

MINUTES
ORDINARY COUNCIL MEETING
 Friday 21st October 2011

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 21st October 2011.

PRESENT

Cr P R Patroni, Shire President
 Crs W A Della Bosca, D Auld, J Della Bosca, D J Pasini, O Truran

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

INFORMATION SESSION

PRESENTATION – MR BRETT HOWSON – SHIRE OF YILGARN ROAD HIERARCHY DEVELOPMENT STRATEGY 2011/12 TO 2015/16

Mr Howson explained to Council that the Road Hierarchy Development Strategy is the foundation of a consistent industry approach to managing the road network. The development of the strategy involved surveying the physical inventory and condition of the Infrastructure asset, recording data in Roman software and model against industry standards. The Road Hierarchy aims to reflect the preferred movement of vehicles throughout the network and gives guidance to Shire Managers, road users and land developers as to the Council’s intended road network objectives. He further explained that the Road Hierarchy is an informing strategy to the Asset Management plan which will be a Statutory requirement in 2013.

The Manager for Works asked if Council could review the Road Hierarchy over the month and advise him of any adjustments or comments prior to the next meeting, as it will be tabled for endorsement in November.

PRESENTATION – MS V MURTY – DCEO – FINANCIAL RATIO COMPARISON BETWEEN THE SHIRES OF YILGARN AND WESTONIA

At the September meeting the Shire President asked the DCEO for a comparison of financial ratios between the two Councils as at the 30th June 2011, as due diligence prior to the amalgamation process completing.

The DCEO explained that financial ratios are an effective tool in measuring an entities financial position, at a point in time. She further went on to explain the following ratios and the comparison between the two Councils over a two year period.

Financial Ratios	Yilgarn		Westonia		What does this mean?
	2011	2010	2011	2010	
Current Ratio	3.619	3.735	5.197	8.224	* This ratio shows Council's ability to pay short term obligations * The higher the ratio (>1) the more capable council is to pay its current liabilities Summary - Both councils are with industry standards
Untied Cash to Unpaid Trade Creditors Ratio	Yilgarn		Westonia		* This ratio indicates if a Council has sufficient funds to pay their creditors. >1 The higher the ratio means there is sufficient unrestricted cash to pay invoices <1 Means Council hasn't got enough funds to pay their creditors on time. Summary - Both councils are with industry standards
	2011	2010	2011	2010	
	12.58	25.93	1.443	18.75	
Debt Ratio	Yilgarn		Westonia		* This ratio measures the number of times total liabilities are covered by total assets. * The lower the ratio, the stronger the financial position of the Council Summary - Yilgarn is in a better financial position
	2011	2010	2011	2010	
	0.010	0.009	0.056	0.055	
Debt Service Ratio	Yilgarn		Westonia		* This ratio measures the Council's ability to service their Loans (princ + Int) * The lower the ratio (<1) the greater the Council's ability to pay off their Loans Summary - Both councils are with industry standards
	2011	2010	2011	2010	
	0.006	0.007	0.050	0.027	

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The meeting was declared open for business at 2.05 pm.

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

None

DISCLOSURES OF INTEREST

None

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

209/2011

Moved Cr W Della Bosca Seconded Cr Pasini that the Minutes of the previous Meeting of Council held on Friday 16th September 2011, be confirmed as a true and correct record of that meeting, with the following amendment:

Under Announcements by the Presiding Members and Councillors - Cr J Della Bosca's statement relating to the Westonia Primary School (PS) should have read as follows:

Westonia PS has at the moment 13 students, and is a Campus of South Merredin Primary School. In 2012 the Westonia PS will become a Campus of the Merredin College following the amalgamation of North Merredin Primary School, South Merredin Primary School and Merredin Senior High School.

CARRIED (6/0)

YILGARN YOUTH, SPORTS & RECREATION ADVISORY MINUTES

210/2011

Moved Cr J Della Bosca Seconded Cr Truran that the Minutes of the previous Yilgarn Youth, Sport & Recreation Advisory Committee held on Monday 19th September 2011, be received.

CARRIED (6/0)

TOURISM ADVISORY COMMITTEE MEETING

211/2011

Moved Cr W Della Bosca Seconded Cr Truran that the minutes of the Tourism Advisory Committee held on the 10th October 2011 be received.

CARRIED (6/0)

Recommendation

Moved K Crafter Seconded Cr Patroni that Council writes to the Coolgardie Shire Council and offers assistance and support in developing the historical Hunt's Track walking trail.

CARRIED

Recommendation

Moved Cr Patroni Seconded Cr K Crafter that Council advises Cliffs Resources that the proposed site for the 'Windarling Rock Feature' be on the corner of Great Eastern Highway and Three Boys Road on the western entry into Southern Cross. In addition, an interpretative sign be erected depicting the story of how the rock came to be there, its significance in term of geological and cultural history.

CARRIED

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Recommendation

Moved Cr Patroni Seconded Cr K Crafter that Council allocates \$5,000 in the budget review, so that Christmas lights can be installed down the main street of Southern Cross.

CARRIED

Recommendation

Moved K Crafter Seconded Cr Truran that the Inward Correspondence be received.

CARRIED

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:-

- He congratulated Cr Truran on her appointment to Deputy President and looks forward to working with her, and thanked Cr Auld for all the work and support he has given over the past four years.
- That he and the CEO attended the WALGA Great Eastern Zone meeting and matters raised related to CLGF review that will be held on the 28th November, access to Aged Care facilities throughout the Wheatbelt and the Telstra 4G network roll out.
- That he with the CEO and MEBS will be attending the annual meeting for Retractable Waste Disposal at Mt Walton on the 22nd November.
- That he with Cr W Della Bosca and Mr R Burrow attended a Eastern Wheatbelt Declared Species Group meeting in Merredin.
- That he with Cr W Della Bosca and CEO attended the Bullfinch Fire Brigade Shed opening on the 14th October, also on the same night they attended the Health Information evening held at the Community Centre, he advised that it was an informative evening.
- That he with the CEO and Cr Kenward met with Mr Anthony Miller from Cliff's Resources and discussed the Community Funding Scheme they have set up.
- Other meetings he attended with Cr's and CEO included the Primary Health meeting and the Windarling Reference Group meeting.

CR KENWARD'S RESIGNATION

Council received Cr Kenward's resignation on the 21st October, the letter explained that he tendered his resignation with great regret, and that he has enjoyed his term as Councillor, but has decided to continue serving the Yilgarn community in a personal fashion.

The Shire President advised that he regretfully accepts Cr Kenward's resignation as put forward, and would like the CEO to write on behalf of Council and thank him for his efforts and support over the years and his positive contribution in the community.

Due to the resignation, it has been decided that a special election will be held on the 18th February 2012.

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212/2011

Moved Cr J Della Bosca Seconded Cr W Della Bosca that Council writes to Mr Kenward and thank him for his efforts and support over the years whilst on Council and his positive contribution in the community and note the date for the bi-election as being Saturday 18th February, 2012 .

CARRIED (6/0)

Cr W Della Bosca advised that he had attended the Bullfinch Fire Shed Opening, along with others. In addition he had attended a FESA meeting in Perth on the 17th October. He advised that the Bush Fire UHF Radio Network through Yilgarn and the fire appliances, will be upgraded in the upcoming weeks. In addition, he has noticed several properties that are not adhering to the 3 metre fire breaks around paddocks, and will need to educate the community prior to the next seeding season, by way of notices in the Crosswords.

MARVEL LOCH FIRE APPLIANCE

Cr W Della Bosca advised that it was necessary to formally authorise the St Barbara Mine Rescue Group to use the Marvel Loch 2.4 Fire Appliance.

213/2011

Moved Cr W Della Bosca Seconded Cr Truran that Council authorises St Barbara Mine Rescue Group to use the Marvel Loch 2.4 Fire Appliance.

CARRIED (6/0)

Cr Auld advised that he had attended the Industry Management meeting in Perth on the 10th October, where they discussed changes to Shires' Local Laws to include Skeleton Weed as a pest plant, which will give Council's standing when Landholders opt out of the Skeleton Weed eradication program.

Cr Truran advised that she had attended a Southern Inland Health Initiative meeting in Merredin, and another is planned for the 22nd November which she will be attending with the DCEO. She had also attended the Flower Show in town run by the CRC and expressed that it was a very well organised day enjoyed by many.

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Submission to:	Ordinary Meeting of Council – 21 st October 2011
Agenda Reference:	7.1
Subject:	Councillors Annual Christmas Function, Outside Workers Christmas Function and Senior Citizens Christmas Function
File Reference:	2.1.2.3
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	7 October 2011

Background

With Christmas fast approaching, it is necessary that Council considers dates and the type of functions to be held in order that staff can commence organising the above functions.

Comment

Councillors' Annual Christmas Function

This event normally coincides with the December Ordinary Council Meeting and commences at approximately 6.00 - 6.30pm following the Council meeting. The December Council meeting is scheduled to be held on Friday, 16th December 2011.

Outside Workers' Christmas Function

It is proposed that the Christmas function for the Outside Workers will be held on Thursday, 22nd December 2011 commencing at midday.

In previous years Council has approved of the Council Offices being closed from midday on the day of the function to allow the office staff to socialise with the outside workers. This format has proved to be very popular and is an excellent way for both sections of Council' workforce to celebrate the festive season. Councillors are also invited to attend this function.

Senior Citizens' Christmas Function

Sunday 11th December 2011 is the proposed date set for this function. Council's Administrative Services Officer will update the Councillors on arrangements at the meeting.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council resolves the following in respect to conducting the above Christmas functions for 2011:-

- 1) That the Councillors Annual Christmas function be conducted following the Council meeting on Friday, 16 December 2011.
- 2) That the outside workers Christmas function be conducted on Thursday, 22 December 2011 and to allow inside staff to participate in this function, Council approves of the closing of the Shire Office at midday on the day of the function on the proviso that this closure is well advertised to ensure minimum inconvenience to the public.
- 3) That the Senior Citizens Christmas function be conducted on Sunday, 11 December 2011.

Voting Requirements

Simple Majority

214/2011

Moved Cr J Della Bosca seconded Cr Pasini that Council resolves the following in respect to conducting the above Christmas functions for 2011:-

- 1) *That the Councillors Annual Christmas function be conducted following the Council meeting on Friday, 16 December 2011.*
- 2) *That the outside workers Christmas function be conducted on Thursday, 22 December 2011 and to allow inside staff to participate in this function, Council approves of the closing of the Shire Office at midday on the day of the function on the proviso that this closure is well advertised to ensure minimum inconvenience to the public.*
- 3) *That the Senior Citizens Christmas function be conducted on Sunday, 11 December 2011.*

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 21 st October 2011
Agenda Reference:	7.2
Subject:	Setting of the Annual Meeting of Electors 2011
File Reference:	2.1.2.1
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	5 October 2011

Background

Council is required to accept the Annual Report, prior to the 31st December each year, and to set a date for the convening of an Annual Meeting of Electors no later than 56 days after the Auditors Report becomes available for the immediately preceding financial year.

Comment

The Annual Statements of account have been completed and the auditors have completed their audit. The auditors report and the annual Financial Statements are

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ready for Council to adopt. It is therefore proposed that the Council's audit committee have a teleconference meeting with the Auditor on the morning of Friday 18th November commencing at 11.30am just prior to the ordinary Council meeting and then to follow the ordinary Council meeting with the annual meeting of electors.

The Elector's General Meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year. Accordingly, the latest Council could schedule the Elector's General Meeting is the 15th December, 2011.

It is therefore proposed that the Annual Electors Meeting be held on Friday 18th November commencing at 7.30pm at which time the Annual Report will be formally presented to the community, in addition to being made available to the public prior to this date.

Statutory Environment

Local Government Act 1995 Sections 5.27 'Electors' general meetings' and 5.54 'Acceptance of Annual Reports'.

Policy Implications

None

Financial Implications

None

Strategic Implications

None

Recommendation

That Council convenes the Shire of Yilgarn Annual Meeting of Electors for the year ended 30th June 2011, on Friday 18th November 2011, commencing at 7.30pm.

215/2011

Moved Cr Truran seconded Cr Auld that Council agrees to convene the Shire of Yilgarn Annual Meeting of Electors for the year ended 30th June 2011, on Friday 18th November 2011, commencing at 7.30pm.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 21 st October, 2011
Agenda Reference:	7.3
Subject:	Dual Fire Control Officer
File Reference:	5.1.5.1
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	6 October 2011

Background

The Chief Executive Officer of the Shire of Kondinin, Mr Peter Webster, has written to Council to advise that the Kondinin Shire Council seeks the appointment of Mr Rolf Meeking as a Dual Fire Control Officer with the Shire of Yilgarn for the 2011/2012 fire season.

The Chief Executive Officer of the Shire of Narembeen, Mr Frank Pecza has written to Council to advise that the Narembeen Shire Council seeks the appointment of Mr Joe Wilson and Terry Ashmore as a Dual Fire Control Officer with the Shire of Yilgarn for the 2011/2012 fire season.

The Chief Executive Officer of Westonia, Jeff Sowiak has asked Council to advise that Westonia Shire Council seeks the appointment of Mr Aaron Smith as Dual Fire Control Officer with the Shire of Yilgarn for the 2011/2012 season.

Comment

Section 40 (1) and (2) of the Bush Fires Act 1954 state the following in respect to local authorities joining to appoint and employ Bush Fire Control Officers:-

Section 40

- (1) Two or more local authorities may by agreement join in appointing, employing and remunerating bush fire control officers for the purpose of this Act.*
- (2) Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local authorities which have joined in appointing them.*

Statutory Environment

Bush Fires Act 1954 Section 40(1)(2)

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council advises the Shire of Kondinin that it has no objections to Mr Rolf Meeking being appointed as a Dual Fire Control Officer for the Shire of Yilgarn during the 2011/2012 fire season.

That Council advises the Shire of Narembeen, that it has no objections to Mr Joe Wilson and Mr Terry Ashmore being appointed as Dual Fire Control Officers for the Shire of Yilgarn for the 2011/2012 fire season.

That Council Advise the Shire of Westonia that it has no objections to Mr Aaron Smith being appointed as Dual Fire Control Officers for the Shire of Yilgarn for the 2011/2012 season.

Voting Requirements

Simple Majority

216/2011

Moved Cr W Della Bosca seconded Cr Pasini the Council advise the Shire of Kondinin that it has no objections to Mr Rolf Meeking being appointed as a Dual Fire Control Officer for the Shire of Yilgarn during the 2011/2012 fire season. And that Council advises the Shire of Narembeen, that it has no objections to Mr Joe Wilson and Mr Terry Ashmore being appointed as Dual Fire Control Officers for the Shire of Yilgarn for the 2011/2012 fire season. And that Council advise the Shire of Westonia that it has no objections to Mr Aaron Smith being appointed as Dual Fire Control Officers for the Shire of Yilgarn for the 2011/2012 season.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 21 st October, 2011
Agenda Reference:	7.4
Subject:	RECREATION CENTRE UPDATE
File Reference:	1.3.8.14
Author:	Jeff Sowiak – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 th October 2011

Background:

The contracts for the construction of the new Recreation Precinct are continuing and this report is to identify variations to the contract for endorsement by Council.

Comment

The Building and design works have been completed and the Clubhouse project is well underway. During the design and building stage a number of variations have been discussed and approved as works progress and these are now reported to Council for formal endorsement.

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Contract 2/2011 Clubhouse Construction

Contractor: Midcon
 Contract Value: \$1,900,000.00 plus GST.
 Net Variations approved to date : \$3,420.40 plus GST
 Revised Contract Value \$1,903,420.40

The variations had to be approved during construction and so are reported for Council endorsement.

Details Concerning Variations;

Contract 2/2011 Construct Club House	Addition	Saving
Air conditioning The exact final estimate is still in negotiation. The allowance in the PC Items was \$22,000 and the estimates for work are in the order of \$48,000. Still to be finalised.	TBA	TBA
Bar & Kitchen Fit-out There is a saving on contract here. Subject to final price on oven etc.		35,610
Asphalt Road works ; There is a saving here to be offset by Council own works crew doing sealing works		35,304
Cross Over in Spica Street - Deleted		11,591
External Windows and Doors – Changes	1,673	
Changes to Roof Design – Flip alignment on plan to improve energy efficiency	1,702	
Enclose Rear disabled toilet, install shower and extend roof line and passageway.	10,000	
Limestone Retaining Wall - Variation due to change in floor level to accommodate modified disabled access ramp. Original contract did not include retaining wall along pool and tennis court walls. As well as wall to match with Tennis court facing Spica Street front level. Decision made to use same limestone block to rest of building works added to cost but will blend in with overall construction.	35,000	
Electrical variations; To accommodate under floor power to tennis court, sub metering for tennis and bowls in one common meter box, underground power to existing Pool supply (Western Power Requirement). Lighting along wall to play area. Upgrade main meter board and mains supply to 200amp to accommodate above.	\$37,550.40	
Earthworks to existing tennis court to accommodate new levels	TBA	
Provision for Cleaners Sink	TBA	
Reposition water meter and extend original design and trenching for water due to change in position for water supply	TBA	
Total	85,925.40	82,505.00
Net Contract variations approved	\$3,420.40	

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Contract 1/2011 Bowling Green

Contractor: Berry Bowling Systems
Contract Value: \$431,496.75
Net Variations approved to date: \$21,250 plus GST
Revised Contract Value: \$452,746.75 plus GST

Berry Bowling Systems	Additions	Savings
Extend size of Greens to 38msq	5,750	
Change Surface to Pro Master Super	15,500	
Total	21,250	

These variations were approved by the Bowling Club who have agreed to meet the cost.

Statutory Environment:

In accordance with Regulations for tendering and contracts.

Policy Implications:

Nil

Financial Implications:

The following spreadsheet indicates the original budget for this financial year with adjustments to reflect the variations referred to in the report as well as changes since the budget due to costs paid in the prior year.

Based on current predictions and given the current level of the reserve account and known commitments including contingencies, the overall budget required to be funded from the surplus (Revenue) has been reduced from \$460,317 to \$305,503.

These changes to the budget will be incorporated into the December budget review.

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In terms of budget for 2011/2012 the funding for this project is as follows:

Description	BUDGETED		EXPENDITURE		2011/2012
	Original	Variation	Revised	Paid in 10/11	Revised Budget
Club rooms	1,900,000	3,420	1,903,420	110,883	1,792,537
Bowling Green	319,200	21,250	340,450	17,153	323,297
Playground	70,000	-	70,000	-	70,000
Ancillary Works	60,000	-	60,000	-	60,000
Carpark & Road Works	50,000	-	50,000	-	50,000
Design Supervision & Contingency	110,000	-	110,000	-	110,000
	<u>2,509,200</u>	<u>24,670</u>	<u>2,533,870</u>	<u>128,036</u>	<u>2,405,834</u>
Recreation Sporting Precinct - Stage II	86,717	-	86,717	-	86,717
Total on project	<u>2,595,917</u>	<u>24,670</u>	<u>2,620,587</u>		<u>2,492,551</u>

Funding Source	BUDGETED		2011/2012
	Original	Variation	Budget Revised
DSR	500,000		500,000
R4R 10/11 allocation	446,346		446,346
Lotterywest	30,000	30,198	60,198
SX Bowling Club	-	21,250	21,250
Trsf to reserve	-10,179	-30,330	- 40,509
Trsf from Reserves (excl tsf to)	1,169,433	30,330	1,199,763
Council Funds	<u>460,317</u>	<u>-154,814</u>	<u>305,503</u>
	<u>2,595,917</u>	<u>-103,366</u>	<u>2,492,551</u>

Recommendation:
 That the variations to contract 1/2011 Bowling Green of \$21,250 and contract 2/2011 Club House of \$3,420.40 be endorsed.

Voting Requirements
 Simple Majority

217/2011

Moved Cr Truran seconded Cr J Della Bosca that the variations to contract 1/2011 Bowling Green of \$21,250 and contract 2/2011 Club House of \$3,420.40 be endorsed.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 21 st October, 2011
Agenda Reference:	7.5
Subject:	SUBMISSION FIFO WORKFORCE
File Reference:	1.6.26.2
Author:	Jeff Sowiak – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 th October 2011

Background:

The Standing Committee on Regional Australia is holding an inquiry into the experiences of FIFO/DIDO work practices and Council at its meeting in September asked that the CEO prepare a submission to this inquiry.

Comment:

A copy of the Council's submission to the inquiry is attached and was circulated in draft form to Councillors prior to submission to the inquiry.

Council's submission to this inquiry has addressed a number of issues relating to the effect of a FIFO/DIDO workforce on the community namely:

- The increased demand for service provision.
- The need to recognise, fund and plan for a doubling of the population
- The competition from FIFO adding to the cost and capacity for Council to deliver services
- The direct impact on the community from younger workers moving families to capital and regional centres.
- The lack of volunteers to meet community needs
- The fact that Commonwealth Grants to Local Government do not reflect the increased number and cost to the community of FIFO workforces.
- The fact that Governments reap the rewards in terms of substantial royalties and leave the ratepayers to fund the social and economic consequences.

The submission requested that the inquiry

“recommend that State and Commonwealth Governments recognise the need of Local Governments to develop and plan for service delivery to a transient FIFO population and integrate another measure of population to take this into account when determining funding for Local Government.

Further, it is also within your inquiry's power to ask that a proportion of funding from mineral royalties be directed to communities adversely affected by FIFO to address infrastructure and service delivery needs. “

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A copy of the submission was included with the info bulletin.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Recommendation:

That the Council submission to the Inquiry into the use of FIFO workforce be endorsed.

Voting Requirements

Simple Majority

218/2011

Moved Cr Auld seconded Cr W Della Bosca that the Council's submission to the Inquiry into the use of FIFO workforce be endorsed.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 21 st October, 2011
Agenda Reference:	7.6
Subject:	D5 WINDARLING ROCK FEATURE
File Reference:	1.3.10.4
Author:	Jeff Sowiak – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 th October 2011

Background:

Council has been requested to provide a response to a request to relocate a rock feature resident in an area of the W1 Deposit at Windarling.

Comment:

Cliffs Iron Ore have written to Council and members of the Community Reference Group to ascertain the interest in relocating a large rock feature from the site of the approved mining area to elsewhere.

Councils tourism committee has been asked to comment on the proposed relocation and to identify a site for this “Windarling Rock” a photo of which is included with the Council papers.

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The rock is a significant structure approximately 6 metres in height , 1 metre wide and about 5 metres across . It is said to weight over 60 tonnes and is being relocated so that the Company can access a rich deposit of iron ore in the vicinity and as there were fears that the rock may be lost as a consequence.

It is understood that the Company would arrange for the rock to be disassembled, transported and erected on a site as determined in the consultation process.

The rock is a significant geological and cultural feature and if it is to be preserved then a description of its geology : i.e the physical geological composition and of the area in which it found ; and its metaphysical or spiritual history in terms of significance to the aboriginal peoples of the area; need to be included in the display.

The Council has established a monument to mining in the old rest stop off Three Boys Road and it has previously been suggested (and possibly agreed ???) that this would be the preferred site for such a monument, as it would compliment the Gold Mining monument.

Clearly both Gold and Iron ore are significant mining products in the Shire and the “Windarling Rock” and interpretive signing would add to the tourist understanding and interest in the area. A photo depicting the proposed location, as indicated by the Manager of Works, is shown below:



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The matter has been referred to the Tourism Committee who are meeting prior to the Council and no doubt a recommendation will be forthcoming for Council consideration.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Not expected to be significant.

Recommendation:

That the Council adopt the recommendation of the Tourism Committee and advise Cliffs Iron Ore of the preferred site for the "Windarling Rock"

Voting Requirements

Simple Majority

219/2011

Moved Cr Truran seconded Cr Pasini that Council adopts the recommendation of the Tourism Committee and advise Cliffs Iron Ore of the preferred site for the 'Windarling Rock'.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 21 st October, 2011
Agenda Reference:	7.7
Subject:	PRIMARY HEALTH CARE
File Reference:	1.3.12.4
Author:	Jeff Sowiak – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 th October 2011

Background:

The Council has been invited to nominate Southern Cross for a Primary Health Care Demonstration site and this report recommends that we progress this nomination cautiously.

Comment:

Councils Local Governments across the South West have received an invitation from Dr Felicity Jefferies to nominate their town as a "Primary Health Care Demonstration Site". This would involve funding for the construction and development of a dedicated facility emphasising primary health and emergency care required to support a rural community.

To quote :

'It is a health care centre with rooms for health care providers including visiting specialists and allied health as well as assessment and treatment rooms for patients. The capacity to assess and appropriately manage patients will be enhanced by telehealth consultation services provide by the District on-call doctor'

The initiative is to be funded by the Southern Inland Health Initiative.

At a meeting of the HAY committee it was decided to explore this proposal further by outlining to Dr Jefferies the issues to be considered and to invite a representative to meet with the committee to explore the project further.

A copy of the draft response to Dr Jefferies will be circulated to members of the HAY committee and tabled at the meeting for endorsement.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil.

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Recommendation:

That the Council endorse the response to Dr Jefferies concerning the invitation to nominate a Primary Health Care demonstration site.

Voting Requirements

Simple Majority

220/2011

Moved Cr Pasini seconded Cr Auld that the Council agrees to endorse the response to Dr Jefferies concerning the invitation to nominate a Primary Health Care demonstration site.

CARRIED (6/0)

Council adjourned at 3.47pm and returned to chambers at 4.00pm

Submission to:	Ordinary Meeting of Council – 21 st October 2011
Agenda Reference:	8.1
Subject:	Audit Report to the 30th June 2011
File Reference:	8.2.3.1
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	12 th October 2011

Background

Mr Wen-Shien Chai, appointed representative of Council's Auditor firm, UHY Haines Norton Chartered Accountants, was in Southern Cross between the 20th and 21st September to carry out Council's Final Audit.

Mr Chai indicated at the time he was very pleased with the concluded financial position of Council to the 30th June 2011, being in a reasonably strong financial position. Mr Chai conveyed to members of the audit committee that the DCEO was very prepared for the audit, and the only clarification that was still to be sought from the partners was how to treat the Sewerage rates for the Southern Cross and Marvel Loch Schemes. It was later decided that the Sewerage rates would be categorised as fees and charges in 2010/2011 and then in 2011/2012 in accordance to Council's resolution 155/2011, the Sewerage rates would be classified as specified area rates (no longer fees and charges) with the adoption of the 2011/2012 Budget.

Comment

In concluding the Final Audit, Mr David Tomasi of Haines Norton Chartered Accountants is required to sign off on the completed Audit and Management Report to the 30th June 2011.

The Audit and Management Report has been received and signed on the 12th October by Mr Tomasi, confirming that the Auditors have no matters they wish to draw to Council's attention, meaning that we have had a clean audit. The Audit Committee meeting has been organised for 11.30am on the 18th November 2011, in which Mr Tomasi will be available by teleconference to discuss matters of the audit.

The CEO has signed the 2011 Financial Report on the 12th October 2011, indicating that the Financial Statements are a complete audited record of the Shire of Yilgarn's financial position. In addition the DCEO has signed the Management Representation Letter from the

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Shire of Yilgarn, stating to the best of her knowledge the financial report gives a true and fair representation of the Shire of Yilgarn's financial position in accordance with Australian Accounting Standards, Local Government Act 1995 and LG Financial Management Regulations.

Statutory Environment

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

Policy Implications

None

Financial Implications

This document will form part of the Annual Report

Strategic Implications

None

Voting Requirements

Simple majority required

Recommendation

That Council receives the 'Independent Auditor's Report to the Electors of the Shire of Yilgarn' and the Management Report for the year ended 30th June 2011, as prepared by Mr David Tomasi of UHY Haines Norton Chartered Accounts, and be adopted by Council.

221/2011

Moved Cr J Della Bosca seconded Cr Truran that Council receives the 'Independent Auditor's Report to the Electors of the Shire of Yilgarn' and the Management Report for the year ended 30th June 2011, as prepared by Mr David Tomasi of UHY Haines Norton Chartered Accounts, and be adopted by Council.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 21 st October 2011
Agenda Reference:	8.2
Subject:	Acceptance of the Annual Financial Report
File Reference:	8.2.3.1
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	13 th October 2011

Background

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

This Report is now enclosed for Council's acceptance.

Statutory Environment

Local Government Act 1995 Section 6.4 Financial Report

Policy Implications

None

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Financial Implications

None

Strategic Implications

None

Voting Requirements

Absolute majority required

Recommendation

That Council accept the Shire of Yilgarn's Annual Financial Report to the year ended 30th June 2011.

222/2011

Moved Cr Auld seconded Cr Pasini that Council accepts the Shire of Yilgarn's Annual Financial Report to the year ended 30th June 2011.

CARRIED BY ABSOLUTE MAJORITY (6/0)

Submission to:	Ordinary Meeting of Council – 21 st October 2011
Agenda Reference:	8.3
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	13 th October 2011

Comment

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

The following reports are enclosed and have been prepared as at the 30th September 2011:

- Rates Receipt Statement (prepared to 12th October 2011)
- Statement of Investments,
- Amalgamation Financial Summary
- Monthly Statement of Financial Activity

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

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Strategic Implications

None

Voting Requirements

Simple Majority

Recommendation

That the Various Financial Reports for the period ending 30th September 2011 as presented, be received.

223/2011

Moved Cr Pasini seconded Cr W Della Bosca that the Various Financial Reports for the period ending 30th September 2011 as presented, be received.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday 21 st October 2011
Agenda Reference:	8.4
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	13 th October 2011

Background

Municipal Fund – Cheque Numbers 37166 to 37280 totalling \$530,643.19, Municipal Fund EFT numbers 1 to 34 totalling \$437,245.12, Municipal Fund – Cheque Numbers 1007 to 1010 totalling \$132,924.87, Trust Fund – Cheque Number 401945 to 401950, totalling \$3,757.68 and Trust Fund – Cheque Numbers 5750 to 5754 (DPI Licensing), totalling \$63,937.40 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

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Recommendation

Municipal Fund – Cheque Numbers 37166 to 37280 totalling \$530,643.19, Municipal Fund EFT numbers 1 to 34 totalling \$437,245.12, Municipal Fund – Cheque Numbers 1007 to 1010 totalling \$132,924.87, Trust Fund – Cheque Number 401945 to 401950, totalling \$3,757.68 and Trust Fund – Cheque Numbers 5750 to 5754 (DPI Licensing), totalling \$63,937.40 are presented for endorsement as per the submitted list.

224/2011

Moved Cr Truran seconded Cr Auld that Municipal Fund – Cheque Numbers 37166 to 37280 totalling \$530,643.19, Municipal Fund EFT numbers 1 to 34 totalling \$437,245.12, Municipal Fund – Cheque Numbers 1007 to 1010 totalling \$132,924.87, Trust Fund – Cheque Number 401945 to 401950, totalling \$3,757.68 and Trust Fund – Cheque Numbers 5750 to 5754 (DPI Licensing), totalling \$63,937.40 are presented for endorsement as per the submitted list.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 21 st October 2011
Agenda Reference:	Works 9:1
Subject:	Tender 2/2011/2012 Community Bus
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.6.7.2
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	11 th October 2011

Background

In accordance with Councils Plant Replacement Program, tenders were invited to supply and deliver one only Passenger Bus and to trade, or the out right purchase (*alternative tender*) of Councils existing 2004 Mitsubishi Rosa 25 Seater Passenger Bus which is currently being utilized as Shire of Yilgarn Community Bus.

The trade vehicle was purchased in 2004 and has speedometer reading of 90,000km at the time of this report. An estimated monetary amount of \$101,200 (*GST inclusive*) has been allowed for in the 2011/2012 Financial Year Plant Replacement Budget for this vehicle.

The current Community Bus is being utilized by schools, sporting bodies, and the private sector for transporting means of children, sporting body members and community members to various venues. The proposed replacement bus will be carrying out similar functions.

Comment

Specification of new Community Bus, are as follows:

Make & Model tendered _____

Date of Manufacture _____
(must be 2011 model)

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Overall operating weight	_____ Kg
<u>Engine (diesel)</u>	
Net power output (min 105kw)	_____kw _____hp (SAE rated)
Engine Capacity	_____
Cylinders	_____
Make	_____
Fuel Tank Capacity	_____ litres
<u>Transmission & Drive</u>	six speed
<u>Seating</u>	vinyl seats minimum 25 (<i>inclusive of driver</i>) adult seating, seat belts fitted to all seats
<u>Interior</u>	vinyl flooring covering fully ducted air conditioning/Heater Alloy bull bar to be fitted with two Hella Rallye 2000 driving lamps (one spread, one pencil) or equivalent. Tow bar to be fitted AM/FM Radio with CD player minimum four speakers, UHF-GME Electrophone TX 3440, fitted including aerial, PA system fitted in Cab Window tint to all windows One 2kg fire extinguisher fitted to inside of cab.
Others	exhaust brake Sign writing "SHIRE OF YILGARN COMMUNITY BUS" in black lettering Reversing alarm and light
Optional	Auto door steps and hand rails fitted (Tendering companies are to discuss and supply information in relation to this option)

The following tenders were received:

1. Skipper Trucks

Fuso Rosa Standard Bus as per specified	\$131,976
Less Trade In	<u>\$ 30,200</u>
Net changeover	<u>\$101,776</u>

Specification Rosa Standard Bus

Engine – 4 cylinders Mitsubishi Fuso turbo/Intercooled diesel engine	
Displacement	4.89 litres
Net power output	110kw
Overall operating weight (GVM)	6285 kg

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Seating capacity	25 (including driver)
Transmission	6 speed manual

Warranty Offered

Basic vehicle: 36 months or 1000,000 km
Power Train: 36 months or 100,000 km
Cab Corrosion Perforation: 36 months

2. Skipper Trucks

Fuso Rosa Deluxe Bus as per specified	\$142,426
Less Trade In	<u>\$ 30,200</u>
Net changeover	<u>\$112,226</u>

Specification Rosa Deluxe Bus

Engine – 4 cylinders Mitsubishi Fuso turbo/intercooled diesel engine	
Displacement	4.89 litres
Net power output	110kw
Overall operating weight (GVM)	6285 kg
Seating capacity	25 (including driver)
Transmission	6 speed manual

Warranty Offered

Basic vehicle:	36 months or 1000,000 km
Power Train:	36 months or 100,000 km
Cab Corrosion Perforation:	36 months

3. WA Higer Bus Centre

Higer Munro 7.7m Passenger Bus as per specified	\$140,591
Less Trade In	<u>\$ 28,000</u>
Net changeover	<u>\$112,591</u>

Specification Munro 7.7m

Engine – 4 cylinders Cummins turbo/intercooled diesel engine	
Displacement	3.8 litres
Net power output	126kw
Overall operating weight (GVM)	7740 kg
Seating capacity	28 (including driver)
Transmission	6 speed manual

Warranty Offered

Basic vehicle:	36 months or 1000,000 km
Power Train:	36 months or 100,000 km
Cab Corrosion	Perforation: 36 months

4. Merredin Toyota

Toyota Coaster Passenger Bus as per specified	\$110,734
Less Trade In	<u>\$ 26,734</u>
Net changeover	<u>\$ 84,000</u>

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Specification Toyota Coaster

Engine – 4 cylinders Toyota turbo/intercooled diesel engine	
Displacement	4.1 litres
Net power output	100kw
Overall operating weight (GVM)	4990 kg
Seating capacity	21 (including driver)
Transmission	6 speed manual

Warranty Offered

Basic vehicle:	36 months or 1000,000 km
Power Train:	36 months or 100,000 km
Cab Corrosion Perforation:	36 months

Please note that in the tender specifications there is a requirement for a minimum of 25 seats including driver. The Toyota Coaster has been specified with 21 seats including driver. Therefore it is considered that Toyota Coaster Bus offered for tender by Merredin Toyota is non-conforming in accordance to the tender specifications.

Skipper Truck have tendered a *Fuso Rosa Standard Bus* (\$131,976) and the *Fuso Rosa Deluxe Bus* (\$142,426). Both buses have the required seating capacity (25 seats including driver) with the difference between these buses is the standard bus has low back vinyl seats with lap type seat belts and the deluxe bus has high back cloth type seats and over the shoulder/lap seat belts.

The vehicle tendered by WA Higer Bus Centre for the *Higer Munor 7.7m Bus* (\$112,591) has a seating capacity of 28 (including driver). This vehicle has a 2 year 100,000 km standard bumper to bumper warranty along with an additional 3 year 400,000 km drive train warranty. There is some concern that this vehicle is not fitted with a rear door exit of which can be used as emergency exit.

Merredin Toyota has tendered a *Toyota Coaster* which has a seating capacity of 21 (including driver). In the tender specifications there is a requirement for the replacement vehicle to have a minimum seating capacity of 25 (including driver). Therefore it is considered that the *Toyota Coaster* offered for tender by Merredin Toyota is non-conforming in accordance to the tender specifications.

The tender submitted by Skipper Trucks for the *Fuso Rosa Standard Bus* for net change over cost of \$101,776 (*GST inclusive*) is the lowest. An allocation of \$101,200 (*GST inclusive*) has been allowed for in Council's 2011/2012 Financial Year Plant Replacement Budget for the change over of this vehicle.

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

Financial Implications: Monetary allocation has been allowed for in Councils 2011/2012 Financial Year Plant Replacement Program

Strategic Implications: Ten Year Plant Replacement Program

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Recommendation

That Council purchase the *Fuso Rosa Standard Passenger Bus* from Skipper Trucks, for the tendered purchase price of \$131,976 (*GST inclusive*), and trade Council's existing *2004 Mitsubishi Rosa Passenger Bus* for the tendered trade price of \$30,200 (*GST inclusive*), resulting in a change-over cost of \$101,776 (*GST inclusive*).

Voting Requirements

Simple Majority

225/2011

Moved Cr Pasini seconded Cr Truran that Council purchase the Fuso Rosa Standard Passenger Bus from Skipper Trucks, for the tendered purchase price of \$131,976 (GST inclusive), and trade Council's existing 2004 Mitsubishi Rosa Passenger Bus for the tendered trade price of \$30,200 (GST inclusive), resulting in a change-over cost of \$101,776 (GST inclusive).

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – 21st October 2011
Agenda Reference:	9.2
Subject:	Road Hierarchy Development Strategy
File Reference:	6.3.2.10
Author:	Robert Bosenberg – Manager for Works
Disclosure of Interest:	Not applicable
Date of Report:	7 th October 2011

Background

At the October 2011 Council Meeting, councils consulting engineer Mr. Bret Howson will be presenting a report (*in the information session*) in relation to Shire of Yilgarn's proposed Road Hierarchy Development Strategy. The Road Hierarchy Development Strategy that is been presented is a "*Draft*" document only for discussion and council input.

Following the presentation and councillor's consideration and input into this document it is proposed to put the Road Hierarchy Development Strategy as an agenda item for council to adopt at a later date (*Councils November Meeting*).

Comment:

The Road Hierarchy Development Strategy document has been prepared to provide functional classification for the Shire of Yilgarn's road network and strategy direction for council's managers, road users and the community of the council's road network objectives.

In the past 5 years it has become important to focus on robust planning for Council's assets and expenditure. This has seen the Council produce a number of documents to satisfy statutory and external funding requirements.

A Road Hierarchy Strategy is now becoming a necessary planning document for road managers to demonstrate at a regional level that the Shire has a thorough understanding of its road network in regards to community, district and regional needs.

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This strategy will provide council staff with sound council and community direction for seeking multi-year funding from external agencies such as Regional Road Group and Road to Recovery. It also provides consistency of travel routes throughout the shire.

The strategy also identifies road expenditure, network condition and depreciation and the level of service expected by the community.

There are no direct statutory implications with this item, however this strategy is considered as a third tier planning document to support the Council's statutory requirements of producing accurate and timely first tier planning documents.

Councillors will receive a "Draft" hard copy of "*The Road Hierarchy Development Strategy*" at the October Council Meeting

Submitted for Councils' Information

Received by Council

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Submission to:	Ordinary Meeting of Council - 21 st October, 2011
Agenda Reference:	10.1
Subject:	Proposal to Close Part Gazetted Road Reserve and Amalgamate Land with Adjoining Crown Lot
Location/Address:	Part Bullfinch Road Reserve and Reserve 31426 Lot 849, Bullfinch Road, Southern Cross
Name of Applicant:	Main Roads Western Australia - Mr David Vary, Property Management Branch
File Reference:	1.6.14.4 & 6.1.2.9
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th October, 2011

Background

I refer to Agenda Item 10.2 for the Council Meeting held on 15th April 2011 where Council passed Motion 85/2011 which states:-

"Moved Cr Kenward seconded Cr Truran that Council does not object to the proposal and agrees to take the necessary actions to close part of the Bullfinch Road Reserve and for that land to be amalgamated with Reserve 31426 Lot 849 on the condition that the Management Order over the Reserve is changed from Main Roads Western Australia to the Shire of Yilgarn."

Comment

With the passing of this Motion the proposal was then able to be advertised for public comment. The proposal was advertised in the West Australian newspaper published on Wednesday 10th August 2011, as well as in the local *Crosswords* newsletter, and the advert has been on display in the front foyer of the Shire office during the public comment period. Letters were sent to various public service organisations (Department of Mines & Petroleum, Western Power Corporation, Water Corporation, Telstra, Department of Regional Development and Lands, and Department of Indigenous Affairs) for their comments on the proposal too.

The public comment period closes at 12:00 noon on Friday 16th September 2011.

The following is a summary of the comments received:-

- 1) Department of Indigenous Affairs - No Aboriginal Sites were found within the specified area. As there are no other specific comments regarding this proposal in the letter received, it is assumed that the Department has no objections to the proposal.

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- 2) Western Power – There are no objections to the proposal.

No comments were received from local residents or landowners.

Main Roads WA was advised of Council's decision in this matter and asked if it was willing to change the Management Order over Reserve 31426 from Main Roads WA to the Shire of Yilgarn. Main Roads has advised that while previously "the depot was considered surplus to the region's requirements, now that the Integrated Service Arrangements are in place, there may be a requirement for the depot, plus a planned future upgrade of the Great Eastern Highway to Southern Cross may also require the use of the depot to store materials, equipment, or as a site office. For these reasons, Main Roads can not support a transfer of the Management Order over reserve 31426 to the Shire of Yilgarn but are happy to continue sharing the site and its infrastructure with the Shire."

Based on the above advice from Main Roads and taking into consideration Council's previous decision, Council therefore does not support the proposed closure of part of the Bullfinch Road reserve.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Unknown

Recommendation

That Council, having advertised the proposed closure of part of the Bullfinch Road reserve and amalgamating it with Reserve 31426 Lot 849 corner Bullfinch & Beaton Roads, Southern Cross for public comment, and having received and considered all public comments received, that Council write to Main Roads advising that it does not support the proposed closure of part of the Bullfinch Road Reserve.

Voting Requirements

Simple Majority.

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226/2011

Moved Cr Truran seconded Cr Pasini that Council having advertised the proposed closure of part of the Bullfinch Road reserve and amalgamating it with Reserve 31426 Lot 849 corner Bullfinch & Beaton Roads, Southern Cross for public comment, and having received and considered all public comments received, that Council authorises the MEHBS to negotiate further with Main Roads to acquire Reserve 31426.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - 21 st October, 2011
Agenda Reference:	10.2
Subject:	Proposed Change of Management of Crown Reserve
Location/Address:	Reserve 1361 Noongar North Road, Moorine Rock
Name of Applicant:	Department of Regional Development and Lands - Mr Kumaran Sathiyaseelan
File Reference:	9.1.1.3
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th October, 2011

Background

The Department of Regional Development and Lands (DRDL) has written to Council advising that the Department of Water (DoW) has advised that Reserve 1361 is not being managed, has no infrastructure, and is surplus to its requirements. The Reserve is vested to Water and Rivers Commission for the purpose of "Water and Stopping Place". DoW is suggesting a management change if the Shire is willing to accept management over the Reserve for the current purpose.

Comment

Reserve 1361 includes the Moorine Rock reserve, and has a small part of the Noongar North Road, Versace Road (also known as Tricoli Road), and Moorine Rock Road located within the Reserve.

The Shire's Municipal Heritage Inventory (MHI) lists Moorine Rock and Well No 11 (one of Hunt's wells) as a category D which means it has significance but it is not essential to the understanding of the history of the District. It is described as being located on Reserve 19622.

I have not been able to find a Reserve 19622, but from the script in the MHI I believe Reserve 19622 is the same as Reserve 1362. There is a Hunt's well at the base of the Moorine Rock on Reserve 1362, and I do not believe there is a well in or around the Moorine Rock townsite.

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If Council agreed to accept management over the Reserve it would be the DRDL's standard Management Order over natural land. Generally Management Orders should support the principle that reserves are in the public interest, are for the benefit of the community and should preserve the communities' right to access over the land (wherever possible).

In this instance, Reserve 1361 includes places of public interest (Moorine Rocks, and a Hunt's well), local residents and tourists visit these sites for various reasons.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise the Department of Regional Development and Lands that it will accept management over Reserve 1361 for the purpose of "Water and Stopping Place".

Voting Requirements

Simple Majority.

227/2011

Moved Cr Pasini seconded Cr J Della Bosca that Council advise the Department of Regional Development and Lands that it will accept management over Reserve 1361 for the purpose of "Water and Stopping Place".

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – 21 st October, 2011
Agenda Reference:	10.3
Subject:	Application to Conduct Exploration Drilling & Miscellaneous Activities – Mineral Deposits
Location/Address:	Yilgarn Shire
Name of Applicant:	Cliffs Asia Pacific Iron Ore Pty Ltd; Hetherington Exploration & Mining Title Services Pty Ltd on behalf of Urban Minerals Pty Ltd; Austwide Mining Title Management Pty Ltd on behalf of Talga Gold Limited – 3 Applications
File Reference:	3.2.1.6
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th October, 2011

Background

- 1) Cliffs Asia Pacific Iron Ore Pty Ltd has submitted for Miscellaneous Licence L77/235 & L77/234 for the purpose of installing a pipeline, power line, and roadway from the Shire of Menzies south to Windarling, diverting west around Pigeon Rocks and east of Muddahdah Hill. There are no Council controlled roads within this Licence. This is very similar to an application presented to Council at the April 2011 Council Meeting (Item 10.4). See attached letter, applications and map.
- 2) Hetherington Exploration & Mining Title Services Pty Ltd has submitted an application on behalf of Urban Minerals Pty Ltd for Exploration Licence E77/1998 which extends south of Grace Road and east of and including Panizza Road, Marvel Loch. Within this mining lease there is part of Grace Road and Panizza Road. See attached letter, application and map.
- 3) Austwide Mining Title Management Pty Ltd has submitted three applications on behalf of Talga Gold Limited:-
 - a) Exploration Licence E77/2002 which extends north and south of the Great Eastern Highway at Yellowdine, extending south nearly to Mt Palmer townsite. Within this mining lease there is the Yellowdine townsite, the Marvel Loch Yellowdine Road, Road No

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3042 which are Council controlled roads. See attached letter, application and map.

- b) Exploration Licence E77/2003 which lies south of the Yellowdine townsite, east of Marvel Loch Yellowdine Road, and is within Reserve 41936 Location 3023 Conservation of Flora & Fauna Yellowdine Nature Reserve and includes Heaneys Find and possibly part of High Rock. Within this mining lease there are no Council controlled roads. See attached letter, application and map.
- c) Exploration Licence E77/2005 which extends from a little north of the Meranda North Road, west & east of the Nulla Nulla South Road, to north of Holleton townsite. Within this mining lease there is part of the Meranda North Road, Nulla Nulla South Road, and Moorine South Road which are Council controlled roads. See attached letter, application and map.

It is unknown whether drilling is expected to occur on any Council controlled roads, therefore the applications are being treated as if drilling may occur along the roadways.

Comment

Under the Mining Act any works within a gazetted townsite or within 2Kms of the boundary of a gazetted townsite requires comment from the Local Government. In these instances, the proposed drilling operations will be well outside any designated townsite, and there may be proposed drilling operations along the road reserves within the exploration licence areas. The abovementioned roads are all controlled by the Shire.

In line with similar applications previously received from other applicants, Council should grant approval to each applicant to carry out any roadside drilling based on the following general conditions:-

- 1) That dust suppression is carried out so that others are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
- 3) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;

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

The Manager of Works is aware of these applications and has raised no issues in regards to the possibility of any drilling along these Council roads.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council grants approval to Hetherington Exploration & Mining Title Services Pty Ltd for Urban Minerals Pty Ltd (E77/1923), Austwide Mining Title Management Pty Ltd for Iron Wheel Pty Ltd (E77/1998), and Austwide Mining Title Management Pty Ltd for Talga Gold Limited (E77/2002, E77/2003, and E77/2005) to carry out drilling along sections of Council controlled road reserves with their respective Exploration Leases as shown on the attached maps on the following conditions:-

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

Voting Requirements

Simple Majority

MINUTES
ORDINARY COUNCIL MEETING
Friday 21st October 2011

228/2011

Moved Cr Pasini seconded Cr Auld that Council grants approval to Hetherington Exploration & Mining Title Services Pty Ltd for Urban Minerals Pty Ltd (E77/1923), Austwide Mining Title Management Pty Ltd for Iron Wheel Pty Ltd (E77/1998), and Austwide Mining Title Management Pty Ltd for Talga Gold Limited (E77/2002, E77/2003, and E77/2005) to carry out drilling along sections of Council controlled road reserves with their respective Exploration Leases as shown on the attached maps on the following conditions:-

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

CARRIED (6/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 21st October 2011

There being no further business to discuss, the Shire President declared the meeting closed at 4.50 pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 21st October 2011, are confirmed on Friday the 18th November 2011 as a true and correct record of the August Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT