

MINUTES
ORDINARY COUNCIL MEETING
Friday, 21st September 2012

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 21st September 2012.

PRESENT

Cr P R Patroni, Shire President

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

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

INFORMATION SESSION

LAURA BLACK – NURSE PRACTITIONER

Laura spoke to council about her experiences and working with SIHI. Laura as a nurse Practitioner can diagnose within a scope of practice, prescribing medications, writing referrals, performing blood tests and being able to send patients for tests using tools similar to a Doctor. Currently she is working one day a week in Westonia collaborating with Dr Olga Ward seeing patients for repeat prescriptions and also people with chronic conditions who need regular visits and where if needed she can organise treatments and referrals eg: cardiology and respiratory.

Ms Black also is trained in Women's and Men's Health and has a certificate in Sexual Health. She is currently in discussions with Dr Sally Simpson on how she can assist in Southern Cross.

The meeting was declared open for business at 2.00pm.

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

Cr Julie Della Bosca, Cr David Pasini

DISCLOSURES OF INTEREST

Cr W Della Bosca – Proximity Interest – relating to Item 7.4

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

189/2012

Moved Cr Guerini Seconded Cr Auld that the Minutes of the previous Meeting of Council held on Friday 17th August 2012, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

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190/2012

Moved Cr Auld Seconded Cr Guerini that the minutes for the YYSRC meeting held 20th August 2012, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

191/2012

Moved Cr Auld Seconded Cr Truran that the minutes for the LEMC meeting held 23rd August 2012, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

192/2012

Moved Cr W Della Bosca Seconded Cr Truran that the minutes for the WEROC Council Meeting held 29th August 2012, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

193/2012

Moved Cr Auld Seconded Cr Guerini that the minutes for the WALGA Great Eastern Country Zone Meeting held 30th August 2012, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

194/2012

Moved Cr Auld Seconded Cr Guerini that the minutes for the Tourism Advisory Committee Meeting held 10th September 2012, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

Recommendation
Moved G Kenward Seconded K Crafter that the Tourism Committee recommends to Council that the Yilgarn Centenary Wall be located in Rotary Park, and built out of white quartz rock blend which represents the Yilgarn name (meaning 'place of white rocks') and the Centenary wall to be constructed in a semi-circle. In addition, that Council consider upgrading the Rotunda in Rotary Park to complement the completion of the Centenary Wall in the same location.

CARRIED

195/2012

Moved Cr Guerini Seconded Cr Auld that the minutes for the WEROC Executive Meeting held 12th September 2012, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

196/2012

Moved Cr Auld Seconded Cr Truran that the minutes for the Volunteer Bush Fire Brigade Meeting held 19th September 2012, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

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Recommendation

Moved Romolo Patroni, Seconded Dennis Jackson that Council writes to the Bush Fire Officers' Brigades and reinforce that despite potential changes in FESA's Organisational Structure, the Volunteer Bush Fire members appointment is by the Shire of Yilgarn Council and regardless of the changes in FESA, the Volunteer Bushfire member's role and responsibilities will continue as they have in the past.

CARRIED

Recommendation

Moved Alan Nicholson, Seconded Adrian Wesley that Council includes in the 2013/2014 FESA ESL Capital Budget an allocation for the construction of a two door Bush Fire Shed for Miners Settlement.

CARRIED

Recommendation

Moved R Burro, Seconded Dennis Jackson that Council endorses the following Restricted / Prohibited Burning periods for the Shire of Yilgarn:

Restricted Burning Period	15/9/12 to 30/10/12
Prohibited Burning Period	1/11/12 to 14/2/13
Restricted Burning Period	15/2/13 to 30/3/13

CARRIED

197/2012

Moved Cr W Della Bosca Seconded Cr Truran that Council agrees to delegate authority of Bush Fire Control in the Yilgarn District to the following Bush Fire Officer.

- | | |
|-------------------------------------|----------------------|
| ✓ <i>Wayne Della Bosca</i> – | <i>CBFCO</i> |
| ✓ <i>Ron Burro</i> – | <i>DCBFCO</i> |
| ✓ <i>Alan Nicholson</i> – | <i>DCBFCO</i> |

Fire Control Officers:

- | | |
|----------------------------------|--------------------------------------|
| ✓ <i>John Roberts</i> - | <i>Bullfinch Brigade</i> |
| ✓ <i>Gerry Kent</i> - | <i>Bodallin Brigade</i> |
| ✓ <i>Adrian Wesley</i> - | <i>Central Brigade</i> |
| ✓ <i>Tony Dal Busco</i> - | <i>Central (Town) Brigade</i> |
| ✓ <i>Peter Dunbar</i> - | <i>Marvel Loch Brigade</i> |
| ✓ <i>Peter Goodhill</i> - | <i>Mount Hampton Brigade</i> |
| ✓ <i>Mark Brennand</i> - | <i>South Yilgarn Brigade</i> |
| ✓ <i>Dennis Jackson</i> - | <i>South Yilgarn Brigade</i> |

CARRIED (5/0)

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:-

- That he and Miss Dallywater MEHBS will be attending a meeting in Coolgardie to discuss the Mt Walton Disposal Site.
- That he and the CEO, Cr Auld and Cr W Della Bosca attended the Windarling Reference Group meeting and that the difference in the activity at the mine sites is more prolific than last year.

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ACTING CEO'S EMPLOYMENT PAYOUT

In August, Council offered the Acting CEO Mr Jeff Sowiak an Executive Officer position with the same entitlements as his exiting contract, for the remainder of his term. Mr Sowiak decided to accept the payout offer from Council, that was negotiated.

198/2012

Moved Cr W Della Bosca Seconded Cr Guerini that council endorses the actions taken by CEO, Vivienne Piccoli in negotiating Mr Jeff Sowiak's employment payout.

CARRIED (5/0)

Cr W Della Bosca advised that he will be attending a Skeleton Weed Meeting next Tuesday the 25th September at 5.30pm.

Cr David Auld advised that the Bodallin Catchment Groups bus trip was very successful with over 40 people attending and special guest speakers in attendance. He also attended a HAY Committee meeting.

Cr Truran advised that she had attended a DHAC meeting with Melissa Vernon and Andrew Norton, an EMT meeting with HSM's in the district and a Primary integration team meeting.

She also advised that she attended the Yilgarn Small Schools Carnival and handed out the medals on behalf of Council, and said that a good day was had by all students and parents.

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Submission for:	Ordinary Meeting of Council – 21 st September 2012
Reference:	7.1
Subject:	CSRFF – Small Grants Funding Application
File Reference:	1.6.9.3, 1.3.8.14
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	28 th August 2012

Background

In March 2009 Council commissioned CCS Strategic Management to undertake a feasibility study and prepare a business plan for the development of the Southern Cross Sporting Precinct. Project objectives highlighted the co-location and shared use of multi-purpose facilities, with the following objectives:

- ✓ Replacing existing worn, out dated and potentially dangerous playing surfaces with new contemporary standard surfaces.
- ✓ Providing enhanced social and player amenities for use by all clubs
- ✓ Providing facilities that can be used all year round on a co-operative basis

Through considerable planning Council has identified the priority projects in relation to the Recreation Precinct Redevelopment as follows:

Stage 1 - Bowling Green and Club House.

Completion of shared clubhouse and 8 rink Bowling Green.

Estimated Costs: \$2,700,000
Proposed completion date: 30/9/2012

Stage 2 – Upgrade of Tennis Amenities

Resurfacing three tennis courts with Synthetic grass and replacement of lighting and fencing around the perimeter of the tennis courts.

Estimated Costs: \$220,000
Proposed completion date: 15/06/2013

Stage 3 – Upgrade of Pool Amenities

Refurbishment of Pool amenities, construction of disabled access to existing pool and change rooms.

Rough Estimate: \$1,500,000
Proposed completion date: Unknown

Stage 4 - New Hydrotherapy Pool

Construction of a new Hydrotherapy Pool within the exiting Swimming pool grounds.

Rough Estimate \$1,500,000
Proposed completion date: Unknown

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Comment

Over the past two budget years Council has invested funds and secured funding through the State to construct stage one of the project, which included the construction of the Yilgarn Bowls and Tennis clubhouse and the 8 rink bowling green.

In the 2012/13 Budget, Council has allocated funds towards stage two of the project which involves the resurfacing of three tennis courts adjacent to the newly constructed clubhouse and the upgrade to the fencing and lighting around the tennis courts. It was also Council's intention to apply for funding through the Community Sporting and Recreation Facilities Fund (CSRFF) for the resurfacing of the tennis courts to assist Council to complete Stage two by June 2013.

The original costs in the 2012/2013 budget for the replacement of the tennis courts was overstated by the previous CEO, since then an estimate from ABS Sport Field has been received for substantially less, and I am awaiting on an additional estimate from Westcoast Synthetic surfaces, who have resurfaced the courts in the Shire of Bruce Rock.

The attached CSRFF small grants application identifies the project budget to include:

Project Description (detailed breakdown of project to be supplied)	\$ Cost ex GST	\$ Cost inc GST	Quote Used (list company name and quote no)
Resurfacing of tennis Courts with synthetic surface	135,000	148,500	Based on indicative quote form ABS sports Fields Pty Ltd. Council will have to call tenders for this work once funding is approved.
Construction of limestone retaining wall along west perimeter of tennis court	10,000	11,000	Based on estimated cost of limestone retainer wall constructed as part of works for Stage 1 of project, undertaking at adjoining site.
Tender preparation and advertising	2,000	2,200	Based on similar cost of placing one advert in West Australian, the community paper and local papers as well as estimated cost of staff time in tender preparation.
Donated materials			
Volunteer expenses			
Sub Total	147,000	161,700	
Cost escalation			<i>Please explain amount used</i>
a) Total project expenditure	147,000	161,700	

In addition, Council's budget allowed for one third of funding to be sourced through CSRFF with two thirds being provided by the Shire of Yilgarn:

<u>Source of funding</u>	<u>Amount (exl gst)</u>
Council	98,000
DSR	<u>49,000</u>
	\$147,000

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In relation to the Asset Management, Council will need to plan for future replacement of the surface of the tennis courts. The CEO has made some enquiries through DSR and usual practice is for invested parties in the sport to participate in a sinking fund to financially prepare for replacement of the courts in say 10 – 15year.

The following commitment is sought from:

Shire of Yilgarn	1/3 costs of replacement of surface
Yilgarn Tennis Club	1/3 costs of replacement of surface
Department Sport and Recreation	1/3 costs of replacement of surface

I would suggest that a trust fund be set up for this purpose and an agreed value be contributed on an annual basis by the Shire of Yilgarn and the Yilgarn Tennis Club to be earmarked for replacement of tennis surface in future years.

As the CSRFF funding round closes on the 31st August 2012, it is necessary for Council to endorse the attached application prior to the September meeting.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

If funding is not secured through DSR, it will be necessary for Council to apply through another funding body or be up for the full project costs of \$147,000 (exl gst). Changes in costs and revenue related to this project will need to be address during the Budget Review in February 2013.

Recommendation

That Council agrees to the Recreation Precinct Redevelopment priority projects to be:
Stage 1 – Bowling Green and Club House
Stage 2 – Upgrade of Tennis Amenities
Stage 3 – Upgrade of Pool Amenities
Stage 4 – New Hydrotherapy Pool

That Council endorses the signing and submission of the CSRFF Small Grants Funding application to Department of Sport and Recreation, requesting funding of \$49,000 (exl gst) for a total project cost of \$147,000 (exl gst), to resurface three synthetic grass tennis courts in Southern Cross.

That Council writes to the Yilgarn Bowls and Tennis Club and propose that a sinking fund be established for the purpose of planning for the replacement of the tennis surfaces in upcoming years.

Voting Requirements

Simple Majority

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Moved Cr W Della Bosca Seconded Cr Guerini that Council agrees to the Recreation Precinct Redevelopment priority projects to be:

Stage 1 - Bowling Green and Club House

Stage 2 - Upgrade of Tennis Amenities

Stage 3 - Upgrade of Pool Amenities

Stage 4 - New Hydrotherapy Pool

That Council endorses the signing and submission of the CSRFF Small Grants Funding application to Department of Sport and Recreation, requesting funding of \$49,000 (exl gst) for a total project cost of \$147,000 (exl gst), to resurface three synthetic grass tennis courts in Southern Cross.

That Council writes to the Yilgarn Bowls and Tennis Club and propose that a sinking fund be established for the purpose of planning for the replacement of the tennis surfaces in upcoming years.

CARRIED (5/0)

Submission for:	Ordinary Meeting of Council - 21 st September 2012
Reference:	7.2
Subject:	Appointment of Deputy Chief Executive Officer
File Reference:	1.1.1.2 & 1.1.10.63
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 th August 2012

Background

Following a three week advertising period for the position of DCEO, the Executive team interviewed three applicants on Thursday and Friday the 24th and 25th August 2012 that had been shortlisted from a total of 11 applicants.

The three applicants were in-person interview, including a tour of the town and viewing the DCEO residence and vehicle, that are included in the remuneration package.

Comment:

Following reference checks and giving due consideration to the applicants qualifications and experience, Mrs Mia Dohnt was appointed to the position. Mrs Dohnt is currently employed as Deputy Chief Executive Officer at the Shire of Dundas, and prior to that was the Accountant at the City of Kalgoorlie-Boulder. Mrs Dohnt has an Advanced Diploma of Accounting and Diploma of Local Government Administration.

In securing Mrs Dohnt, the CEO negotiated a remuneration package based Mrs Dohnt's qualifications and experience in the Local Government Industry.

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A remuneration package of \$147,940 was offered, which includes a salary component of \$104,000

Mrs Dohnt has advised the CEO that relocation costs have been quoted to be approximately \$3,500, and she has requested that the relocation expenses be paid up front by Council;

- 100% to be reimbursed to Council if she leaves before 6 months service.
- 50% to be reimbursed to Council if she leaves before 12 months service.

In the 2012 Council' Policy manual it states that a removal and relocation allowance is available of up to \$5,000 and reimbursement of these expenses is based upon the following:-

- 50% of the cost being repaid after 6 months of service
- The balance to be repaid following 12 months service.

It further goes on to say, that in respect to prospective employees negotiating a Contract with the Shire, Council reserves the right to negotiate individually with the prospective employee regarding removal/relocation expenses.

Council will need to consider Mrs Dohnt's request and advise the CEO accordingly on how to proceed.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

As per annual salaries in 2012/2013 Budget.

Recommendation

That Council endorses the appointment of Mrs Mia Dohnt to the position of Deputy Chief Executive Officer based on a 3 Year Contract of Employment commencing on 3rd December 2012 at the initial remuneration package of \$147,940. Furthermore, Council endorses the use of the common seal in ratifying the contract.

In addition, Council agrees/disagrees to Mrs Dohnt's request to pay relocation costs up front with the proviso that;

- 100% to be reimbursed to Council if she leaves before 6 months service.
- 50% to be reimbursed to Council if she leaves before 12 months service.

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Voting Requirements

Absolute Majority

200/2012

Moved Cr Truran Seconded Cr Auld that Council endorses the appointment of Mrs Mia Dohnt to the position of Deputy Chief Executive Officer based on a 3 Year Contract of Employment commencing on 3rd December 2012 at the initial remuneration package of \$147,940. Furthermore, Council endorses the use of the common seal in ratifying the contract.

In addition, Council agrees to Mrs Dohnt's request to pay relocation costs up front with the proviso that;

- *100% to be reimbursed to Council if she leaves before 6 months service.*
- *50% to be reimbursed to Council if she leaves before 12 months service*

CARRIED BY ABSOLUTE MARJORITY (5/0)

Submission for:	Ordinary Meeting of Council - 21 st September 2012
Reference:	7.3
Subject:	CLGF - Release of the Government Response
File Reference:	8.2.6.18
Author:	Vivienne Piccoli - Chief Executive Officer
Date of Report:	11 th September 2012

Comment

The Government response has now been released and was included in the September Information Booklet for your reference. After reviewing the document it identifies that:

- The Government has fully accepted 23 recommendations, and partially accepted 3 recommendations, noting that the new CLGF arrangements will not come into effect until 2014-2015.
- The Government has indicated the allocation pool will continue to be available to all local governments but will transition towards an increase in the contestable portion from 2014-15 in relation to the regional allocation.

The CEO has spoken to Helen Westcott the Executive Officer of WEROC to enquire if the review will be addressed in greater detail at a regional level as it effects the allocation of the regional component, and she advised that the review will be addressed at the October 2012 meeting. Once the guidelines are released and the changes are better understood the CEO will report back to Council.

We have also been advised that local Governments and Regional groups must have fully acquitted their 2011-12 allocation and show expenditure/commitment of its 2012-13 allocation to be eligible to receive its 2013-14 allocation.

The CEO has provided below an update of the progress of CLGF funding applications for the Shire of Yilgarn from 2010 to 2013:

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Individual Component

2010/2011	Recreation Precinct	\$446,346	Currently being acquitted & audited
2011/2012	Recreation Precinct	\$392,361	Currently being acquitted & audited
2012/2013	Caravan Park Upgrade	\$392,361	Application & Business Case to be submitted to CLGF.

Regional Component

2010/2011	State Barrier Fence (Shire of Westonia)	\$441,386	Awaiting on invoice from DAFWA
2011/2012	Multi-Purpose (Professional) Accom (Shire of Westonia)	\$720,573	Application approved by CLGF and FAA currently being completed.
2012/2013	Multi-Purpose (Age) Accom (WEROC)	\$392,361 YIL	Meeting with WEROC on 12/9 to combine business cases and prepare funding application.

In relation to the 2012/2013 Project of Multi-Purpose (Age) accommodation the CEO went to a Central East Aged Care Alliance meeting where Verso Consulting discussed the draft of the 'Needs Analysis' including the community consultations that were done in each Wheatbelt town.

They have identified that the solution to the Aged Care issues will take place as a layered approach, the two areas that related closely to the CLGF project of Aged Housing was Age Friendly Communities and Aged Persons Housing:

1) Age Friendly Communities

Involved making available walking and cycling/gopher routes to essential services and infrastructure, installing benches so that the aged can rest on their walk into town, open spaces for Aged people to enjoy, access to transport, activities that foster community spirit. In addition, the provision of health and community support services for promoting, maintaining and restoring health within their own home.

2) Aged Persons Housing

VERSO advised that Aged Housing should cater for the elderly and their changing health needs i.e. incorporating into construction designs – hand rails, wider entries/doorways for wheelchair access and lifting devices, ramps and larger shower recesses for aided showering.

It was also mentioned that the location of group age housing is vitally important to a person's independence and involvement in the community. The housing should be located where residents can have easy access to services and infrastructure by way of pathways and roads, and the housing should be in close vicinity to town so that residence can walk to town, encouraging a healthy lifestyle.

The two sites that have been considered by Council for the group Aged Persons Housing are:

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- 1) Cnr Antares St and Canopus St (Old Bowling Club) – Council owns Lots 51, 52 & 53 Antares St and have written to the State Lands Services on the 23rd July to request that R23715 (2635sqm) and R31288 (1012 sqm) be transferred to unrestricted freehold land for Council to purchase for the price of \$38,000. The CEO has contacted State Lands Services to get an update on the progress of the approval and has been advised that they are waiting on the approval from other departments. An Approval has been received from DEC and they are awaiting approval from Dept of Minerals, Water Authority, Main Roads, Synergy and Aboriginal Heritage. It is worth noting the price of crown land is cheaper than a private sale due to the fact that the crown is encouraging development, as a private sale is looking for the best price the seller can achieve.

- 2) 60 Antares St, Southern Cross (Old Uniting Church) – 2,025 square metres (refer to Agenda item 7.4 for details)

I would ask Council when considering item 7.4 – Purchase of Uniting Church for Age Persons Housing the location ticks all the boxes in relation to access to services and infrastructure.

For Council's Information

Received

Cr W Della Bosca declared a proximity interest in Item 7.4

Submission for:	Ordinary Meeting of Council - 21 st September 2012
Reference:	7.4
Subject:	Purchase of Uniting Church Lot 278 (H/No 62) Cnr Antares & Canopus Streets, Southern Cross
File Reference:	1.3.3.1
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 th August 2012

Background

The MEHBS addressed Council at the August 2012 meeting in relation to the purchase of the Uniting Church on the Cnr Antares & Canopus Street, Southern Cross. She explained that Lot 278 Antares Street is zoned "Special Use - Place of Worship" under the Shire of Yilgarn Town Planning Scheme No 2, and in order for the land to be used for an alternative purpose, the land would need to be re-zoned.

In addition, Lot 278 is a half-acre (2025 m²) of land with two street frontages and full access to amenities.

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Council resolved the following at the August meeting (extract below):

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)

Following the telephone conversation between the Manager Environmental Health & Building Services and Mr Paul Collins of Lloyd Collins Property Consultants who has been contracted to handle the sale of the Uniting Church property, the CEO wrote to Lloyd Collins Property Consultants with a formal expression of interest in the property.

As another person had been speaking with the MEH&BS prior to this with regards to what could be built on the property if they purchased it and in regards to changing the town planning zoning it was felt that the MEH&BS should not be actively involved in Council's dealings to purchase the property. While this person stated to the MEH&BS what their offer price was to purchase the property, the MEH&BS has not advised the CEO of that figure.

Based on the fact that Council has land available for sale at \$25,000 per residential lot with the lots ranging from 1012m² to 790m², it was felt that a suitable offer to purchase the land would be \$50,000 as this is a 2025m² property, the asking price is \$55,000, and it is a corner lot which will provide greater flexibility in the future development of the lot.

Council have been successful in their expression of Interest of \$50,000 (plus GST) for the property, the seller (Uniting Church) were particularly pleased to hear Council's vision for the property in providing additional aged care accommodation within Southern Cross.

A valuation has recently been completed on Lot 278 by Opteon (Goldfields WA) (previously known as Kalgoorlie City Valuers) (see attached valuation report). The valuation has been listed as \$50,000 if the land was vacant and ready to walk onto and commence development or \$40,000 after taking into consideration the removal of the old church building and the small toilet block from the site.

Council will need to decide if they want to progress with an Offer and Acceptance under the following conditions:

Purchase Price:	\$50,000 plus GST, totalling \$55,000
Deposit:	10% = \$5,500 payable within 7 days of acceptance
Finance:	Not applicable

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Contract: Standard REIWA Offer and Acceptance
Special Conditions: Refer Annexure 'A' (see attached) which effectively means buyer accepts the property on an "as is" basis.
Settlement: 60 days after acceptance

Council has recently considered the property as being suitable for the proposed primary health care demonstration site, plus additional aged accommodation. While the primary or best site for either of these projects would be the old Bowling Club site, the Uniting Church land may also be very suitable for Stage II for Aged Housing Accommodation.

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.

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.

The current closing balance of the Building Reserve is \$392,841.75 with a further budget allocation in 2012/13 of \$761,774 which will be transferred to the Building Reserve by December 2012.

Recommendation

That Council agrees to submit an Offer and Acceptance to Lloyd Collins Property Consultants, for Lot 278 (60) Antares St, Southern Cross for the offered price of \$50,000 (plus gst).

The terms of sale being:

Purchase Price: \$50,000 plus GST, totalling \$55,000
Deposit: 10% = \$5,500 payable within 7 days of acceptance
Finance: Not applicable
Contract: Standard REIWA Offer and Acceptance
Special Conditions: Refer Annexure 'A' (see attached) which effectively means buyer accepts the property on an "as is" basis.
Settlement: 60 days after acceptance

In addition, Council endorses funds to be transferred from the Building Reserve for the Purchase price of \$50,000 (net GST)

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Voting Requirements

Absolute Majority

DISCUSSION

Council considered the written valuation at hand from Opteon (Goldfields WA) where they stated that the property if vacant would be worth \$50,000, but 'as is' i.e. taking in consideration the removal of the old church and toilet the property is worth \$40,000. Based on this information Council decided to offer \$40,000 plus gst for the property.

201/2012

Moved Cr Auld Seconded Cr Guerini that Council agrees to submit an Offer and Acceptance to Lloyd Collins Property Consultants, for Lot 278 (60) Antares St, Southern Cross for the offered price of \$40,000 (plus gst).

The terms of sale being:

<i>Purchase Price:</i>	<i>\$40,000 plus GST, totalling \$44,000</i>
<i>Deposit:</i>	<i>10% = \$4,400 payable within 7 days of acceptance</i>
<i>Finance:</i>	<i>Not applicable</i>
<i>Contract:</i>	<i>Standard REIWA Offer and Acceptance</i>
<i>Special Conditions:</i>	<i>Refer Annexure 'A' (see attached) which effectively means buyer accepts the property on an "as is" basis.</i>
<i>Settlement:</i>	<i>60 days after acceptance</i>

In addition, Council endorses funds to be transferred from the Building Reserve for the Purchase price of \$40,000 (net GST)

CARRIED BY ABSOLUTE MAJORITY (5/0)

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Submission for:	Ordinary Meeting of Council - 21 st September 2012
Reference:	7.5
Subject:	LGMA State Conference
File Reference:	1.6.13.2
Author:	Vivienne Piccoli - Chief Executive Officer
Date of Report:	14 th September 2012

Background

The Local Government Managers' State Conference is to be held in Fremantle from the 31st October to the 2nd November and this report seeks endorsement of CEO's attendance and nominations of any interested Councillors who may wish to attend.

Comment

The Conference provides an opportunity to learn from top level speakers and industry professionals with speakers addressing topics such as unleashing the collaborative potential of your workforce, communicating to a new generation, empowering communities through innovation, as well as a workshop session on emergency management in recovery.

This conference whilst primarily directed to the management teams of Local Government is increasingly popular with elected members due to the quality and content of speakers and presentations.

Councillors should indicate their interest in attending.

Statutory Environment

Local Government Act and Council policy concerning travel expenses.

Policy Implications

Nil

Financial Implications

There is an annual allocation for conference and seminar expenses.

Recommendation

That Council endorse the attendance of the CEO and interested Councillors to the LGMA State Conference in Fremantle from 31st October to 2nd November.

Voting Requirements

Simple Majority

202/2012

Moved Cr Truran Seconded Cr W Della Bosca that Council endorses the attendance of the CEO and interested Councillors to the LGMA State Conference in Fremantle from 31st to 2nd November.

CARRIED (5/0)

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Submission for:	Ordinary Meeting of Council – 21 st September 2012
Reference:	7.6
Subject:	GRV Single Person Quarters – Cliffs Resources
File Reference:	A10990
Disclosure of Interest:	Nil
Author:	Vivienne Piccoli - Chief Executive Officer
Date of Report:	18 th September 2012

Background

The District Valuer Mr Alan Grant and his team from Landgate visited the Yilgarn Shire during the first two weeks in September to re-value GRV properties in the area. During this visit Mr Grant brought to the CEO's attention the increased number of 'Single Person Quarters' at the Koolyanobbing town site from 330 beds in 2008 to 716 beds. He was advised by Mandy Beveridge from Cliffs Resources that the additional accommodation units were brought to site between March – August 2011 (refer to attached aerial shot of Koolyanobbing town site). Mr Grant further went on to say that an Interim revaluation on Assessment # A10990 relating to only the Single Person Quarters would increase the valuation from \$772,000 to \$1,500,000 which can be backdated by six months.

In addition, it is believed that there are an additional 450 beds located at Windarling.

Comment

When a mining company wants to carry out a development, especially an accommodation development, it would normally apply to Council for planning approval and then submit building applications for the various buildings. This initially occurred for both Koolyanobbing and Windarling sites. This process ceased due to the constant changing nature of the accommodation sites with units being removed and brought in and then removed again and this has not been redressed.

As both sites have previously been given planning approval for the development of mining accommodation, the change of buildings within that development is the change rather than the change of purpose. Therefore technically a change in the number of beds would not need formal planning approval by Council, although would require a building permit for additional dongers being brought to site and likewise a demolition permit when a donger is removed.

The new Building Act 2012 was expected to specifically pick-up mining developments outside of town site areas, however this has not occurred.

Under Schedule 4 of the Building Regulations 2012 (as it was under Schedule 2 of the Building Regulations 1989) the Shire of Yilgarn has determined that it wants the Building Regulations to apply to building works within town sites only. Thus any development that occurs on "Rural/Mining" zoned land does not require to have a building licence or permit.

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Koolyanobbing town site is still a gazetted town site and therefore both development and building requirements should be met. As a gazetted town site Council is able to rate properties under a GRV rating.

Windarling mine and accommodation camp are situated on land outside of a gazetted town site and therefore only the development requirements apply, and Council is only able to rate properties under a UV rating and not rate for SPQ.

Council will need to determine whether interim valuations for Assessment A10990 are backdated to January 2012 or July 2012. The below calculations show the two scenarios:

- 1) Interim valued from January 2012 (2011/12 financial year)
An additional \$255,528 in arrears from 2011/2012
Rates Levied \$270,972 current rates for 2012/2013 (outstanding)
An additional \$255,528 current rates for 2012/2013 (based on new valuation)
TOTAL \$728,028

- 2) Re-valuation to take effect July 2012 (2012/13 financial year)
Rates Levied \$270,972 current rates for 2012/2013 (outstanding)
An additional \$255,528 current rates for 2012/2013 (based on new valuation)
TOTAL \$526,500

Statutory Environment

None

Policy Implications

Nil

Financial Implications

There will be a substantial increase in interim rates, which will need to be accounted for in the 2012/2013 budget review process.

Recommendation

That Council agrees to advise the Landgate Valuer General to process the interim valuation for GRV - SPQ for A10990 effective from January 2012 / or July 2012. Furthermore, for the CEO to write to the Operations Manager of Cliffs Resources at Koolyanobbing, Mr Andrew Fisher and advise him of the correct procedure to following when there is a change in the number of SPQ buildings on a mining site and explain the impending increase in Council rates in relation to A10990.

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Voting Requirements
Simple Majority

203/2012

Moved Cr W Della Bosca Seconded Cr Truran that the CEO have confirmed that Koolyanobbing is a registered gazetted townsite, and if so, Council in accordance with the Local Government Act S 6.29 (5) accepts the interim valuation made under the Valuation of Land Act 1978 and processes the interim rating for A10990.

CARRIED (5/0)

Submission for:	Ordinary Meeting of Council – 21 st September 2012
Reference:	7.7
Subject:	CLGF Regional Funding Application – 2012/2013
File Reference:	8.2.6.18
Disclosure of Interest:	Nil
Author:	Vivienne Piccoli - Chief Executive Officer
Date of Report:	19 th September 2012

Background

Council in 2011/2012 applied for CLGF Regional Funding of \$720,573 to build Multi-Purpose Accommodation across the Westonia – Yilgarn region. The project will involve the development of compact, modern villa housing to suit singles or couples, with a view to utilizing this housing as part of an incentive package to attract professions to the region.

Specifically, the Shire of Yilgarn will build two (2) villas on land on Libra St in the town of Southern Cross and the Shire of Westonia will build one (1) small house on Shire land in the town of Westonia.

The proposed Yilgarn-Westonia Multi-Purpose Accommodation Project will be a three Staged Project as follows:

1. Stage One – Small, modern villa/house accommodation to suit the needs of professional workers
2. Stage Two – Lifestyle/Retirement accommodation to suit the needs of retirees
3. Stage Three – Aged care accommodation, for the elderly.

Stage Two and Three directly address the solutions for well-aged care accommodation as identified in the Central East Aged Care Regional Solutions Strategy.

Regional Grouping

Yilgarn and Westonia on the 22nd October 2008 signed a Memorandum of Understanding where they agreed to work co-operatively and resource share

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for the benefit of both of the Shires. This agreement has assisted both the Shires of Westonia and Yilgarn to establish themselves as a Regional Group for funding purposes in accordance with CLGF guidelines. Recently, the Shire of Westonia President Mr L Geier has verbally indicated that their Council have decided to revert back to WEROC for their regional grouping for the 2012/13 CLGF funding application. This being the case the Shire of Yilgarn Council will need to formally decide on similar actions and join with WEROC regional councils for the 2012/13 CLGF project.

Comment

WEROC met for a Special Meeting on the 12th September to address the 2012/2013 CLGF Regional Funding Application which is based on Multi-purpose accommodation, and in particular in the Shire of Yilgarn Lifestyle/Retirement accommodation which is Stage II of our original accommodation project, addressing Aged Housing in the Southern Cross community.

In addition, WEROC has committed to funding Aged Care solutions that were recognised from the needs analysis currently being undertaken by VERSO Consulting which supports our Regional project.

The Executive Officer will be combining aspects of both the 2011/2012 Business cases from Westonia-Yilgarn Regional Council and WEROC to formulate the support for the 2012/13 CLGF funding application. Due to timing and the State Elections drawing close WEROC need to submit the CLGF 2012/2013 funding application as soon as possible before cabinet goes into recess for the Christmas break.

WE-ROC Executive Officer has requested that each Council provide the following:

1. The Location of the land the development will be on.
2. An indication of the type of accommodation that that will be developed.
3. Associated Budget for project, including Council's contribution.

1. LAND

As previously discussed in Item 7.3 there are two possible locations for the Lifestyle/Retirement accommodation that is located close to services and infrastructure, these include:

- 1.1 Cnr Antares St and Canopus St (Old Bowling Club) – Council owns Lots 51, 52 & 53 Antares St, Southern Cross – 2,635 square metres.
- 1.2 60 Antares St, Southern Cross (Old Uniting Church) – 2,025 square metres.

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Currently, both of the properties are not owned by Council, although Council are in negotiations in relation to purchasing them. I would expect that these negotiations would have finalised by the time the funding application has been approved, or otherwise.

2. & 3. TYPE OF BUILDINGS AND BUDGET

OPTION ONE	Item	Unit Cost	Total Costs	CLGF funding	In Kind	Council Contribution
Flinders (3 x 2)						
Purchase three pre-fabricated sml house + delivery	3	208,000	624,000	392,361		231,639
Audit	1	750	750	0	750	0
Preparation and advertising tenders	1	2,000	2,000	0	2,000	0
Land for Buildings	1	50,000	50,000	0	50,000	0
Buidling fees & Inspection	1	1,500	1,500	0	1,500	0
Site Preparation	1	8,000	8,000	0		8,000
Water, Power and Sewer Connection	1	20,000	20,000	0		20,000
Driveway	1	8,000	8,000	0		8,000
Fencing , clothes line pathway	1	18,000	18,000	0		18,000
Landscaping	1	5,000	5,000	0		5,000
Carport/ Garden Shed	1	12,000	12,000	0		12,000
Total			749,250	392,361	54,250	302,639

OPTION TWO	Item	Unit Cost	Total Costs	CLGF funding	In Kind	Council Contribution
Rangeview (3x2)						
Purchase three pre-fabricated sml house + delivery	3	213,000	639,000	392,361		246,639
Audit	1	750	750	0	750	0
Preparation and advertising tenders	1	2,000	2,000	0	2,000	0
Land for Buildings	1	50,000	50,000	0	50,000	0
Buidling fees & Inspection	1	1,500	1,500	0	1,500	0
Site Preparation	1	8,000	8,000	0		8,000
Water, Power and Sewer Connection	1	20,000	20,000	0		20,000
Driveway	1	8,000	8,000	0		8,000
Fencing , clothes line pathway	1	18,000	18,000	0		18,000
Landscaping	1	5,000	5,000	0		5,000
Carport/ Garden Shed	1	12,000	12,000	0		12,000
Total			764,250	392,361	54,250	317,639

OPTION THREE	Item	Unit Cost	Total Costs	CLGF funding	In Kind	Council Contribution
Heritage (3x1)						
Purchase three pre-fabricated sml house + delivery	3	202,873	608,619	392,361		216,258
Audit	1	750	750	0	750	0
Preparation and advertising tenders	1	2,000	2,000	0	2,000	0
Land for Buildings	1	50,000	50,000	0	50,000	0
Buidling fees & Inspection	1	1,500	1,500	0	1,500	0
Site Preparation	1	8,000	8,000	0		8,000
Water, Power and Sewer Connection	1	20,000	20,000	0		20,000
Driveway	1	8,000	8,000	0		8,000
Fencing , clothes line pathway	1	18,000	18,000	0		18,000
Landscaping	1	5,000	5,000	0		5,000
Carport/ Garden Shed	1	12,000	12,000	0		12,000
Total			733,869	392,361	54,250	287,258

The CEO has based the above calculations on the premise that Council want to have three houses in a group lifestyle setting, this can also be changed to

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two houses. All the above transportable options are from Fleetwood Homes range who have advised that Council can alter the original design to cater for the aging health needs of the resident ie. Wider passage ways, larger shower recess for aided showering, hand rails etc.

OPTION FOUR						
Build on Site (3x2)		Unit Cost	Total Costs	CLGF funding	In Kind	Council Contribution
Construct Three Brick & Tile sml house	3	259,000	777,000	392,361		384,639
Audit	1	750	750	0	750	0
Preparation and advertising tenders	1	2,000	2,000	0	2,000	0
Land for Buildings	1	50,000	50,000	0	50,000	0
Building fees & Inspection	1	1,500	1,500	0	1,500	0
Site Preparation	1	8,000	8,000	0		8,000
Water, Power and Sewer Connection	1	20,000	20,000	0		20,000
Driveway	1	8,000	8,000	0		8,000
Fencing , clothes line pathway	1	18,000	18,000	0		18,000
Landscaping	1	5,000	5,000	0		5,000
Carport/ Garden Shed	1	12,000	12,000	0		12,000
Shire of Merredin Project Management	10%		90,225	0		90,225
Total			992,475	392,361	54,250	545,864

Option four is three built on site 3x2 small houses. WE-ROC are looking at having this option project managed by the Shire of Merredin's Building Supervisor Mr John Gearing. Ms Piccoli was concerned that the project timeline may be extended if he was working with one crew to do all the houses in each shire. After discussion with Mr Gearing he advised that he was looking at setting up different crews in each town using local contractors to get the building complete in the required timeframe (2 years from funding approval).

CLGF Regional Component	
Shire of Yilgarn	392,361
Balance to be funded:	
In Kind Contribution	
Shire of Yilgarn	54,250
Cash Contribution	
Shire of Yilgarn - OPTION ONE	302,639
Shire of Yilgarn - OPTION TWO	317,639
Shire of Yilgarn - OPTION THREE	287,258
Shire of Yilgarn - OPTION FOUR	545,864

The CEO requires direction from Council on what building option they would like to go with, whether it be transportable or build on site, which design is preferred and in addition an allocation of land for the project.

Statutory Environment

None

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Policy Implications

Nil

Financial Implications

The 2012/2013 CLGF project income and expenditure will need to be included in the 2013/2014 Budget Document, in addition a transfer from the Building Reserve will be required for Council Cash contribution.

Recommendation

That Council agree to be included within the WE-ROC Regional Group of Councils for the CLGF Regional Funding round 2012/2013, focusing on Stage II of the Multi-purpose accommodation project with the Shire of Yilgarn's project details as follows:

1. The Location of the land the development will be on is
2. The type of accommodation that will be developed is
3. The Budget for project, including Council's in-kind and cash contribution is

Voting Requirements

Simple Majority

AMMENDMENT TO RECOMMENDATION

The CEO advised Council that a further two points needed to be added to the recommendation based on a previous WEROC decision relating to; the WEROC Council's being part of a single tender process and for the Shire of Kellerberrin to manage the finance and the Shire of Merredin to project manage the development.

204/2012

Moved Cr Truran Seconded Cr Auld that Council agree to be included within the WE-ROC Regional Group of Councils for the CLGF Regional Funding round 2012/2013, focusing on Stage II of the Multi-purpose accommodation project with the Shire of Yilgarn's project details as follows:

1. *The Location of the land the development will be either on;*
 - a. *Cnr Antares St and Canopus St (Old Bowling Club), Lots 51, 52 & 53 Antares St, Southern Cross - 2,635 square metres.*
 - b. *60 Antares St, Southern Cross (Old Uniting Church) - 2,025 square metres.*
2. *The type of accommodation that will be developed is three, 3x2 transportable houses.*
3. *The Budget for project will be:*

<i>Council Cash Contribution</i>	<i>\$317,639</i>
<i>Council In Kind Contribution</i>	<i>\$ 54,250</i>
<i>CLGF</i>	<i><u>\$392,361</u></i>
<i>Total Budget</i>	<i>\$764,250</i>

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4. *The Shire of Yilgarn agrees to be part of a single tender (if possible) based on three 3x2 transportable houses in Southern Cross, with the Shire of Merredin managing the tender process and the Shire of Kellerberrin managing the finances, for the multipurpose housing project funded by the regional component of the Country Local Government Fund for 2012/2013.*
5. *The Shire of Yilgarn agrees to the Shire of Merredin project managing the multipurpose accommodation project in consultation with Miss Dallywater, the Manager for Environment Health and Building Services at the Shire of Yilgarn.*

CARRIED (5/0)

YILGARN BOWLS AND TENNIS CLUBS Inc

The CEO, Vivienne Piccoli received a letter from the Yilgarn Bowls and Tennis Clubs Inc in regards to sponsorship from Cliffs Resources to fund their furniture and crockery for the new club rooms. Cliff Resources in return for sponsorship, would like signage to be placed on the fence at either end of the new complex. The Yilgarn Bowls and Tennis club are seeking permission from Council to have Cliffs Resources sponsorship signage erected.

205/2012

Moved Cr Patroni Seconded Cr Guerini that Council gives tentative approval for Cliff Resources sponsorship signs to be displayed on the perimeter fence. In addition, the Yilgarn Bowls and Tennis club are to discuss with Miss Dallywater the parameters of the signage and the duration the signs will need to be kept up for.

CARRIED (5/0)

Council adjourned for Afternoon Tea at 4.30pm, and resumed the meeting at 4.40pm

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Submission to:	Ordinary Meeting of Council – Friday 21 st September 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:	14 th September 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 August 2012:

- Rates Receipt Statement (prepared to 12th September 2012)
- Statement of Investments – August 2012,
- Monthly Statement of Financial Activity – August 2012
- Monthly Statement of Financial Activity – July 2012

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 August 2012 as presented be received.

206/2012

Moved Cr Truran Seconded Cr Guerini that the Various Financial Reports for the period ending 31st August 2012 as presented, be received.

CARRIED (5/0)

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Submission to:	Ordinary Meeting of Council – Friday 21 st September 2012
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	12 th September 2012

Background

Municipal Fund – Cheque Numbers 37973 to 38066 totalling \$535,867.32, Municipal Fund EFT numbers 690 to 789 totalling \$470,608.45, Municipal Fund – Cheque Numbers 1060 to 1063 totalling \$139,440.85, Trust Fund – 401985 to 401989 totalling \$10,925.19, and Trust Fund – Cheque Numbers 5805 to 5810 (DPI Licensing), totalling \$69,390.45 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 37973 to 38066 totalling \$535,867.32, Municipal Fund EFT numbers 690 to 789 totalling \$470,608.45, Municipal Fund – Cheque Numbers 1060 to 1063 totalling \$139,440.85, Trust Fund – 401985 to 401989 totalling \$10,925.19, and Trust Fund – Cheque Numbers 5805 to 5810 (DPI Licensing), totalling \$69,390.45 are presented for endorsement as per the submitted list.

207/2012

Moved Cr Auld Seconded Cr Guerini that Municipal Fund – Cheque Numbers 37973 to 38066 totalling \$535,867.32, Municipal Fund EFT numbers 690 to 789 totalling \$470,608.45, Municipal Fund – Cheque Numbers 1060 to 1063 totalling \$139,440.85, Trust Fund – 401985 to 401989 totalling \$10,925.19, and Trust Fund – Cheque Numbers 5805 to 5810 (DPI Licensing), totalling \$69,390.45 are presented for endorsement as per the submitted list.

CARRIED (5/0)

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Submission to:	Ordinary Meeting of Council – Friday 21st September 2012
Agenda Reference:	9.1
Subject:	Replacement Motor Vehicle – Works Supervisor
File Reference:	6.4.1.5 & 6.6.5.4
Author:	Robert Bosenberg – Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	5 th September 2012

Background

Included in Councils 2012-2013 Financial Year Budget a monetary allocation has been allowed for the change over of the Toyota Landcruiser Utility utilised by Councils Works Supervisor.

In the past this vehicle has been changed over at intervals of 80,000km or 24 months. In accordance to Council's "7.9 Vehicle Replacement Policy Vehicle Standard and Accessories" the works supervisor's vehicles is to be a commercial type diesel 4 wheel drive two door utility.

The compliance plate of the current vehicle shows a manufacturing date of July 2010. This vehicle was purchased in August 2010 and has a speedometer reading of 76,000km

Comment

Quotations were sought for a replacement motor vehicle from Goldfields Toyota (*Kalgoorlie*) and Merredin Toyota (*Merredin*).

Goldfields Toyota quoted as follows (GST Inclusive):

1 x 2012 Toyota Landcruiser GXL Cab-Chassis/Utility, at a cost of \$63,987.69, with a trade price on the existing vehicle of \$46,000.00, resulting in a change-over cost of \$17,987.69

Merredin Toyota quoted as follows (GST Inclusive):

1 x 2012 Toyota Landcruiser GXL Cab-Chassis/Utility, at a cost of \$62,681.71, with a trade price on the existing vehicle of \$50,181.71, resulting in a change-over cost of \$12,500

Summary

Council currently has a GST inclusive allocation of \$62,700.00 to purchase a replacement vehicle, and a trade-in income allocation of \$50,050, resulting in a change-over allocation of \$12,650.00.

Statutory Environment

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

Policy Implications

The recommendation has been developed in line with Council's "7.9 Vehicle Replacement Policy Vehicle Standard and Accessories"

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Financial Implications:

Expenditure for the replacement of this vehicle will be funded from account E14750 - Purchase Plant - Administration, with a budgeted allocation of \$62,700 (*GST Inclusive*) being allowed for in Councils 2012/2013 Financial Year Budget for the replacement of this vehicle

Recommendation

That Council purchase the 2012 Toyota Landcruiser GXL Cab-Chassis/Utility from Merredin Toyota, for the quoted purchase price of \$62,681.71 (*GST inclusive*), and trade Council's existing 2010 Toyota Landcruiser Utility for the quoted trade price of \$50,181.71(*GST inclusive*), resulting in a change-over cost of \$12,500.00 (*GST Inclusive*).

Voting Requirements

Simple Majority

208/2012

Moved Cr Auld Seconded Cr Guerini that Council purchase the 2012 Toyota Landcruiser GXL Cab-Chassis/Utility from Merredin Toyota, for the quoted purchase price of \$62,681.71 (GST inclusive), and trade Council's existing 2010 Toyota Landcruiser Utility for the quoted trade price of \$50,181.71(GST inclusive), resulting in a change-over cost of \$12,500.00 (GST Inclusive).

CARRIED (5/0)

MINUTES
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Submission to:	Ordinary Meeting of Council – Friday 21st September 2012
Agenda Reference:	9.2
Subject:	Replacement Motor Vehicle – Skeleton Weed Co-Ordinator
File Reference:	6.4.1.5 & 6.6.5.4
Author:	Robert Bosenberg – Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	5 th September 2012

Background

Included in Council's 2012-2013 Financial Year Budget a monetary allocation has been allowed for the change over of the Toyota Hilux Auto Dual Cab Utility utilised by the Skeleton Weed Co- Ordinator.

The compliance plate on this vehicle shows a manufacturing date of February 2008 and with a speedometer reading of 137,000km's.

Comment

Quotations were sought for a replacement motor vehicle from Goldfields Toyota (*Kalgoorlie*) and Merredin Toyota (*Merredin*).

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

2012 Toyota Hilux SR5 3L Turbo Diesel 5 Speed Manual Dual Cab, at a cost of \$53,893.55, with a trade price on the existing vehicle of \$26,000, resulting in a change-over cost of \$27,893.55

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

2012 Toyota Hilux SR5 3L Turbo Diesel Auto Dual Cab, at a cost of \$52,515, with a trade price on the existing vehicle of \$28,015, resulting in a change-over cost of \$24,500

Financial Implications

Expenditure will be funded from *Skeleton Weed LAG Program Trust Account T1120*, with a budgeted change over cost of \$26,000 (*GST Inclusive*) being allowed for in Council's 2012/2013 Financial Year Budget for this vehicle

Recommendation

That Council purchase the 2012 Toyota Hilux SR5 3L Turbo Diesel Auto Dual Cab from Merredin Toyota, for the quoted purchase price of \$52,515 (*GST inclusive*), and trade Council's existing 2008 Toyota Hilux SR5 for the quoted trade price of \$28,015 (*GST inclusive*), resulting in a change-over cost of \$24,500 (*GST Inclusive*).

Voting Requirements

Simple Majority

209/2012

Moved Cr W Della Bosca Seconded Cr Truran that Council purchase the 2012 Toyota Hilux SR5 3L Turbo Diesel Auto Dual Cab from Merredin Toyota, for the quoted purchase price of \$52,515 (GST inclusive), and trade Council's existing 2008 Toyota Hilux SR5 for the quoted trade price of \$28,015 (GST inclusive), resulting in a change-over cost of \$24,500 (GST Inclusive).

CARRIED (5/0)

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Submission to:	Ordinary Meeting of Council - Friday 21 st September, 2012
Agenda Reference:	10.1
Subject:	Yilgarn Operations Windarling Range W4 East Deposit - EPA Report 1438 Assessment 1872
Location/Address:	Windarling Range, Yilgarn Shire
Name of Applicant:	Office of the Appeals Convenor - Mr Jean-Pierre Clement, Deputy Appeals Convenor
File Reference:	3.2.1.5
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th September, 2012

Background

I refer to Agenda Item 10.6 of the Ordinary Council Meeting held on 17th August 2012 where Council was advised that the Office of Appeals Convenor had written to Council seeking comment on the Environmental Protection Authority's (EPA) Report 1438 Assessment 1872 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.

Specifically, 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 of the ore body.

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

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for this waste under the existing Ministerial Statements and the *Mining Act 1978*.

At this Meeting Council passed the following motion:-

"That Council advises the Office of the 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."

See attached copy of the summary statement received with the EPA conditions including the revised condition 14, plus a location map, which were presented at the August 2012 Council Meeting.

Comment

A letter was forwarded to the Office of the Appeals Convenor advising it of Council's decision/motion.

Mr Jean-Pierre Clement, Deputy Appeals Convenor, has subsequently advised that the language used ("no objections" and "supports") is insufficient to indicate that the Shire is agreeing to the proposal being implemented subject to the revised conditions from the EPA. Thus a new motion is required that specifically states that Council agrees to the proposal being implemented, subject to the revised conditions provided to it. Plus Council needs to expressly agree to the revised conditions as follows:-

- 14-1 *The proponent shall prepare and implement a Mine Closure Plan which includes the W4 East Deposit proposal to the satisfaction of the CEO on the advice of the DEC and the Department of Mines and Petroleum (DMP).*
- 14-2 *The mine closure plan referred to in condition 14-1 shall be prepared in accordance with the EPA/DMP Guidelines for Preparing Mine Closure Plans June 2011 or subsequent revisions.*

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council advises the Office of the Appeals Convenor that:-

- 1) the Shire of Yilgarn agrees to the proposal from Cliffs Asia Pacific Iron Ore Pty Ltd to construct and operate an open cut iron ore mine pit at Windarling Range W4 East Deposit and a haul road to connect the mine pit to infrastructure located at the existing Windarling Range mining operations subject to the revised conditions provided by the Office of the Appeals Convenor;
- 2) the Shire of Yilgarn agrees to the applicant clearing up to 27.5 ha in area of native vegetation for the proposed new mine pit and 0.5 ha for the proposed new haul road, even though this will include Rare Flora species *Ricinocarpos brevis*, Priority 3 flora species *Austrostipa blackii* and Priority 4 flora species *Banksia arborea* and will impact on particular fauna species on the condition that it complies with the "Yilgarn Operations Land Clearing Management Plan" (Cliffs Asia Pacific Iron Ore Pty Ltd, April 2011) and with the "Malleefowl Conservation Plan" (Cliffs Asia Pacific Iron Ore Pty Ltd, October 2009) or subsequent revisions required by, or made with the approval of, the CEO on the advice of the Department of Environment and Conservation (DEC);
- 3) the Shire of Yilgarn agrees to the revised draft conditions regarding the Mine Closure Plan and agrees with the wording of the two new conditions -

14-1 The proponent shall prepare and implement a Mine Closure Plan which includes the W4 East Deposit proposal to the satisfaction of the CEO on the advice of the DEC and the Department of Mines and Petroleum (DMP).

14-2 The mine closure plan referred to in condition 14-1 shall be prepared in accordance with the EPA/DMP Guidelines for Preparing Mine Closure Plans June 2011 or subsequent revisions.

Voting Requirements

Simple Majority.

Item 10.1 has been withdrawn as Department of Environment and Conservation have re-looked at the legislation and received a legal decision that the Shire of Yilgarn is not a decision making body in terms of the Mining Act and no longer require the letter.

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Submission to:	Ordinary Meeting of Council – Friday 21 st September, 2012
Agenda Reference:	10.2
Subject:	Proposed Carbon Sink Tree Plantation
Location/Address:	Location 1454 Narla South Road and Noongar North Road, North Bodallin
Name of Applicant:	Elementree Group Limited, Wembley
File Reference:	3.1.3.2
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th September, 2012

Background

At the December 2009 Ordinary Council Meeting Council was presented with an application from Elementree Pty Ltd to plant a total of 465.2 hectares of mallee oil tree plantation for use as a carbon sink plantation on Location 1454 “Newlands” located between Narla South Road and Noongar North Road, North Bodallin. The land was to be leased to Elementree by the then owner of the property Bacopak Pty Ltd.

In the winter of 2010 Elementree successfully established 181ha of oil mallee trees and intended to plant the remaining areas in subsequent years.

In June 2012 Location 1454 was sold to Preview Enterprises Pty Ltd, who wish Elementree to plant the remainder of the arable area to trees. The proposed planting is of 850ha which will be in addition to the 181ha planted in 2010.

Thus out of the total land area of 1335.9ha, a total of 1031ha will be under tree plantation, and the majority of the remaining 304.9ha will be the existing natural bushland.

Trees will be planted in a similar way to the trees planted in 2010:-

- in rows that are spaced 5 metres apart in rip lines ripped to a depth of 50cm,
- groups of rows will form belts or compartments, and the identifying number of each compartment will follow on from previous plantings on the property in 2010,
- the stocking rate of seedlings planted will be approximately 500 stems per hectare.

Firebreaks will comply with the Shire’s current firebreak specifications, plus there will be a 10m wide firebreak installed and maintained around the Lot perimeter and against remnant vegetation, and 8m wide fire access tracks will be set up through compartments to allow access into the plantings and to ensure that no continuous planted areas are greater than 35ha in size. This is consistent with Council’s decision at the December 2009 Meeting.

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See attached the Management Plan for the Establishment and Maintenance of a Carbon Sink Tree Plantation “Newlands” and the associated maps showing the proposed plantation areas.

Comment

Town Planning Issues

Under the Shire of Yilgarn Town Planning Scheme No 2 Location 1454 is zoned “Rural/Mining”.

While a plantation is an agricultural pursuit, it is not a normal pursuit for this region and therefore should be considered by Council as to its suitability for the area.

Land Management Issues

This Management Plan is very similar to the one submitted in 2009. Using the land for a tree plantation will not adversely affect the soil, will assist with the general salinity of the lot, “alley” farming is now a standard farming principle that is used in various parts of Western Australia, and she has no conditions to place on the proposed plantation.

Fire Control Issues

It is proposed that the lot perimeter firebreaks are 10 metres wide, the firebreak around remnant natural bush land is 10 metres wide, and there will be 8 metres wide internal access tracks. The Management Plan states that firebreaks may be sprayed to maintain them, which will assist with topsoil erosion. Within the Management Plan is a list of contact telephone numbers in case of a fire.

While the ground between trees will be sprayed for weeds in the first and second years after planting, there is no surety that this practice will continue. The Management Plan allows for the owner to carry out activities in the alleys between the tree belts however in this instance as Elementree is leasing the whole lot it intends to arrange for sheep to graze the alleys and in between the trees and thus reduce the “fuel” source on-site. At this time Elementree does not plan to have a manager living on-site, is planning to liaise with and assist local bushfire brigades, and may have an arrangement with a local resident to act as its’ caretaker and possibly provide that person with a fire unit for use on Elementree’s site in the District.

Statutory Environment

Nil

Policy Implications

Nil

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Financial Implications

Nil

Recommendation

That Council grants approval to Elementree Group Limited to plant the proposed 850 hectares of oil mallee trees as a Carbon Sink Tree Plantation on Location 1454 as per the submitted management plan subject to Elementree Group Ltd liaising with the Shire Chief Bush Fire Control Officer as well as the local bush fire brigade to discuss fire suppression for the plantation and what assistance Elementree Group Ltd can provide to the local bush fire brigade.

Voting Requirements

Simple Majority.

210/2012

Moved Cr Auld Seconded Cr Truran that Council grants approval to Elementree Group Limited to plant the proposed 850 hectares of oil mallee trees as a Carbon Sink Tree Plantation on Location 1454 as per the submitted management plan subject to Elementree Group Ltd liaising with the Shire Chief Bush Fire Control Officer as well as the local bush fire brigade to discuss fire suppression for the plantation and what assistance Elementree Group Ltd can provide to the local bush fire brigade.

CARRIED (5/0)

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Submission to:	Ordinary Meeting of Council – Friday 21 st September, 2012
Agenda Reference:	10.3
Subject:	Planning Application – Second-hand Transportable Office Block for Industrial Business
Location/Address:	Lot 324 Arcturus Street, Southern Cross
Name of Applicant:	American Asset Pty Ltd - Mr Grant Hislop, owner
File Reference:	3.1.3.5
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th September, 2012

Background

Mr Grant Hislop of American Asset Pty Ltd is seeking planning approval to install a second-hand transportable office block (9.6m wide x 6.0m deep x 2.4m high) butting up to the north side of the existing shed on Lot 324 Arcturus Street, Southern Cross. The office consists of two sections and once approved the joins will be sealed to form one building, then 2 or 3 internal stud partition walls will be installed, and a verandah with decking floor will be constructed along the front of the new office which will front onto Regulus Street.

The new office block with front verandah will be situated with a 7.0m setback from the front boundary and 1.0m from the secondary street boundary/side boundary off Regulus Street.

Mr Hislop has temporarily placed the two sections of the office block on his property as he needed to remove them from the seller's land, but he is aware that if Council does not grant approval he will be required to remove the building from the property.

See attached the proposed block plan showing the proposed office, plus some coloured photographs of the proposed office.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 Lot 324 Arcturus Street is zoned "Industrial". Also under Clause 5.3 of the Town Planning Scheme approval is required for the use of all second-hand buildings.

General Development Issues

a) Minimum Setbacks from Boundaries

Under the Shire's Town Planning Scheme Leon Marsh Drilling is best described as "Industry General" as the property is used to store plant and equipment, plus carry out mechanical repairs of the business' machinery.

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Table 2 - Development Table states that the minimum setbacks for buildings from boundaries is -

Front boundary - 7.5m

Rear boundary - 7.5 m

Side boundaries - as per Council's determination.

Note: Normally the setback for a secondary street boundary is half that of the primary street boundary, so in this case it would be 3.75m.

The proposed office does not meet these setbacks as it will have a setback of 7.0m from the front boundary and 1.0m from the secondary street/side boundary. However, as the proposed use of the building is as an office where harmful and dangerous goods should not be stored, Council could readily agree to these proposed setbacks.

Noise generated within the proposed office is unlikely to affect neighbouring land owners/occupiers due to the nature of office activities being relatively quiet.

b) Minimum Landscaping Area

Table 2 of the Scheme states that for Industry General there should be a minimum of 15 per cent of the lot should be landscaped to Council's requirements. Mr Hislop has not indicated on the submitted plan whether he intends to carry out any landscaping works around the proposed office building.

- *Council may wish to reduce the amount of landscaping required in this instance as Procyon Street is not a main street.*

c) Minimum Car Parking Bays

Table 2 of the Scheme states that for Industry General that for every 2 employees there shall be 1 car parking bay provided on the site. Mr Hislop has not indicated on the submitted plan where the car parking area will be and for how many vehicles. There is space within the 7.0m wide front setback or on the east side of the proposed office with access off Regulus Street.

The Manager Environmental Health & Building Services believes that Mr Hislop's application meets some of Council's requirements under the Shire's Town Planning Scheme No 2 in the main. Council needs to -

- 1) grant permission for the use of the proposed second-hand office building on Lot 324 Arcturus Street;
- 2) agree that a 7.0m front setback and 1.0m secondary street boundary/side boundary setback for the proposed office block is acceptable;

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- 3) agree that landscaping and car parking areas are to be required as per the Shire's Town Planning Scheme requirements as outlined above.

Statutory Requirements

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants planning approval to Mr Grant Hislop of American Asset Pty Ltd, Southern Cross to:-

- 1) relocate a second-hand transportable office building onto Lot 324 Arcturus Street, Southern Cross, to butt up to the north side of the existing shed, and that the building may be setback 7.0m from the front boundary, and after the proposed verandah is attached along the front of the proposed office for there to be a 1.0m setback from the secondary street boundary/side boundary;
- 2) that Mr Hislop provide at least 76 square metres in area of landscaping which is half of the required area under the Shire of Yilgarn Town Planning Scheme;
- 3) that Mr Hislop is to designate a staff car parking area and that there is to be at least 1 car parking bay per every 2 employees working at or from the site; and
- 4) advise Mr Hislop that any new fencing along the west and north boundaries of the lot should be a solid screen type fencing such as a Colorbond fence.

Voting Requirements

Simple Majority.

211/2012

Moved Cr Auld Seconded Cr W Della Bosca that Council grants planning approval to Mr Grant Hislop of American Asset Pty Ltd, Southern Cross to:-

- 1) *relocate a second-hand transportable office building onto Lot 324 Arcturus Street, Southern Cross, to butt up to the north side of the existing shed, and that the building may be setback 7.0m from the front boundary, and after the proposed verandah is attached along the front of the proposed office for there to be a 1.0m setback from the secondary street boundary/side boundary;*

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- 2) *that Mr Hislop provide at least 76 square metres in area of landscaping which is half of the required area under the Shire of Yilgarn Town Planning Scheme;*
- 3) *that Mr Hislop is to designate a staff car parking area and that there is to be at least 1 car parking bay per every 2 employees working at or from the site; and*
- 4) *advise Mr Hislop that any new fencing along the west and north boundaries of the lot should be a solid screen type fencing such as a Colorbond fence.*

CARRIED (4/1)

Submission to:	Ordinary Meeting of Council - Friday 21 st September, 2012
Agenda Reference:	10.4
Subject:	Planning Application - New Accommodation Camp Site for Polaris Metals Pty Ltd - Aurora Exploration Camp Site
Location/Address:	Aurora Tenement Mining Lease M77/580, near the Helena & Aurora Conservation Park
Name of Applicant:	Crushing Services International - Mr David Hudson, Project Manager
File Reference:	3.1.3.5 & 3.2.1.14
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	19 th September, 2012

Background

Crushing Services International on behalf of Polaris Metals Pty Ltd has submitted an Planning Application for a new mine accommodation camp within the Shire of Yilgarn. The new accommodation camp will be located on Mining Lease M77/580, near the Helena & Aurora Conservation Park, south-west of Mt Dimmer and due west of the Carina mine site.

The reason for the new accommodation camp is that Polaris Metals intends to establish a new mine site within the Helena & Aurora Conservation Park and will therefore require accommodation facilities closer to this mine site rather than staff or contractors having to travel a distance back to the main accommodation camp for the Carina mine site situated within the Coolgardie Shire.

The proposed accommodation camp will consist of:-

- 48 accommodation rooms (12 x 4 Ensuted room units);
- 2 managers accommodation rooms (1 x 2 Ensuted room unit);
- 1 accessible accommodation room with Ensuite for people with disabilities;

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- 6 core buildings consisting of:-
 - a gym,
 - an office/first aid unit with 2 single toilets on one end,
 - a laundry unit,
 - 2 x unisex accessible toilet units, and
 - a kitchen/dining room unit, plus a wet mess, with outdoor Alfresco area attached; and
- 3 storage units consisting of:-
 - 2 x freezer and Coolroom units, and
 - 1 x sea container kitchen storeroom.

See attached site layout plan, location map, and aerial view location of the site.

Comment

Mining Lease M77/580 is over land zoned “Rural/Mining” under the Shire of Yilgarn Town Planning Scheme No 2. The reason for the proposed accommodation camp is the accommodation of staff or contractors working on the new Aurora mine site. Thus the main activity is mining with the associated activity of accommodation for staff. Therefore this proposed development by association complies with the Shire’s Town Planning Scheme.

This will be a drive in/drive out accommodation camp site.

Mining Lease M77/580 is 702.450 hectares in area. The Lease is situated within the Mt Manning Conservation Park in the Bungalbin area. There are 23 conditions already placed on this Lease, and a copy of these conditions is attached for your information (note that some conditions have been cancelled when an amendment was required, and so a new condition has been added in it’s place).

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council grants planning approval to Crushing Services International and Polaris Metals Pty Ltd to establish a 51 room accommodation camp to be located on Mining Lease M77/580 situated within the Helena & Aurora Conservation Park and south-west of Mt Dimmer for the purpose of accommodation staff and contractors who are working at the Aurora Mine Site.

Voting Requirements

Simple Majority.

212/2012

Moved Cr Truran Moved Cr Auld that Council grants planning approval to Crushing Services International and Polaris Metals Pty Ltd to establish a 51 room accommodation camp to be located on Mining Lease M77/580 situated within the Helena & Aurora Conservation Park and south-west of Mt Dimmer for the purpose of accommodation staff and contractors who are working at the Aurora Mine Site.

CARRIED (5/0)

As there was 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, 21st September 2012, are confirmed on Friday the 19th October 2012 as a true and correct record of the September Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT