephone call from a woman who is interested in purchasing the Uniting Church building and wanted to know what she could with the land. She does not want to purchase the land, only wants the building, and asked if Council would be interested in purchasing it?

Comment

Lot 278 Antares Street is zoned "Special Use - Place of Worship" under the Shire of Yilgarn Town Planning Scheme No 2. The zoning of Special Use is given to particular land uses such as hotel, motel, public worship, public assembly (such as a hall attached to a church), and caravan park.

In order for the land to be used for an alternative purpose, the land would need to be re-zoned.

Council has recently considered the primary health care demonstration site, plus additional aged accommodation. While the primary site for either of these projects would be the old Bowling Club site, the Uniting Church land may also be suitable.

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Lot 278 is a half acre (2028 m2) of land with two street frontages.

Even if Council did not want to use the land for either of the abovementioned purposes, it may be worth obtaining the land for another project in the future.

I have arranged for Kalgoorlie Valuers to provide a valuation for the land which hopefully I will be able to table at the Council meeting.

Statutory Environment

Local Government Act 1995.

Policy Implications

Nil

Financial Implications

This will be an un-budgeted expense, however, Council could utilise funds from the Building Reserve to purchase the property within this current financial year.

Recommendation

That Council consider the possible purchase of the Uniting Church land of Lot 278 corner Antares & Centaur Streets, Southern Cross.

Voting Requirements

Simple Majority.

186/2012

Moved Cr Pasini Seconded Cr J Della Bosca that Council submits an expression of interest for the land for the purpose of Aged Accommodation Units and no negotiation or actions regarding the building, is to occur prior to ownership.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 17 th August, 2012
Agenda Reference:	10.5
Subject:	Works to be carried out at the CEO Residents
Location/Address:	Lot 883 (H/No 37) Taurus Street, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	2.4.1.13 & 3.1.3.6
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	15 th August, 2012

Background

Ms Vivienne Piccoli has written to the Chief Executive Officer, Mr Jeff Sowiak, advising that upon taking up the position as Chief Executive Officer of the Shire of Yilgarn after Mr Sowiak has left the Shire's employment at the end of September 2012, prior to her moving into the house designated for the position which is located at 37 Taurus Street, Southern Cross that there are several items of work that would need to be carried out. See attached copy of letter.

Comment

Most of the items of work are considered minor maintenance items which can be carried out within the current budget allocation for this property.

The few items that would be considered outside minor maintenance items are:-

Building Improvements

- 1) Installation of a gabled double carport at the front of the residence to accommodate a private and possibly a caravan.
- 2) Installation of reverse cycle air conditioned in family room to cover kitchen and living areas;
- 3) Replacement of kitchen stove top.

Building Maintenance

- 1) Painting throughout inside of residence.

Council allocated a budget of \$11,320.00 for various maintenance works on this property. To date an amount of approximately \$5,830.00 has been spent, leaving approximately \$5,490.00 to spend.

The small minor maintenance work can be carried out within the remaining money allocation. If the requested inside painting was to be a "freshen-up" rather than a full re-paint, due to re-painting works having been carried out after Mr Peter Clarke left nearly 2 years ago, then this work may come from this money.

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Money has been allocated in the current budget to replace kitchen cupboards with new bench tops and cupboards. The installation of a new bench hotplate can be included with this work. Installing a new bench hotplate will cost approximately \$700.00 installed.

Building Capital Items

Installing a reverse cycle air conditioned to cover the kitchen and living areas will cost approximately \$8,280.00 installed.

Installing a gabled double carport at the front of the residence will cost \$8,206.00 installed – quote from P Rafferty Builder.

For the proposed carport it is proposed to construct a four sided gable roof carport 6.6m x 6.6m x 3.6m high from the top of the concrete driveway to the bottom of the front support beam. This will mean that the building setback from the front boundary will be approximately 1.2m. See attached copy of block plan, and elevations, plus coloured photographs of the rear patio at Mr & Mrs J & B Williamson's home in Southern Cross which Mr Rafferty built and which this design will be based on.

If Council considers agreeing to the construction of the proposed double carport, then it must consider the following town planning issues and grant approval for the reduced setback from the carport to the front boundary of 1.2m.

Town Planning Issues

The land is zoned "Residential" with a density rating of R10. Under the Residential Design Codes (R Codes) called up under the Shire of Yilgarn Town Planning Scheme No 2, a carport is termed an "outbuilding", and should have a maximum area of 60 square metres. Generally carports, sheds and free standing garages should be in-line with or behind the front of the dwelling to provide an open aspect for the front of the lot, and to not adversely impact on neighbouring properties views of the street, or the general streetscape. However, in older developments where there is no access to the rear of the lot from the front street or a rear lane-way, *it is accepted that where no feasible alternative exists, the street setback area may be utilised for carports and unroofed parking spaces.* For "Residential" land with a density rating of R10 the front setback is 7.5 metres from the front boundary. See attached extracts from the R-Codes – clause 3.10.1 Outbuildings, Part 3.2 element 2 – Frontage Streets, and Carports and Garages, clause 3.2.3 Set Back of Garages and Carports, and Table 1 – General Site Requirements.

The R-Codes do allow Council to grant approval for carports with no walls/doors to be located forward of the front of the dwelling (see Part 3.2

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element 2 – Carports and Garages, and clause 3.2.3) provided the width of the carport does not exceed 50% of the frontage at the building line and the construction allows an unobstructed view between the dwelling and street, right-of-way or equivalent.

In this instance –

- there is access to the rear of the lot via the rear laneway;
- there is an existing double garage attached to the front and side of the existing dwelling but the roller door heights will not accommodate the existing four wheel drive vehicle and may not be high enough for the future proposed caravan;
- the proposed carport will have no walls or door added to it;
- the view of the front yard will be impeded only marginally if at all;
- the width of the proposed new carport will not exceed 50% of the frontage of the lot.

If Council is satisfied that the proposed carport will not adversely affect the neighbourhood after considering the abovementioned points, then approval could be granted.

Similar applications have been approved in the past –

- ❖ Mr Malcolm Barrass was granted approval in May 2012 to erect a 6.0m wide x 9.0m long carport within the front setback of Lot 525 Altair Street, Southern Cross with a setback of 3.7m from the front boundary.
- ❖ Mr & Mrs Andrew & Donna Crafter were granted approval in April 2007 to construct a 53.6m² carport with a nil setback from the secondary street boundary.
- ❖ Mr & Mrs Shaun & Kim Chrisp were granted approval in January 2007 to erect a 3.5m wide x 6.5m long carport within the front setback of Lot 194 Sirius Street, Southern Cross with a setback of 1.0m from the front boundary and 1.2m from the side boundary.
- ❖ Mr & Mrs Topliss were granted approval in November 2005 to construct a new 5.5m long x 4.1m wide carport within the front setback of Lot 856 Scorpio Street, Southern Cross with a setback of 2.9 metres from the front boundary.

Regardless of the previous approvals granted, each application should be considered on its merits.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2 and the Residential Design Codes of WA.

Policy Implications

Nil

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Financial Implications

Additional money will need to be allocated possibly from the Building Reserve in order to fund the additional Building Capital Items of the proposed carport and the additional reverse system split air-conditioning units. To carry out both jobs an additional amount of \$16,400.00 would need to be allocated.

Recommendation

That Council -

- 1) grants planning approval for the construction of a 6.6m x 6.6m x 3.6m high gable roof double carport in front of the existing double garage, within the front setback and for there to be a reduced setback from the front boundary of 1.2m on Lot 883 Taurus Street, Southern Cross for the specific purpose of accommodating a tall four wheel drive vehicle and possibly a caravan, on the condition that the front and sides are not enclosed with solid material to ensure there is an "open streetscape" aspect to the front yard;
- 2) agrees to construct the proposed gable roof double carport and that the cost of \$8,206.00 for this construction work comes from the Building Reserve; and
- 3) agrees to the purchase and installation of reverse cycle split system air-conditioning units for the kitchen and living areas and that the estimated cost of \$8,280.00 for this work comes from the Building Reserve.

Voting Requirements

Simple Majority.

187/2012

Moved Cr Auld Seconded Cr Truran that Council:

- 1. grants planning approval for the construction of a 6.6m x 6.6m x 3.6m high gable roof double carport in front of the existing double garage, within the front setback and for there to be a reduced setback from the front boundary of 1.2m on Lot 883 Taurus Street, Southern Cross for the specific purpose of accommodating a tall four wheel drive vehicle and possible a caravan, on the condition that the front and sides are not enclosed with solid material to ensure there is an "open streetscape" aspect to the front yard;*
- 2. agrees to construct the proposed gable roof double carport and that the cost of \$8206.00 for this construction work comes from the Building Reserve; and*
- 3. agrees to the purchase and installation of reverse cycle split system air-conditioning units for the kitchen and living areas and that the estimated cost of \$8280.00 for this work comes from the building reserve.*

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 17 th August, 2012
Agenda Reference:	10.6
Subject:	Yilgarn Operations Windarling Range W4 East Deposit – EPA Report 1438 Assessment 1872
Location/Address:	Windarling Range, Yilgarn Shire
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	3.2.1.5
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	16 th August, 2012

Background

The Office of Appeals Convenor has written to Council that it is currently carrying out the consultation process under section 45(1) of the *Environmental Protection Act 1986* regarding the proposal from Cliffs Asia Pacific Iron Ore Pty Ltd to construct and operate an open cut iron ore mine and haul road at the Windarling Range W4 East Deposit, located approximately 130 kilometres north of Southern Cross. The Environmental Protection Authority (EPA) has nominated the Shire of Yilgarn as a decision-making authority in this matter.

The EPA has assessed the proposal and has provided a 9 page summary statement which deals with condition restrictions to be placed on this proposal if approved. The Office of Appeals Convenor is seeking Council's comments on this summary statement. See attached copy of the summary statement received, plus a location map.

Comment

The Proposal

Is to construct and operate:

- An open cut, above the water table, iron ore mine pit at Windarling Range W4 East Deposit, approximately 130 km north of Southern Cross – clearing up to 27.5 ha in area of native vegetation including Rare Flora species *Ricinocarpos brevis*, Priority 3 flora species *Austrostipa blackii* and Priority 4 flora species *Banksia arborea*;
- A haul road to connect the mine pit to infrastructure located at the existing Windarling Range mining operations – clearing up to 0.5 ha in area of native vegetation.

The W4 East Deposit is estimated to contain 6.8 million tonnes of iron ore and the mine life is expected to be five years. The mine pit will be to a depth of 403 mAHD or approximately 100m below the current ground surface, and there will be no dewatering or the ore body.

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Supporting infrastructure exists at the Windarling Range W3/5 Deposit, and will be shared with the W4 East Deposit. Waste rock from the W4 East Deposit will be taken to the existing W3/5 Deposit Waste Rock Landform, and to the W4 West Deposit mine pit which will be created following the mining of the W4 West Deposit, both of which have already been approved for this waste under the existing Ministerial Statements and the *Mining Act 1978*.

Cliffs' application to clear native vegetation is included in this proposal and there will not be a separate or another approach to Council regarding the clearing of native vegetation.

Flora Impacts

While the clearing of native vegetation and the construction and operation of the open cut mine will impact on a Rare Flora species, and Priority 3 and Priority 4 flora species, the EPA considers that the issue of vegetation and flora has been adequately addressed and the proposal meets the EPA's objectives for this factor, subject to the recommended conditions that address offsets and the management plans being implemented.

While stating this, the EPA has noted that with this proposal there will be a loss of approximately 1073 individual *Ricinocarpos brevis* plants which will take the total loss of population at the Windarling Range to 9,263 plants or approximately 51% of the known Windarling Range population, equating to approximately 38% of the known regional population. This seems a high percentage of one plant species to lose from an area and it will only increase with the potential for more mines to be opened in the Windarling Ranges.

The EPA proposes the following conditions in respect of managing the *Ricinocarpos brevis* species at the Windarling Range W4 East Deposit:-

Project A – Research Project

Contribute scientific understanding to the long term recovery and protection of sustainable population of *Ricinocarpos brevis* at Windarling Range.

- Minimum of \$640,000 over a 5 year period, commencing within 12 months of the finalisation of the research plan required by Condition 13-1.

Project B – Translocation trial of *Ricinocarpos brevis* individuals removed by the Windarling Range W4 East Deposit proposal. Identify the potential for *R. brevis* individuals to be translocated with the aim of preserving the number of individuals and the long term protection of *R. brevis* at Windarling Range. The number of individuals to be translocated will be subject to practicability considerations such as plant size, site accessibility, and the aims and objectives of the trial.

- Minimum expenditure of \$40,000 with timing to be determined by the translocation plan required by condition 13-2.

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Fauna Impacts

The proposal will affect to some degree 254 vertebrate species of which 10 are of conservation significance:-

- Malleefowl (Threatened Species, Specially Protected Fauna);
- Rainbow Bee-eater (Migratory Species, Specially Protected Fauna);
- Fork-tailed Swift (Migratory Species, Specially Protected Fauna);
- Peregrine Falcon (Specially Protected Fauna);
- South-western Carpet Python (Specially Protected Fauna);
- Major Mitchell's Cockatoo (Specially Protected Fauna);
- Crested Bellbird (Southern) (Priority 4);
- White-browed Babbler (Wheatbelt) (Priority 4);
- Australian Bustard (Priority 4); and
- Inland Greater Long-eared Bat (Priority 4).

The EPA noted the proposal will not significantly impact on the abovementioned 10 vertebrate species, except for possibly the Malleefowl, as their habitats are widespread outside the W4 East Deposit proposal area. The proposal is also unlikely to have a significant impact on Short Range Endemic invertebrate species as they are widespread outside the proposal area. Other fauna likely to be affected by this proposal is the Tree-stem Trapdoor Spider (Priority 4 fauna species) but they are also found widely outside the proposal area. In summary the proposal can be managed to meet the EPA's environmental objectives for fauna, subject to conditions for the implementation of a Malleefowl Conservation Plan and the implementation of the Fauna Management Plan.

Mine Closure

The mined-out pit will be left as an open void following the completion of mining. As the mine pit will be above the water table it is unlikely that the void will fill with water to form a permanent lake. Abandonment bunding will be installed around the pit to prevent fauna from accessing the open void. This bunding will be within 10m of the edge of the pit, will be 5m in width, and 2m in height. Due to the steep sides of the mine it will not rehabilitated.

Waste rock from the W4 East Deposit will be disposed of at the W3/5 Deposit Waste Rock Landform and by backfilling the W4 West Deposit once mining there ceases.

The haul road will be fully rehabilitated with native vegetation from the area, including spreading of topsoil, subsoil and retained vegetation, deep ripping for improved soil condition and drainage purposes, and the spreading of local seed.

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Cliffs have developed a draft mine closure plan for the Windarling Range W4 East Deposit proposal, in accordance with the DMP/EPA *Guidelines for Preparing Mine Closure Plans*.

Recommendations

The EPA recommends to the Minister for Environment that he notes the EPA's conclusions and that he imposes the conditions and procedures recommended in Appendix 2 of this report.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advises the Office of Appeals Convenor that it has no objections to Cliffs Asia Pacific Iron Ore Pty Ltd's Yilgarn Operation Windarling Range W4 East Deposit proposal, it supports the Environmental Protection Authority's recommendations to the Minister for Environment, and advise that Council has no additional conditions or comments to make on this proposal.

Voting Requirements

Simple Majority.

188/2012

Moved Cr Guerini Seconded Cr Truran that council advises the Office of Appeals Convener that it has no objections to Cliffs Asia Pacific Iron Ore Pty Ltd's Yilgarn Operation Windarling Range W4 East Deposit proposal, it supports the Environmental Protection Authority's recommendations to the Minister of Environment, and advise that Council has no additional conditions or comments to make on this proposal.

CARRIED (7/0)

As there was no further business to discuss, the Shire President declared the meeting closed at 5.50pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 17th August 2012, are confirmed on Friday the 21st September 2012 as a true and correct record of the August Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT