



Shire of  
YILGARN

*“good country for hardy people”*

# *Council Meeting Agenda*

*19 April  
2018*

# SHIRE OF YILGARN NOTICE OF MEETING



Councillors:  
Please be advised that the

## **APRIL 2018 ORDINARY MEETING OF COUNCIL**

Will be held in the Council Chambers on  
Thursday, 19 April 2018  
Commencing at **4pm**

### **COUNCILLORS PLEASE NOTE:**

- *The Council Discussion/Briefing Session will commence at 3.30pm*
- *The Ordinary Meeting of Council will commence at 4pm*
- *Josh Payne and Richard Jurak from Adaman Resources will be presenting to council directly after the meeting opening.*



**Peter Clarke**  
**Acting Chief Executive Officer**

19/04/2018

### **DISCLAIMER**

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations which have not yet been adopted by Council.

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at \_\_\_\_pm

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

## 3. ATTENDANCE

Presiding Member	Cr O Truran	President
Members	Cr W Della Bosca Cr B Close Cr G Guerini Cr P Nolan Cr D Pasini Cr S Shaw	Deputy President
Council Officers	P Clarke C Watson R Bosenberg N Warren J. Gemund L Della Bosca	Acting Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Manager Regulator Services Manager Community Services Minute Taker

Apologies:

Observers:

Leave of Absence:

## 4. DECLARATION OF INTEREST

## 5. PUBLIC QUESTION TIME

## 6. CONFIRMATION OF MINUTES

- 6.1 Ordinary Meeting of Council Thursday 15 March 2018  
(Minutes Attached)

### Recommendation

**That the minutes from the Ordinary Council Meeting held on the 15 March 2018 be confirmed as a true record of proceedings.**

**Voting Requirements:** Simple Majority

6.2 Special Meeting of Council 4 April 2018  
(Minutes Attached)

Recommendation

**That the minutes from the Special Meeting of Council held on the 4 April, 2018  
be confirmed as a true record of proceedings**

**Voting Requirements:** Simple Majority

***Carried/Lost***

**7. PRESENTATIONS, PETITIONS, DEPUTATIONS**

**8. DELEGATES' REPORTS**

## 9.1 Reporting Officer – Chief Executive Officer

### 9.1.1 Purchasing and Tendering Policy Review

<b>File Reference</b>	<b>2.3.3.1</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>None</b>

#### Purpose of Report

To update Council on the development of the above Policy following Council's decision to defer same at its Special Meeting held on Wednesday, 4 April 2018.

#### Background

As indicated above, the adoption of the Purchasing and Tendering Policy was considered at the Special Meeting of Council but was deferred to the April 2018 Ordinary Council meeting for further deliberation.

#### Comment

Whilst it is acknowledged that a review of the Purchasing and Tender Policy is required, the major impact of the Draft Policy presented to Council revolved around the establishment of Panels of Pre-qualified Suppliers and the implications that this could have on local suppliers, especially those relating to provision of services for road construction and maintenance.

At a meeting of senior staff held on Wednesday, 11 April 2018 to discuss the presentation of the Draft Policy to the April 2018 Ordinary meeting, a number of scenarios in relation to the awarding of specific works were discussed and the potential anomalies that could exist in the establishment of the Panels of Pre-qualified Suppliers.

Rather than implement the Policy without further investigation, it was considered that it would be preferable for Council to defer the adoption of the Policy to ensure that all potential consequences are addressed and that Council is confident that such a Policy is beneficial, particularly in relation to the establishment of Panels of Pre-qualified Suppliers.

#### Statutory Environment

Part 4 of the *Local Government (Functions and General) Regulations 1996* relating to the Provision of Goods and Services.

#### Strategic Implications

Shire of Yilgarn Strategic Community Plan – Civic Leadership Strategy – Ensure compliance whilst embracing innovation and best practice principles

### **Policy Implications**

Review of Current Council Policy 3.5.

### **Financial Implications**

Nil

### **Recommendation**

That whilst Council acknowledges the requirement to review its current Purchasing and Tendering Policy, it defers the adoption of the Policy until senior management can adequately address all areas relating to the establishment of Panels of Pre-qualified Suppliers to the satisfaction of Council.



## 9.1 Officers Report – Chief Executive Officer

### 9.1.2 Regional Price Preference Policy

<b>File Reference</b>	<b>2.3.3.1</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Draft Policy and Regulations</b>

#### Purpose of Report

To update Council on the development of the above Policy following Council's decision to defer same at its Special Meeting held on Wednesday, 4 April 2018. The purpose of this report is for Council to authorise state wide advertising of the draft Regional Price Preference Policy No 3.5(A).

#### Background

There is mention of a local pricing policy in the current Purchasing and Tendering Policy. The relevant section states-

##### LOCAL PRICING POLICY

*Officers seeking quotations should ascertain whether local suppliers are capable of supply and should invite those companies to quote. Council Staff are encouraged to utilise local suppliers for goods and services wherever practicable and in compliance with the provisions of the policy (above) and legislation.*

*As a guideline delegated Officers can exercise the right of price preference in the order of up to 10% for purchases with a value of between \$0 and \$150,000*

#### Comment

Whilst it is proposed to adopt a revised Purchasing and Tendering Policy, which will exclude reference to a Regional Price Preference, the new proposed Regional Price Preference Policy will provide greater clarity to Council and its officers in respect to the allocation of a Regional Price Preference locally and within the Wheatbelt and Goldfields regions.

A copy of the proposed Regional Price Preference Policy is attached.

The draft policy also more clearly defines the requirements of Local Government (Functions and General) Regulations, 1996

## **Statutory Environment**

Section 2.7 of the Local Government Act, 1995 states that one of the roles of a Council is to determine the Local Government Policies.

Part 4(A) of the Local Government (Functions and General) Regulations, 1996 covers the requirements for Regional Price Preferencing (A copy of the Regulations is attached)

## **Strategic Implications**

### **Civic Leadership**

Goal- A prosperous future for our community.

- Outcome 1 Businesses in the Shire remain competitive and viable
- Outcome 2 Positive and productive regional partnerships.

## **Policy Implications**

New Policy

## **Financial Implications**

Nil

## **Officer Recommendation**

**That;**

1. **Draft Policy No 3.5(A) Regional Price Preference be adopted for public advertising in accordance with the Local Government (Functions and General) Regulations 1996, for a period of 4 Weeks.**
2. **The draft Policy, together with any public submissions received be included in the June 2018 Ordinary Council meeting agenda, for further consideration by Council.**

## **9.1 Officers Report – Acting Chief Executive Officer**

### **9.1.3 Adaman Resources – Corinthia Project to Minjar's Marvel Loch Processing Plant and Proposed Haulage Route**

<b>File Reference</b>	<b>3.2.1.26</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Proposed Haulage Route and Business Proprietors Support</b>

#### **Purpose of Report**

Adaman Resources seek Council's approval for the cartage of ore from the Corinthia Mine Project to the Marvel Loch Processing Plant.

#### **Background**

Mr Richard Jurak, Group Mining Engineer for Adaman Resources, has written to Council to advise of the above project and to further expand on previous discussions with the A/CEO Pascoe Durtanovich and Executive Manager Infrastructure, Robert Bosenberg, regarding proposed haulage routes.

Mr Jurak advises that the Shire had previously directed that the ore be carted using the Southern Cross South Road and diverted through the Aquarius mine site. However, Minjar is now proposing to mine Aquarius commencing in May or June. Minjar's work will prevent the use of the road through Aquarius. Mr Jurak indicates that at the previous meeting with the above officers on 5 April it was suggested that Adaman could use the Marvel Loch Road from Southern Cross to haul ore, but expressed concerns that such route may impact on two established businesses, the Palace Hotel and Yilgarn Agencies.

Mr Jurak advises that since the 5 April meeting he has contacted both of the above business proprietors to discuss the proposed haulage route past their premises and they have both confirmed in writing that they have no objections to the proposal.

Therefore, Mr Jurak requests that Council give its formal approval for the haulage of ore from Corinthia to Marvel Loch as described above and by the route as provided in the attachment to his report.

#### **Comment**

It is considered that proposed haulage route will not have any adverse impacts on the businesses consulted by Adaman and that as this route has been used in past haulage operations, Council approval is recommended.

#### **Statutory Environment**

All routes, including the Great Eastern Highway, are authorised for traffic of haulage vehicles.

## Strategic Implications

### Economic

Goal- A prosperous future for our community.

- Outcome 5 Safety and quality of transport networks are maintained and improved.

## Policy Implications

### Policy No.5.2

#### Heavy Vehicle Cost Recovery

If any party plans to run a defined vehicle freight task that is deemed an extraordinary load that is likely to cause damage resulting in extraordinary expenses to the Shire, the Shire may negotiate a relevant charge in accordance with the Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads or enter into an Agreement (if unsealed) in accordance with the Road Traffic (Administration) Act.

## Financial Implications

Nil

## Officer Recommendation

**That Council advises Adaman Resources that it approves the haulage of ore from its Corinthia Mining operations as per the route submitted subject to the following conditions:-**

- 1. That the CEO in accordance with Council Policy No.5.2, "Heavy Haulage on Local Roads", negotiates with Adaman Resources regarding cost recovery for damages occurred during haulage operations on Three Boys Road;**
- 2. That approval for the use of the Marvel Loch/Southern Cross Road is only authorised up to the Cornishman Mine's access road where haulage vehicles then have to access the existing Haul Road to Minjar Resources Marvel Loch processing plant; and**
- 3. That a review of the overall haulage route be reviewed following a 3 month period from the commencement of the haulage operations**

## **9.2 Reporting Officer– Executive Manager Corporate Services**

### **9.2.1 Financial Reports**

<b>File Reference</b>	<b>8.2.3.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>See attachment 9.2.1</b>

#### **Purpose of Report**

To consider the Financial Reports

#### **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 attached and have been prepared as at the 31 March 2018.

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity
- Own Source Revenue Ratio

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.

During the 2012/2013 audit it was noted by the Shire's Auditors that the own source revenue was below acceptable. Council asked for the ratio to be monitored and is therefore included as part of this report.

#### **Comment**

Nil

#### **Statutory Environment**

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

#### **Strategic Implications**

Nil

#### **Policy Implications**

Nil

### Financial Implications

Nil

### Recommendation

**That Council endorse the various Financial Reports as presented for the period ending 31 March 2018**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.2 Accounts for Payment

<b>File Reference</b>	<b>8.2.1.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>See attachment 9.2.2</b>

#### Purpose of Report

To consider the Accounts for Payment

#### Background

Municipal Fund – Cheque Numbers 40589 to 40598 totalling \$7,337.41, Municipal Fund-EFT Numbers 7362 to 7444 totalling \$289,057.43, Municipal Fund – Cheque Numbers 1401 to 1408 totalling \$248,894.84, Municipal Fund Direct Debit Numbers 12517.1 to 12570.13 totalling \$62,070.19, Trust Fund 402343 to 402347 totalling \$6,775.25 and Trust Fund – Cheque Numbers 6109 to 6114 (DPI Licensing), totalling \$62,698.75 are presented for endorsement as per the submitted list.

#### Comment

Nil

#### 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

#### Strategic Implications

Nil

#### Policy Implications

Council has provided delegation to the Chief Executive Officer to make payments from the Shire of Yilgarn Municipal, Trust or other Fund.

#### Financial Implications

Drawdown of Bank funds

### Recommendation

**Municipal Fund – Cheque Numbers 40589 to 40598 totalling \$7,337.41, Municipal Fund- EFT Numbers 7362 to 7444 totalling \$289,057.43, Municipal Fund – Cheque Numbers 1401 to 1408 totalling \$248,894.84, Municipal Fund Direct Debit Numbers 12517.1 to 12570.13 totalling \$62,070.19, Trust Fund 402343 to 402347 totalling \$6,775.25 and Trust Fund – Cheque Numbers 6109 to 6114 (DPI Licensing), totalling \$62,698.75 are presented for endorsement as per the submitted list.**



### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.1 Plant Replacement Program 2018/2019-2027/2028

<b>File Reference</b>	<b>6.4.1.5</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Voting Requirements:</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>One</b>

#### Purpose of Report

Shire of Yilgarn Plant Replacement Program – 2018/2019 – 2027/2028

#### 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 9,000 hours
Multi Tyred Rollers	8 years or 9,000 hours
Steel Drum Rollers	10 years or 10,000 hours
Prime Movers/Tip Trucks	8 years or 200,000km
Small Loader/Backhoe	10 years or 9,000 hours
Light Trucks/Personal Carries	5 years or 150,000kms
Utilities	3-4 years or 100,000kms
Executive Type Vehicles	2 years
Community Bus	8 years or 80,000km

#### Comment

In the 2018/2019 Plant Replacement Program it is proposed to replace a John Deere grader, Rosa community bus, Mitsubishi light flat deck truck, four light vehicles and two executive vehicles, as well as purchasing a second hand loader.

The grader that is proposed to be replaced in the 2018/2019 Plant Replacement Program is a John Deere 770 Grader. The grader was purchased by Council in 2010 and has completed 9,050 machine hours. This grader is currently being utilised by Council staff for gravel sheeting programs and maintaining Council's gravel road network.

Also included in 2018/2019 Plant Replacement Program is the replacement of the Toyota Rosa Community Bus. This vehicle was purchased in 2011. The community bus is utilised by community groups to transport group members to and from events in regional areas and metropolitan area. It is proposed the monetary amount required to purchase the Community Bus is to be sourced from the Community Bus Reserve.

Included in the Plant Replacement Program is a monetary amount for a loader to service the "manned" Southern Cross Landfill site. This loader will be utilised by staff for covering of refuse and maintenance requirements at the landfill site. It is proposed to purchase a second hand loader for this purpose.

The loader will be housed at the landfill site in a purposed built shed. It is proposed the monetary amount required to purchase the loader is to be sourced from the Refuse Disposal Site Reserve.

It is also proposed to replace a Hilux utility, Mazda utility, two Landcruiser utilities and a light flat deck truck. These vehicles are currently been utilised for the transporting of staff, materials, tools and fuel required for parks and gardens, building maintenance and road maintenance to and from worksites located throughout the shire.

Executive type vehicles that are proposed to be replaced in the 2018/2019 Financial Year are Chief Executive Officer and Manager Regulatory Services vehicles.

#### **Statutory Environment**

Nil

#### **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.

#### **Policy Implications**

*"Staff Policy N<sup>o</sup> 7.12 Motor Vehicle Replacement and Vehicle Standard and Accessories"*

#### **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 2018/2019 will cost (net) \$898,500

Monetary amount for the replacement of the Grader, Flat Deck Truck and Light Vehicles to be sourced from Plant Replacement Reserve

Monetary amount for the replacement of the Community Bus to be sourced from Community Bus Reserve

Monetary amount for the landfill site loader to be sourced from Refuse Disposal Site Reserve

### **Officer Recommendation**

**That the Ten Year Plant Replacement Program for the period 1st July 2018 to 30th June 2028 as attached, be adopted**

**and**

**That all vehicles listed for replacement in the 2018/2019 Financial Year Plant Replacement Program be included in 2018/2019 Financial Year Budget deliberations.**

## 9.4 Officers Report – Manager Regulatory Services

### 9.4.1 Bush Fire Advisory Committee Meeting Motions

<b>File Reference</b>	<b>2.3.3.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple majority</b>
<b>Attachments</b>	<b>"Bush Fire Advisory Committee Policy"</b>

#### Purpose of Report

To consider motions carried by the Shire of Yilgarn Bush Fire Advisory Committee at its meeting held on the 5<sup>th</sup> April 2018.

#### Background

The Shire of Yilgarn Bush Fire Advisory Committee (BFAC) meeting was held on the 5<sup>th</sup> April 2018, during the meeting the following motions were moved and carried for Councils consideration:

**MOTION 1:** The Shire makes application for a capital grant through the 2018/2019 Emergency Services Levy for the installation of a one bay appliance shed at 54 McInnes Street, Moorine Rock.

**MOTION 2:** The Bush Fire Advisory Committee endorses the Bush Fire Advisory Committee Policy and submits to Council for inclusion in the Shire of Yilgarn Policy Manual

**MOTION 3:** The Shire investigate the legalities of the Bush Fire Brigade obtaining and using a drone for firefighting purposes with the intention of the Shire purchasing one, should it be legal and practicable.

**MOTION 4:** The Shire make application in the 2019/2020 Emergency Services Levy capital grants for an appliance shed at Mt Hampton, proposed to be located at the Mt Hampton hall site

#### Comment

##### MOTION 1 – Moorine Rock Appliance Shed

Due to timing of the BFAC meeting and grant application cut off dates, an application has already been made to the Department of Fire and Emergency Services (DFES) for a one bay appliance shed. Should Council determine not to endorse the motion, DFES will be advised and requested to pull the capital grant application.

In addition to the Emergency Services Levy (ESL) operating grant set by DFES, an additional capital grant of \$51,007.67 has been requested to cover the following expenses:

Shed supply and install:	\$46,901.91
Electrical Install:	\$3,850.00
Building Act Fees and Charges:	\$255.76

The current Moorine Rock appliance shed, located north of the highway opposite the Post Office, was built in 1962 and is unable to house the current DFES issued vehicles.

The new shed, if endorsed and granted, is proposed to be located at 54 McInnes Street, Moorine Rock, this is the property where the now demolished Moorine Rock hall was located. The reasoning behind the proposed location of the shed is the site has access to power and water and there are sanitary facilities at the site.

Consideration will be given to the direction of egress for the fire appliance prior to finalising plans, as travelling vehicles may also be parked at the site due to the amenities available.

### **MOTION 2 – Bush Fire Advisory Committee Policy**

A draft policy was tabled at the meeting which sets the guidelines for operation of the BFAC. The policy is attached for Councillors perusal.

### **MOTION 3 – Use of Drone for Firefighting Purposes**

The committee agreed that a drone could be useful in large scale firefighting operations. It was discussed that a drone could be used to check the fire front, landscapes ahead and locate brigade units.

The DFES representative at the meeting advised DFES staff are not permitted to use drones under a departmental directive, however the brigades operating under the Shire would not have that restriction, however it was raised that there are legal restrictions on the use of drones which should be investigated further.

As such the motion was raised for the Shire to investigate these legalities.

The purchase of a drone, if deemed practicable and legal, would not be able to be funded by the ESL and would need to come from the Shires general revenue.

### **MOTION 4 - Mt Hampton Appliance Shed**

During the meeting a motion was raised regarding the installation of an appliance shed at the Mount Hampton hall site.

Due to some brigade members spending less time at their properties it was raised that the Mt Hampton brigade's appliance would be better housed in a central location, where any brigade member could access.

The Mount Hampton hall site was proposed due to the availability of power and water.

With the 2018/2019 grant application already lodged, it is proposed to submit application for the 2019/2020 capital grants should Council agree.

### **Statutory Environment**

Bush Fires Act 1954

### **Strategic Implications**

**GOAL:** An inclusive, secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire long term.

**OUTCOME:** Maintain a liveable, safe and secure community.

**STRATEGY:** Continue to support our volunteer fire fighters.

### **Policy Implications**

Proposed new "Bush Fire Advisory Committee Policy"

### **Financial Implications**

Application for \$51,007.67 capital grant from the Emergency Services Levy.

### **Officer Recommendation**

#### **RECOMMENDATION 1:**

**That Council endorse the application for a capital grant through the 2018/2019 Emergency Services Levy for the installation of a one bay appliance shed at 54 McInnes Street, Moorine Rock.**

#### **RECOMMENDATION 2:**

**That Council endorses the "Bush Fire Advisory Committee Policy" for inclusion in the "Shire of Yilgarn Policy Manual".**

#### **RECOMMENDATION 3:**

**That Council endorses the Manager Regulatory Services to investigate the legalities of the Bush Fire Brigade obtaining and using a drone for firefighting purposes with the findings to be reported back to Council with a recommendation regarding the purchase of a drone.**

**RECOMMENDATION 4:**

**That Council endorses the application through the 2019/2020 Emergency Services Levy capital grants for an appliance shed at the Mt Hampton hall site.**

## 9.4 Officers Report – Manager Regulatory Services

### 9.4.2 Management Order for Reserve 3229, Yellowdine

<b>File Reference</b>	<b>1.6.29.1</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple majority</b>
<b>Attachments</b>	<b>- Aerial View of Reserve 3229;</b> <b>- Smartplan of Reserve 3229; &amp;</b> <b>- Photographs of Yellowdine Railway Dam</b>

#### Purpose of Report

To consider the Shire taking on a Management Order on Reserve 3229 in Yellowdine.

#### Background

The Department of Planning, Lands and Heritage (the Department) has requested the Shire consider taking on a Management Order for Reserve 3229.

The reserve is located in Yellowdine, north of Great Eastern Highway and opposite the Yellowdine Roadhouse. An aerial view and Smartplan have been included as attachments.

The site was managed by the Water Corporation, however the Minister of Works has advised the Department of their wish to relinquish the Management Order.

The site contains the “Yellowdine Railway Dam”, which is included in the Shires Municipal Heritage Inventory.

#### Comment

The Executive Manager for Infrastructure and Manager of Regulatory Services visited the site on the 10<sup>th</sup> April 2018.

The Executive Manager for Infrastructure has noted the utilisation of dam water for future road works in the area, this may see a saving in travel and water costs for future road maintenance in the area.

As mentioned, the “Yellowdine Railway Dam” is listed in the Municipal Heritage Inventory, unfortunately sections of the dam’s infrastructure has been poorly maintained and is in a state of disrepair. Photos of the current state of the dam are included as an attachment.

Whilst unlikely the management order would include a requirement to repair the dam’s infrastructure, Council should consider, if they agree to take over management of the Reserve, whether to allocate funds in future budgets for the repair of the site to improve its tourism and recreational value.



The Department have not provided a draft management order at this stage so details on the conditions or requirements imposed, if any, are unable to be provided.

It is unknown whether the site has any forms of contamination, however the implications should there be contamination must be investigated further prior to agreeing to management of the Reserve. Should Council agree to the recommendation provided, further investigation will be undertaken to determine what, if any, implications could arise due to the Shire taking over management of the reserve.

#### **Statutory Environment**

Land Administration Act 1997

#### **Strategic Implications**

Nil

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil for 2017/2018.

Future expenditure should Council agree to repair of heritage infrastructure under Shire management.

#### **Recommendation**

##### **RECOMMENDATION 1:**

**That Council endorse taking on a Management Order of Reserve 3229;**

**AND**

**Prior to agreeing to a Management Order require:**

- **A draft Management Order be provided by the Department of Planning, Lands and Heritage for perusal; and**
- **Further investigation into possible contamination and the associated implications for the Shire.**

**RECOMMENDATION 2:**

**That Council endorse Shire administration investigating costs for repair of the "Yellowdine Railway Dam" infrastructure for inclusion in future budgets.**

**NOTES:**

- 1. The matter will be referred back to Council once the draft Management Order and contamination investigation are available.**

## 9.4 Officers Report – Manager Regulatory Services

### 9.4.3 Proposed Inclusion of Crown land into Mt Jackson Pastoral Lease N049761

<b>File Reference</b>	<b>1.6.29.1</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple majority</b>
<b>Attachments</b>	<b>- Smartplans of Crown Lands</b>

#### Purpose of Report

To consider a proposal to include various Crown lands into the Mt Jackson Pastoral Lease N049761.

#### Background

The Department of Planning, Lands and Heritage (the Department) has advised that the Lessee of Mount Jackson Pastoral Lease N049761 is seeking to include the following Crown lands into the existing and adjoining pastoral lease:

- Yilgarn Location 1551 being unmanaged “Common” Reserve 9897;
- Lot 355 of Deposited Plan 56287 being unallocated Crown land (UCL) but formerly part of Diemals Station;
- Lot 38 on Deposited Plan 54511 being unallocated Crown land (UCL) but formerly of Diemals Station; and
- Lot 345 on Deposited Plan 52029 being unallocated Crown land (UCL) but formerly part of Mt Jackson Station.

Smartplans of the relevant lots are included as an attachment.

The Department has advised that the Department of Biodiversity, Conservation and Attractions has responded stating Lot 38 and Lot 345 above have been flagged for inclusion into the Mount Manning Range Nature Reserve 36208 since 2003 and as such does not support their inclusion into the Mt Jackson Pastoral Lease N049761. As such the Department have advised the Shire is only to consider the inclusion of Lot 355 and Location 1551 for inclusion into the pastoral reserve.

It is the Departments intention to include the relevant Crown lands into the Reserve and issue a lease until the 17<sup>th</sup> November 2063.

#### Comment

The Shire has no recorded complaints or concerns regarding the management of the Mount Jackson Pastoral Lease N049761.

There are a number of places listed on the Shire of Yilgarn Municipal Heritage Inventory located in the vicinity which the Lessee should be requested to be mindful of and to ensure they are preserved through any operations throughout the lands. The places include:

- Mt Jackson Graves and Cemetery;
- Marda Dam; &
- Mt Jackson homestead.

### **Statutory Environment**

Land Administration Act 1997

### **Strategic Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Recommendation**

#### **RECOMMENDATION 1:**

**That Council endorse the inclusion of the following Crown lands into the Mount Jackson Pastoral Lease N049761 and the issuing of a lease to the current Lessee until 17<sup>th</sup> November 2063;**

- Lot 355 of Deposited Plan 56287; and**
- Yilgarn Location 1551 being unmanaged "Common" Reserve 9897**

**Condition 1: The Lessee is to be advised of the heritage places listed below, that are located within the proposed Reserve; and is requested to be mindful of and preserve through any operations throughout the lands.**

- Mt Jackson Graves and Cemetery;**
- Marda Dam; &**
- Mt Jackson homestead.**

**10 APPLICATION FOR LEAVE OF ABSENCE**

**11 INFORMATION BOOK ITEMS**

**12 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION  
OF THE MEETING**

**14 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS**

**15 CLOSURE**