

MINUTES
ORDINARY COUNCIL MEETING
Friday, 19th April 2013

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 19th April 2013.

PRESENT

Cr P R Patroni, Shire President

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

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

INFORMATION SESSION

The meeting was declared open for business at 2.00pm.

PUBLIC QUESTION TIME

Caroline Robinson and Jo Fullwood have presented council with a copy of the Community Strategic Plan 2013 – 2023 for feedback, in particular the ‘Our Challenges’ over the next 10 years. Some of the terms need changing to better reflect Councils Challenges and Communicating to the Community to be a priority.

APOLOGIES AND LEAVE OF ABSENCE - Cr D Auld, Cr J Della Bosca

DISCLOSURES OF INTEREST

Impartiality Declaration of Interest - CEO V Piccoli - ITEM 10.2

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

61/2013

Moved Cr Guerini Seconded Cr Truran. That the Minutes of the previous Meeting of Council held on Friday 15th March 2013, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

62/2013

Moved W Della Bosca Seconded Cr Truran. That the minutes of the Central East Aged Care Alliance Meeting held on 13th February 2013, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

63/2013

Moved Cr Pasini Seconded Cr Guerini. That the minutes of the CWVC MOU Working Group Meeting held on 13th March 2013, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

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64/2013

Moved Cr W Della Bosca Seconded Cr Truran. That the minutes for the Skeleton Weed Management Meeting held on 27th March 2013, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

Recommendation:

Peter Panizza moves that the Yilgarn LAG approve Robbie Della Bosca to purchase 50 drums of chemical for winter spraying. Seconded Adrian Wesley. Carried.

65/2013

Moved Cr W Della Bosca Seconded Cr Guerini. That council endorse the purchase of Chemical for Winter Spraying for the purchase price of \$9500.00.

CARRIED (5/0)

Recommendation:

Romolo Patroni moved that the Yilgarn LAG write a letter to the Shire Council asking that the Shire to contact Department of Environment and Conservation regarding correct ownership and treatment for the site. Seconded Adrian Wesley. Carried.

66/2013

Moved Cr W Della Bosca Seconded Cr Truran. That the Shire contacts DEC to establish correct ownership and treatment for the Salt Lake east of the Southern Cross Hospital site.

CARRIED (5/0)

67/2013

Moved Cr Pasini Seconded Cr Truran. That the minutes of the LEMC Meeting held on 21st March 2013, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

68/2013

Moved Cr W Della Bosca Seconded Cr Truran. That the minutes of the Bush Fire Officer Advisory Meeting held on 18th April 2013, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

Recommendation

Moved Dennis Jackson, Seconded Peter Goodhill that Council writes to the Minister for Emergency Services and express the Bush Fire Brigade frustration of having communication equipment (two-way radios) that cannot be maintained or a network that cannot be expanded on due to the licensing and budgeting limitations of DFES.

CARRIED

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69/2013

Moved Cr W Della Bosca Seconded Cr Truran. That Council writes to the Minister for Emergency Services and express the Bush Fire Brigade frustration of having communication equipment (two-way radios) that cannot be maintained or a network that cannot be expanded on due to the licensing and budgeting limitations of DFES.

CARRIED (5/0)

Recommendation

Moved Romolo Patroni, Seconded Ron Burro that Council endorses the proposed ESL Budget for 2013/2014 financial year, and applies for funding through DFES to the value of \$95,736.

CARRIED

70/2013

Moved Cr W Della Bosca Seconded Cr Truran. That Council endorses the proposed ESL Budget for 2013/2014 financial year, and applies for funding through DFES to the value of \$95,736.

CARRIED (5/0)

Recommendation

Moved Gerry Kent, Seconded Adrian Wesley that Council proceed with the Transfer of land at 18 Griffiths Street, Bodallin with the purpose of constructing a Fire Shed to house fire appliances for the Bodallin Bushfire Brigade.

CARRIED

71/2013

Moved Cr W Della Bosca Seconded Cr Truran. That Council proceed with the Transfer of land at 18 Griffiths Street, Bodallin with the purpose of constructing a Fire Shed to house fire appliances for the Bodallin Bushfire Brigade.

CARRIED (5/0)

72/2013

Moved Cr Truran Seconded Cr Guerini. That the minutes of the Tourism Advisory Meeting held 8th April 2013, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

73/2013

Moved Cr Truran Seconded Cr Pasini .That the minutes of the Yilgarn Youth Sport and Recreation Committee Meeting held on 15th April 2013, be confirmed as a true and correct record of that meeting.

CARRIED (5/0)

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ANNOUNCEMENTS BY THE PRESIDING MEMBERS AND COUNCILLORS

The Shire President advised the following:-

- That he attended a Sub Regional Road Group meeting with the MW in Mukinbudin to categorise roads for the 2030 Programme.
- That he attended the Wheatbelt Conference in Merredin with the CEO and Cr Truran, the highlight was the speech given by Mia Davies.
- That he and the CEO attended the Eastern Wheatbelt Bio Security Group meeting in Merredin in which they spoke about the dog proof fence and that they will no longer be doing Arial baiting.

EASTERN WHEATBELT BIO SECURITY GROUP (EWBSG) – BUDGET ALLOCATION

The Shire President attended the EWBSG meeting on the 12th April 2013, where the 2013/14 Shire contributions were discussed and the group agreed to contribute the same amount as in the 2012/13 Budget which was \$6000.00

Recommendation

That Council allocate \$6000.00 in the 2013/14 Budget towards the running of the Eastern Wheatbelt Bio Security Group.

74/2013

Moved Cr Patroni Seconded Cr W Della Bosca. That Council allocate \$6000.00 in the 2013/14 Budget towards the running of the Eastern Wheatbelt Bio Security Group.

CARRIED (5/0)

- Cr Truran advised that she will be attending DHAC meeting in June and also the WACHS meeting in July.

Cr Patroni addressed each individual councillor and asked what one project that they would like included in the up coming budget.

- Cr Patroni requested that the Council Chambers be updated.
- Cr Truran requested more Youth Development & Youth Projects
- Cr Guerini requested Outdoor Gym Equipment
- Cr W Della Bosca requested Public Toilets at the Train Station
- Cr Pasini requested that council proceed with the Visitors Centre

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Submission to:	Ordinary Meeting of Council – Friday, 19 th April 2013
Agenda Reference:	7.1
Subject:	REVIEW OF THE REGIONAL SPORT AND RECREATION FACILITIES PLAN
File Reference:	1.6.9.3
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 th April 2013

Background

In 2012 the WE-ROC councils enlisted Caroline Robinson from Solum to develop a WE-ROC Sport and Recreation Facility Plan (see attached summary report).

The objectives of this Plan were to:

- Identify and analyse the present and future needs of sport and recreation facilities at a local and regional level;
- Identify current sport and recreation facilities;
- Assess sporting trends, access to sport and recreation facilities local capacity and its effect on sport and recreation facilities development;
- Identify and plan ahead for local and regional sport and recreation funding applications and infrastructure developments;
- Identify local and regional sport and recreation facilities, priorities for development, design principles and capacity to do so, and
- Assist in integrating sport and recreation facility planning in current local government planning.

A coordinated approach by WEROC to DSR CSRFF can only be beneficial to all parties involved, because;

- It Enables robust budgeting and forward planning by WEROC Councils
- DSR can anticipate applications and be involved early in the application process
- Reduces the possibility of competing funding applications, which has been the case in the past.

Comment

Council is required to conduct an annual review of the WEROC Sport and Recreation Facility Plan and report any changes or inclusions to WEROC to be then forwarded to Department of Sport and Recreation.

Council has previously identified the following projects as priority for future funding proposals under the WEROC Sport and Recreation Facility Plan and these projects are also supported by the Shire of Yilgarn Forward Capital Works Plan (FCWP) 2010/11 to 2015/16. With reviewing the current projects the CEO has made an inclusion of the

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construction of a Skate Park in 2014 which is consistent with the proposed Recreation allocation in the FCWP for 2013/2014, and also made some slight changes to the existing projects stated in the plan.

Short Term (1-5yrs)			
LGA	FUNDING BODY	PROJECT	APPLICATION
Shire of Yilgarn	DSR - CSRFF AG	Construction of fixed concrete Skate Park	2014
	DSR - CSRFF AG	Pool Bowl, changerooms, kiosk/office disabled access, shade and first aid room	2015 or 2016
	DSR - CSRFF AG	Hydrotherapy Pool	2015 or 2016

Note: Changes in plan are written in red.

As you would be aware there has been considerable feedback from the community in relation to the Skate Park facilities to be re-located to a more suitable location and modernised to today's standards.

Under the Regional Priority Projects in the Sport and Recreation Facilities Plan the below project for the Shire of Yilgarn is scheduled for the medium term (5-7yrs) and remains unchanged.

Regional Priorities			
Medium Term (5-7yrs)			
SPORTING CODE	LGA	RATIONALE	NOTES
Motorcross	Yilgarn	This facility has the potential to be the regional motorcross facility for the Wheatbelt. Needs improvement to meet other motor cross centre standards in other regions	Develop clubhouse and camp grounds at the Southern Cross Motorcylce Club.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council gives consideration to the review of the priority projects in the Regional Sport and Recreation Facility Plan and endorses that the inclusions be forwarded to WEROC.

Voting Requirements

Simple Majority

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75/2013

Moved Cr Truran Seconded Cr Pasini that Council endorses the review of the priority projects in the Regional Sport and Recreation Facility Plan and agrees for the inclusions to be forwarded to WEROC

CARRIED (5/0)

Submission to:	Ordinary Meeting of Council - Friday, 19 th April 2013
Agenda Reference:	7.2
Subject:	LANDGATE - GENERAL VALUATION SUMMARY FOR YILGARN 2013 (GRV)
File Reference:	8.1.2.1
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 th April 2013

Background

The Valuer General from Landgate visited our district in August 2012 and conducted a shire wide valuation of GRV properties in the shire of Yilgarn. Council is in receipt of the valuation which comes into force on the 1st July 2013.

Under the Land Act 1978 GRV valuations are made to determine gross rental values at such time that the Valuer-General shall determine, the Shire of Yilgarn' valuations as a smaller Council are conducted every five years and was last held in 2007.

Summary of Details:

Date of Valuation: 1st August 2012
 Date of coming into force: 1st July 2013

In respect of Gross Rental Values (GRV's) for the Local Authority of Yilgarn, the following statistics are provided:

Category	%Inc/Dec	Values	Agg. Values	% of Total
Residential	+ 9.97%	411	2,984,608	33.47%
Commercial	+ 75.46%	42	5,428,968	60.89%
Industrial	+ 9.85%	38	413,484	4.64%
Vacant Land	- 30.29%	145	71,172	0.80%
Misc.	+ 71.07%	2	17,980	0.20%
TOTAL	+ 41.59%	638	8,916,212	100.00%

The above Landgate Commercial category includes in the Yilgarn rating system Commercial properties and GRV Single Persons Quarters. The substantial increase in

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valuation for 'Commercial' relates to an increase in valuation for the mining camps in the Yilgarn district e.g. Koolyanobbing Camp from 1.5M to 3.1M.

Landgate's comments relating to the % change in values for the 'Commercial' category is:

The % increase is significant when compared to the other land use classifications. The use of a 'differential rate' or other mechanisms available within the Local Government Act may be appropriate to smooth out this anomaly and provide a more equitable distribution of the rates burden.

As the GRV valuations will form the basis of Council rate setting for the 2013/2014 Annual Budget and due to the substantial increase in valuation of GRV Single Persons Quarters, Council will need to factor into the rate modelling and decision making an equitable resolution in striking a rate.

Statutory Environment

Local Government Act s6.28, Land Act 1978 part 3 div 1 section 19 part 22.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council note that Landgate 2012 General Valuation for GRV properties has been received and that there are % changes in valuation that will need to be considered when striking a rate prior to the adoption of the 2013/2014 Annual Budget.

Voting Requirements

Simple Majority

Council noted the comments

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Submission to:	Ordinary Meeting of Council – Friday 19 th April 2013
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th April 2013

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 28th February 2013:

- Rates Receipt Statement (prepared to 31st March 2013)
- Statement of Investments
- Monthly Statement of Financial Activity (to be tabled at meeting)

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 March 2013 as presented be received.

76/2013

Moved Cr Truran Seconded Cr W Della Bosca. That the Various Financial Reports for the period ending 31st March 2013 as presented be received.

CARRIED (5/0)

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Submission to:	Ordinary Meeting of Council – Friday 19 th April 2013
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	9 th April 2013

Background

Municipal Fund – Cheque Numbers 38106 to 38107 and 38427 to 38497 totalling \$321,511.62, Municipal Fund EFT numbers 1213 to 1285 totalling \$280,725.01, Municipal Fund – Cheque Numbers 1088 to 1093 totalling \$152,627.17, Trust Fund – 402013 to 402014 totalling \$2,446.30, and Trust Fund – Cheque Numbers 5835 to 5837 (DPI Licensing), totalling \$30,860.40 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 38106 to 38107 and 38427 to 38497 totalling \$321,511.62, Municipal Fund EFT numbers 1213 to 1285 totalling \$280,725.01, Municipal Fund – Cheque Numbers 1088 to 1093 totalling \$152,627.17, Trust Fund – 402013 to 402014 totalling \$2,446.30, and Trust Fund – Cheque Numbers 5835 to 5837 (DPI Licensing), totalling \$30,860.40 are presented for endorsement as per the submitted list.

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77/2013

Moved Cr W Della Bosca Seconded Cr Guerini. That Municipal Fund – Cheque Numbers 38106 to 38107 and 38427 to 38497 totalling \$321,511.62, Municipal Fund EFT numbers 1213 to 1285 totalling \$280,725.01, Municipal Fund – Cheque Numbers 1088 to 1093 totalling \$152,627.17, Trust Fund – 402013 to 402014 totalling \$2,446.30, and Trust Fund – Cheque Numbers 5835 to 5837 (DPI Licensing), totalling \$30,860.40 are presented for endorsement as per the submitted list.

CARRIED (5/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th April 2013
Agenda Reference:	8.3
Subject:	Proposed Draft Budget Timetable – 2013/2014
File Reference:	8.2.5.5
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th April 2013

Background

Work has commenced in preparation of Council’s 2013/2014 Annual Budget. A timetable has been established, with key milestones identified as follows:

- *Fri 19th April 2013 Ten-Year Strategic Plant Replacement Programme presented by Manager for Works to Council for consideration and adoption.
- Mon 6th May 2013 Preparations to be well under way on the budget in terms of obtaining quotations for products and estimates of Capital Works Projects.
- Mon 13th May 2013 Road Construction, Road Maintenance and Townscape Budgets to be completed by the Manager for Works and forwarded to Deputy CEO for inclusion in the Draft Budget.
- Mon 13th May 2013 Staff Housing Budget to be completed by the Manager Environmental Health and Building Services and forwarded to Deputy CEO for inclusion in the Draft Budget.
- Wed 15th May 2013 Senior Management to hold their first budget deliberation meeting.
- Fri 17th May 2013 Estimate of Rates Income to be determined with different scenarios established displaying increases / decreases applicable.
- * Fri 17th May 2013 Council endorses application by Deputy CEO to advertise Differential Rates and make application to the Minister for Local Government.
- Wed 22nd May 2013 Advertising for Council’s Proposed Differential Rates commences for the required period of 21 days, closing for public comment on Wednesday 12th June 2013 at 4pm.
- Thurs 30th May 2013 Further deliberation meeting to be held, identifying major projects to be included and a list of excluded items prepared and updated.
- Wed 12th June 2013 Final Draft Budget deliberation meeting with Team Executive. All expenditure accounted and Rating Scenarios finalised with the preferred option considered by the Deputy CEO included in the Draft Budget.
- Wed 12th June 2013 Period for submissions on Differential Rates is exhausted.
- Wed 12th June 2013 List of Priority Items is finalised by Executive Management Team.

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- *Fri 21st June 2013 Circulate final Draft Budget to Councillors and Executive Team.
- *Fri 28th June 2013 Draft Budget Workshop – Committee meeting with Councillors to be held at 5.30pm in Council Chambers. Recommendations to be brought to the Council meeting on the 19th July 2013.
- *Fri 19th July 2013 Council adopts the 2013/2014 Annual Budget at the Ordinary Meeting of Council to be held on this day.

Items marked with an (*) indicate matters which are specific to Council.

Comment

As can be seen from the above timetable, there is a requirement to hold a committee meeting to discuss the Draft Budget on Friday 28th June 2013. This meeting will commence at 5.30pm in Council Chambers, with dinner provided afterwards.

Statutory Environment

Sections 2.7 and 3.1 of the Local Government Act 1995 relating to general functions and provisions

Policy Implications

None

Financial Implications

Will see the completion of Councils 2013/2014 Budget

Strategic Implications

None

Voting Requirements

Simple Majority Required

Recommendation

That the proposed Draft Budget Timetable is noted, and Council hold a committee meeting to review the 2013/2014 Draft Budget on Friday 28th June 2013, commencing at 5.30pm in Council Chambers.

78/2013

Moved Cr Truran Seconded Cr Guerini. That the proposed Draft Budget Timetable is noted, and Council hold a committee meeting to review the 2013/2014 Draft Budget on Friday 28th June 2013, commencing at 5.30pm in Council Chambers.

CARRIED (5/0)

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Submission to:	Ordinary Meeting of Council - Friday 19th April 2013
Agenda Reference:	9.1
Subject:	Shire of Yilgarn Plant Replacement Program – 2013/2014 – 2022/2023
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	4 th April 2013

Background

A review of Councils plant replacement is carried out on an annual basis, with the attached Plant Replacement Program being for a ten year period. The proposed Plant Replacement Program is expected to provide council with a Strategic Plant Replacement Program that will result in optimum return on both operating and change over costs of Councils Plant and Equipment.

In the past Council has used the following life cycles for the replacement of equipment and plant. This has resulted in Council achieving minimal costly down time and optimum trade prices of the respected plant items.

Graders/ Construction Loader	8 years or 10,000 hours
Rollers	10 years or 12,000 hours
Prime Movers/Tip Trucks	8 years or 200,000km
Small Loader/Backhoe	12 years or 9,000 hours
Light Tip Trucks/Personal Carries	5 years or 150,000kms
Landcruiser Utilities	3 years or 110,000kms
Executive Vehicles	1.5 - 2 years
Community Bus	80,000km

Comments

In the 2013/2014 Plant Replacement Program it is proposed to replace a Volvo G930 Grader, Caterpillar 950 Loader and the Building Maintenance Vehicle.

It is also proposed to purchase a rock breaker/pick attachment for the John Deere Backhoe and a front end slasher for the Skid Steer Loader.

The grader that is proposed to be replaced in the 2013/2014 Plant Replacement Program is a Volvo G930 Grader. The grader was purchase by council in 2006 and has completed 8,300 machine hours and is currently being utilised by council staff as one of council's maintenance graders servicing the gravel road network.

Also included in the 2012/2013 Plant Replacement Program is the replacement of council's Caterpillar 950 loader. The loader was purchased in 2006 and has completed 7,500 machine hours. The primary function of this loader is loading of council and contractors tip trucks and road trains with road building materials required for road construction programs on council's road network.

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The building maintenance vehicle that is included in the 2013/2014 Plant Replacement Program was to be replaced this Financial Year (2012/2013), but due to the low speedometer reading of 40,522 kilometres it is recommended that the replacement of this vehicle is carried over to the 2013/2014 Financial Year.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Ten Year Plant Replacement Programs will form the basis of Capital Plant Replacement Purchases in future Budgets. Initial indications show the Plant Replacement Programme for 2013/2014 will cost (net) \$596,500. This cost excludes Executive Vehicles which will be costed directly within the Budget.

Executive vehicles to be replaced in the 2013/2014 Financial Year are, Deputy Chief Executive Officer Vehicle and Manager for Works Vehicle.

Strategic Implications

Ten-Year Plan will provide Council with a Strategic Plant Replacement Program that will result in optimum return on investment of Plant and Equipment.

Recommendation

That the Ten Year Plant Replacement Program for the period 1st July 2013 to 30th June 2023 as attached, be adopted
and
That all vehicles listed for replacement in the 2013/2014 Financial Year Plant Replacement Program be included in 2013/2014 Financial Year Budget deliberations.

Voting Requirements

Simple Majority

Information Received

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Submission to:	Ordinary Meeting of Council - Friday 19 th April, 2013
Agenda Reference:	10.1
Subject:	Planning Application - New Transportable Dwelling
Location/Address:	Lot 734 (H/No 2) Pictoris Street, Southern Cross
Name of Applicant:	Mr Lyndon Bailey
File Reference:	4.2.1.1
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	10 th April, 2013

Background

Mr Lyndon Bailey has applied for permission to place a new transportable dwelling on Lot 734 Pictoris Street, Southern Cross. Mr Bailey plans to use the dwelling initially as temporary accommodation for him and his extended family when they want to get away from the city, and then later as a permanent accommodation for his family.

The dwelling is an existing display home built by Alco Building Company Pty Ltd in 2009. It is a 2 bedroom with combined wet area single lift unit, 3.30 metres wide x 14.40 metres long with a low pitched roof. Once installed on-site Mr Bailey intends to construct a 2.70 metre wide verandah along the 4 sides of the dwelling. The dwelling will be setback from the eastern side boundary 40 metres and setback from the northern boundary facing onto Pictoris Street 27 metres.

See attached copy of the site plan/ location map, floor plans, and coloured photograph of a similar style dwelling unit.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 this land is zoned "Rural/Mining" although it is within the townsite boundary. Under Clause 5.3 Transportable Dwellings of the Town Planning Scheme, all transportable dwellings require Council approval prior to being placed on a lot within the District.

If this land was zoned "Residential" then the lot would have a density rating of R10. Table 1 - General Site Requirements under the Town Planning Scheme states that for a density rating of R10 a dwelling should be setback 7.50 metres from a front boundary, 6.0 metres from the rear boundary, and for a dwelling with a wall length of 12 metres to have a minimum of 1.5 metres setback from the side boundary. Lot 734 is bounded by 4 designated roads, Mr Bailey has decided to position his dwelling close to Pictoris Street and

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Crateris Street, with Pictoris Street being the frontage to the lot. This application meets these setback requirements.

While this building is termed to be “new” it strictly speaking is “second-hand” as the building has already been installed on a site, but has not been occupied.

The transportable dwelling has compressed chipboard flooring on steel bearers that will sit on square concrete footings stumps. The exterior wall cladding is Colorbond ‘Sandwich Panelling’, with Colorbond roof sheeting. The proposed surround verandah will be constructed of Colorbond steel frame with Colorbond roof sheeting.

There are many existing transportable dwellings already in Southern Cross, and it is a common and accepted mode of construction. There is no reason to withhold approval for this application.

Statutory Environment

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 Lyndon Bailey to install a new/second-hand transportable dwelling on Lot 734 Pictoris Street, Southern Cross as outlined above.

Voting Requirements

Simple Majority.

79/2013

Moved Cr Pasini Seconded Cr W Della Bosca. That Council grants planning approval to Mr Lyndon Bailey to install a new/second-hand transportable dwelling on Lot 734 Pictoris Street, Southern Cross as outlined above.

CARRIED (5/0)

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Impartiality Declaration of Interest - CEO V Piccoli

Submission to:	Ordinary Meeting of Council - Friday 19 th April, 2013
Agenda Reference:	10.2
Subject:	Planning Application - Home Occupation - Mobile Hairdressing Business
Location/Address:	Lot 883 (H/No 37) Taurus Street, Southern Cross
Name of Applicant:	Ms Chrystal Stampalija
File Reference:	3.1.3.3
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	10 th April, 2013

Background

Ms Chrystal Stampalija has applied for planning approval to establish a mobile hairdressing Home Occupation business from her parent's home at Lot 883 Taurus Street, Southern Cross. Ms Stampalija has a young daughter (20 months of age) and is therefore not able to work full time. Ms Stampalija intends to operate an office from home to make appointments, etc, but the actual hairdressing activity will be carried out in the client's home.

Ms Stampalija has completed a 3 year hairdressing certificate through Fremantle TAFE and has worked at a couple of commercial hairdressing establishments in Perth until she stopped due to the birth of her daughter in 2011.

Ms Stampalija is not looking at competing with the local hair salon, but wishes to continue to practice her trade and earn some money.

Comment

Town Planning Issues

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

While the actual hairdressing activity will be carried out in the client's home, Ms Stampalija will be conducting her office work, ordering hair products that she will use on her clients, and carry out the cleaning of the combs, brushes, rollers, towels, and aprons within her own home. For these reasons she is required to hold a Home Occupation Licence from the local shire.

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Please note that Lot 883 Taurus Street is the CEO's residence and a Shire owned property.

Health Issues

Ms Stampalija does not have a registered business and ABN at present. She has completed a recognised hairdressing course and completed her apprenticeship and at least another year work in two Perth hair salons.

Ms Stampalija will only be carrying out hairdressing activities, and no body waxing or body piercing.

There will be a minimal increase in waste generated from this business, mainly from packaging of supplies received however some of this material may be re-used to package customers' orders. There will be no odours, dust, fumes, or noise being emitted from the property to affect neighbouring particularly as clients will not be coming to Ms Stampalija's home.

Other Issues

Mrs Leonie Coutis was contacted for comment regarding this application and she advised that she had no objections or concerns with the new business starting up.

Policy Implications

Nil

Statutory Requirements

Compliance with the Shire of Yilgarn's Town Planning Scheme No 2, and the Health Act 1911 and regulations made under the Act.

Financial Implications

Nil

Voting Requirements

Simple Majority.

Recommendation

That Council grant planning approval to Ms Chrystal Stampalija to establish a mobile hairdressing Home Occupation business from her parent's home situated on Lot 883 Taurus Street, Southern Cross.

80/2013

Moved Cr W Della Bosca Seconded Cr Truran. That Council grant planning approval to Ms Chrystal Stampalija to establish a mobile hairdressing Home Occupation business from her parent's home situated on Lot 883 Taurus Street, Southern Cross.

CARRIED (3/2)

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Submission to:	Ordinary Meeting of Council – Friday 19 th April, 2013
Agenda Reference:	10.3
Subject:	Application to Clear Native Vegetation – Mineral Exploration – CPS 5524/1
Location/Address:	Exploration Licence E77/1426 east of the Marvel Loch Forrestania Road and south of the Dunbar Road, Parker Range Area.
Name of Applicant:	Department of Mines and Petroleum – Ms Tricia Hudgell, Administrative Coordinator
File Reference:	7.2.1.4
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	10 th April, 2013

Background

The Department of Mines and Petroleum (DMP) has received an application for a permit to clear 0.2Ha of native vegetation under the Environmental Protection Act 1986 from Forrestania Gold Pty Ltd – Forrestania Gold Project for mineral exploration purposes. The area to be cleared is located within Exploration Licence E77/1426 which is located east of the Marvel Loch Forrestania Road and south of Dunbar Road, Parker Range area. The Department is seeking comment from the Shire on this application.

See attached copy of the letter, maps of the site, and a location map.

Comment

The area to be cleared is located within Jilbadji Nature Reserve 24049 (Conservation of Flora and Fauna) which is zoned “Nature Reserve” under the Shire of Yilgarn Town Planning Scheme No 2. The Town Planning Scheme is very limited in regards to dealing with reserves other than to say they should be used for the said purpose of the reserve. In this case the reserve is for the purpose of conservation of flora and fauna. Therefore the clearing of native vegetation is a contradiction to the purpose of the reserve.

In saying this, aerial views of the area show that there is extensive exploration lines already within this Licence area, plus extensive exploration lines and mining operations further south of this location still within Reserve 24049.

Statutory Environment

Compliance with the Environmental Protection Act 1986, and the Shire of Yilgarn Town Planning Scheme No 2.

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Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise the Department of Mines and Petroleum that it has no objections to Forrestania Gold Pty Ltd being granted permission to clear 0.2Ha of native vegetation within it's Exploration Licence E77/1426 for the purpose of mineral exploration.

Voting Requirements

Simple Majority.

81/2013

Moved Cr Guerini Seconded Cr Patroni. That Council advises the Department of Mines and Petroleum that it has no objections to Forrestania Gold Pty Ltd being granted permission to clear 0.2Ha of native vegetation within it's Exploration Licence E77/1426 for the purpose of mineral exploration.

CARRIED (3/2)

Submission to:	Ordinary Meeting of Council - Friday 19 th April, 2013
Agenda Reference:	10.4
Subject:	Proposed New Telecommunication Site Reserves
Location/Address:	Moorine Rock, Bronti Tank, and Koorarawalyee
Name of Applicant:	Department of Regional Development and Lands - Ms Ruth de Ridder, Assistant State Lands Officer
File Reference:	1.6.6.5 &
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	11 th April, 2013

Background

The Department of Regional Development and Lands (DRDL) has written to the Shire advising that it proposing to create three new reserves for the purpose of "Telecommunication Site" to be managed by Western Power. The proposed sites will be located:-

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- Adjoining the southern boundary of Location 905 where the existing telecommunication tower site is location, east off Liddle Road, Moorine Rock – total area of site to be 500 square metres;
- Adjoining the Emu Fence Road reserve within UCL land, south of Reserve 33329 Location 937 which has an existing radio tower on it, south of the Bronti Tank site, and north of the Great Eastern Highway – total area of the site to be 500 square metres; and
- Within UCL land north of the Great Eastern Highway, east of the 2 water supply storage tanks on Reserve 13198 Location 1060, Koorarawallee – total area of site to be 1.440 hectares.

Western Power has advised the DRDL that a new microwave communication tower has been constructed on each proposed site. Western Power has also completed all necessary clearances and a heritage survey undertaken for each site.

The DRDL is seeking Council's comments on the three proposals. See attached letters, survey plans and Smart Plans of each site.

Comment

New telecommunications facility installations as a land use have an 'AA' symbol under the Shire of Yilgarn Town Planning Scheme No 2 and would require Council's approval, however, as they are for microwave towers and antennas which are considered low level impact facilities, plus they are for an essential service (Western Power), they are exempt under the Town Planning and Development Act 1928 from the requirement to obtain Council approval and planning approval. The new structures will have no visual, health or environmental impact on nearby residents.

Statutory Environment

Compliance with the Town Planning and Development Act 1928 as amended from time to time.

Policy Implications

Nil

Financial Implications

Nil

<p>Recommendation</p>

<p>For Council's information.</p>

Information Received

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Submission to:	Ordinary Meeting of Council - Friday 19 th April, 2013
Agenda Reference:	10.5 Late Item
Subject:	Planning Application - Proposed Bed & Breakfast Farm Stay and Camping Accommodation and Various Activities
Location/Address:	Location 65 South Moorine Road and Location 495 Nulla Nulla North Road, Moorine Rock
Name of Applicant:	Mr Ron Goodhill & Ms Laura Black
File Reference:	3.1.3.2
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	18 th April, 2013

Background

Mr Ron Goodhill and Ms Laura Black have written to the Shire applying for approval to establish a farm stay business on their farm property for tourist visiting the Yilgarn District. The business name will be Nulla Nulla Farm Retreat, and they are looking at three different types or styles of accommodation on their farm property from:-

- initially offering an existing fully furnished three bedroom farm house situated 7kms off the Great Eastern Highway on Location 65 South Moorine Road plus breakfast only with people making their own way for lunch and dinner;
- secondly offer camping and caravan sites which are true bush camps and not the traditional caravan park type accommodation on both the home farm block (Location 65) and Location 495 Nulla Nulla North Road; and
- thirdly eco tent accommodation positioned close to the Granite Rock on Location 495 Nulla Nulla North Road.

In addition to the accommodation Mr Goodhill & Ms Black intend to offer a variety of tourist activities such as being involved in seeding or harvesting activities depending on the time of year, petting farm animals, taking a salt lake/gypsum spa, bush walking, and including person tours to the Rock to see Aboriginal hand paintings and documented Men's Meeting Places, plus selling memorabilia such as local photographs and rustic picture frames.

See attached letter of application, maps and aerial views of these locations.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 Locations 65 and 495 are zoned "Rural/Mining". While single accommodation for the owners and their family members, plus maybe farm workers is normal for this land zoning, the primary land activity is broad acre farming.

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Tourist accommodation in this instance will be an additional business activity to compliment the farming business activity, and requires Council planning approval.

In particular Council needs to consider:-

- 1) the establishment of a nature caravan park and eco tent park on these locations;
- 2) the additional waste material that could be generated and where it is likely to be disposed;
- 3) potential impact of vehicles and caravans travelling on the Nulla Nulla North Road and the South Moorine Road to the accommodation sites; and
- 4) the impact of tourists visiting the Aboriginal hand paintings and Men's Meeting Places, and while they are located on private property they are part of the Yilgarn Aboriginal Heritage.

At present I am only aware of Mrs Mavis Goodhill's Southern Cross B & B Hampton View Homestead Farmstay in the Mt Hampton area. Mrs Mavis Goodhill has recently advised that her farm stay business is going well and she is kept quite busy with tourist either booking and travelling out from Perth or travelling through to or from Hyden.

Statutory Environment

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 Ron Goodhill and Ms Laura Black to establish a farm stay business on their property of Location 65 South Moorine Road and Location 495 Nulla Nulla North Road, Moorine Rock area.

Voting Requirements

Simple Majority.

82/2013

Moved Cr Truran Seconded Cr Guerini. That Council grants planning approval to Mr Ron Goodhill and Ms Laura Black to establish a farm stay business on their property of Location 65 South Moorine Road and Location 495 Nulla Nulla North Road, Moorine Rock area.

CARRIED (5/0)

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Submission to:	Ordinary Meeting of Council – Friday 19 th April, 2013
Agenda Reference:	10.6 Late Item
Subject:	Proposed Road Closure of Sections of Roads for State Barrier Fence
Location/Address:	Sections of King Ingram Road, Calzoni Road and 1 Un-named Roads
Name of Applicant:	Department of Regional Development and Lands, Ms Ruth de Ridder, Assistant State Land Officer
File Reference:	1.6.2.3
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	18 th April, 2013

Background

The Department of Regional Development and Lands (DRDL) has written to the Shire advising that Council's resolution to close a 25km section of Emu Fence Road to facilitate the creation of a reserve for the State Barrier Fence – Yilgarn Gap is not required as the section of the Emu Fence Road is not a dedicated road. However, there are four proposed lots where a section of road will need to be closed for the creation of a reserve for the State Barrier Fence. These lots are Lots 404, 405, 406, and 407 on Deposited Plan 72960. The DRDL has requested that Council formally close these portions of dedicated road. See attached letter and copy of Deposited Plan 72960.

Comment

Lot 404 is a 1616 square metre area of an un-named road or fire break track that is east of and adjoins Location 301 off the Emu Fence Road, and this un-named road or track is located south of Vultee Road.

Lot 405 is 1378 square metre area of King Ingram Road, north section of the road in line with the east boundary of Location 303 off Emu Fence Road.

Lot 406 is 37.0976 hectares that lies directly south of Lot 405 and extends in a north-west direction through King Ingram Road and then turns to extend in a south-west direction through Unallocated Crown Land (UCL).

Lot 407 is 1638 square metre area of the continuation of Calzoni Road east of the Emu Fence Road. This section is an unmade road.

Issues to Consider

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Lot 406 which extends through part of King Ingram Road may affect tourists accessing the Vultee Vengeance Crash Site which is location on Location 303 with the access road off King Ingram Road.

It appears that there will be a grid or gate across King Ingram Road to link Lots 405 and 406.

Lot 406 seems to run within the existing King Ingram Road reserve and there is concern that sufficient width of road remains for vehicle access from Emu Fence Road along King Ingram Road to either the Vultee Vengeance Crash Site or to continue further east to the Marvel Loch Forrestania Road. This matter needs to be discussed further with the Department of Agriculture & Food (DAFWA).

Looking at an aerial view of Lot 407, the continuation of Calzoni Road has not been constructed and is only a designated road on paper. Further north of this road there is a fire access track that has been established and the continued access to it will need to be discussed further with DAFWA.

Likewise looking at an aerial view of the eastern end of Dunbar Road which is not part of this proposed road closure proposal, it appears that the new reserve will affect access to the fire access track that extends east of Dunbar Road through to the Marvel Loch Forrestania Road. Continued access to this track will need to be discussed further with DAFWA.

Closure of Roads

Section 58 of the Land Administration Act 1997 sets out the procedure for the closure of roads:-

- The Local Government must resolve to request the Minister to closure the road.
- After making this resolution the proposal must be advertised for public comment in a newspaper circulating the district for a period of not less than 35 days.
- The local government must consider all comments received on the matter before making a final resolution to proceed.
- Once this occurs Council can write to the Minister making its request to closure the road.
- The Minister after considering the application may either grant the request, direct the local government to consider certain issues, or refuse the request.

Statutory Environment

Compliance with the Land Administration Act 1977 and the Land Administration Regulation 1998.

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Policy Implications

Nil

Financial Implications

There will be costs associated with the advertising of these proposed sections of road closure. The survey work and drawing of the survey plans has already been carried out by the DRDL and Landgate.

Recommendation

That Council staff further discuss with the Department of Agriculture and Food Western Australia the proposed road closures as outlined above to ensure that continued access to existing roads or fire access tracks remain open as is currently the situation;

And

That Council in principle resolves to close portion of King Ingram Road reserve, the eastern extension of Calzoni Road, and one un-named road or fire access track which will become Lots 404, 405, 406, & 407 on Deposited Plan 72960 for the purpose of creating a reserve for the State Barrier Fence – Yilgarn Gap, to publicly advertise these proposed road closures, and that after considering all comments received from the public and service organisations and making a final decision, to request the Minister for Lands to close these abovementioned sections of roads.

Voting Requirements

Simple Majority.

83/2013

Moved Cr Pasini Seconded Cr Truran. That Council staff further discuss with the Department of Agriculture and Food Western Australia the proposed road closures as outlined above to ensure that continued access to existing roads or fire access tracks remain open as is currently the situation;

And

That Council in principle resolves to close portion of King Ingram Road reserve, the eastern extension of Calzoni Road, and one un-named road or fire access track which will become Lots 404, 405, 406, & 407 on Deposited Plan 72960 for the purpose of creating a reserve for the State Barrier Fence – Yilgarn Gap, to publicly advertise these proposed road closures, and that after considering all comments received from the public and service organisations and making a final decision, to request the Minister for Lands to close these abovementioned sections of roads.

CARRIED (5/0)

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As there was no further business to discuss, the Shire President declared the meeting closed at 4.23pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 19th April 2013, are confirmed on Friday the 17th May 2013 as a true and correct record of the April Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT