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SHIRE OF YILGARN
MINUTES - ORDINARY MEETING OF COUNCIL
FRIDAY, 16th October 2009

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 16th October 2009.

PRESENT

Cr P R Patroni, Shire President
Cr R R Della Bosca, Deputy Shire President
Crs G V Kenward, D J Pasini, D G Auld and O T Truran

Council Officers: P R Clarke, Chief Executive Officer
A M Seiler, Deputy Chief Executive Officer
R J Bosenberg, Manager for Works
W J Dallywater, Manager Environmental Health & Building

Observers: Mrs Julie Della Bosca
Mr Wayne Della Bosca

PRESENTATION BY RAY HADLOW - WA LOCAL GOVERNMENT GRANTS COMMISSION CONSULTANT

Pending the Public Hearing by the WA Local Government Grants Commission on Thursday 22nd October 2009, Council's Grants Commission Consultant, Mr Ray Hadlow met with Council from 10am to provide an overview on Council's Draft Submission.

The Shire President thanked Mr Hadlow for his presentation and invited him to join Council for lunch at 12.30pm before travelling back to Perth.

The Shire President officially opened the meeting at 2.00pm.

PUBLIC QUESTION TIME

There were no members of the public were in attendance for Public Question Time.

DISCLOSURE OF FINANCIAL INTEREST

Cr Pasini provided Council with a disclosure relating to a Financial Interest regarding item 10.3 'Renew Southern Cross Public Swimming Pool Managers Contract - Use of Common Seal' as a spouse of one of Council's Swimming Pool Managers, Mrs Margaret Pasini.

APOLOGIES & LEAVE OF ABSENCE

Cr Fairless and Wendy Dallywater, Manager for Environmental Health and Building Services both tendered their apologies prior to the meeting.

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CONFIRMATION OF PREVIOUS MINUTES

227/2009

Moved Cr Kenward Seconded Cr Pasini that the Minutes of the previous Meeting of Council held on Friday 18th September 2009, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

YILGARN YOUTH SPORT AND RECREATION COMMITTEE MINUTES

228/2009

Moved Cr Auld Seconded Cr Kenward that the Minutes of the Yilgarn Youth Sport and Recreation Committee Meeting, held on Monday 21st September 2009 be received.

CARRIED (6/0)

**WHEATBELT EAST REGIONAL ORGANISATION OF COUNCILS (WE-ROC)
MEETING MINUTES**

229/2009

Moved Cr Kenward Seconded Cr Pasini that the Minutes of the Wheatbelt East Regional Organisation of Councils (WE-ROC) Meeting held on Wednesday, 23rd September 2009 be received.

CARRIED (6/0)

WALGA - GREAT EASTERN COUNTRY ZONE MINUTES

230/2009

Moved Cr Kenward Seconded Cr Truran that the minutes of the WALGA - Great Eastern Country Zone Meeting held Thursday 24th September 2009 be received.

CARRIED (6/0)

WALGA - GREAT EASTERN COUNTRY ZONE MINUTES

231/2009

Moved Cr Auld Seconded Cr Pasini that the minutes of the WALGA - Great Eastern Country Zone Meeting, held Thursday 1st October 2009 be received.

CARRIED (6/0)

TOURISM ADVISORY COMMITTEE MINUTES

232/2009

Moved Cr Kenward Seconded Cr Truran that the minutes of the Tourism Advisory Committee Meeting held Monday 12th October 2009 be received.

CARRIED (6/0)

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ENTRANCE STATEMENT SIGNAGE TO TOWNSITES & MT. PALMER SIGNAGE

233/2009

Moved Cr Patroni Seconded Cr Della Bosca that the Mt Palmer signage project be broken into stages due to the enormity of the project and that Stage I be the production of a sign of the map of the former town site depicting sites of significance.

CARRIED (6/0)

YILGARN HALL OF FAME

234/2009

Moved Cr Kenward Seconded Cr Truran that Council endorses the nomination of Mr Ken Beaton as an inductee into the "Yilgarn Hall of Fame" and that Council staff commence organisations for the induction ceremony to be held in early 2010.

CARRIED (6/0)

235/2009

Moved Cr Kenward Seconded Cr Truran that a review of the Selection Criteria for the "Yilgarn Hall of Fame" be undertaken prior to the next round of nominations.

CARRIED (6/0)

BUSHFIRE ADVISORY COMMITTEE MINUTES

236/2009

Moved Cr Pasini Seconded Cr Truran that the Minutes of the Bushfire Advisory Committee Meeting, held Wednesday 14th October 2009 be received.

CARRIED (6/0)

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

The Shire President advised the following:-

- As Independent Chair of the Windarling and Mt Jackson Community Reference Committee, Cr Patroni advised that Cliffs Natural Resources were seeking comments in relation to a recently released "Public Access Management Plan" which was available for perusal and comment by Reference Group Members.
- As Chairman of the Wheatbelt North East Sub Regional Road Group (WNESRRG) attended a meeting in Mukinbudin recently to discuss Roads 2025 funding issues and programming of works. The President sought Council's endorsement in acknowledging Council's 2010/2011 Road Programme, which was carried as follows:

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- Cr Auld advised in his capacity as Council's representative, had attended the Annual Meeting of the Yilgarn Local Action Group of the State Skeleton Weed Eradication Committee on Thursday 15th October 2009.

The issue of purchasing Chemical for the treatment of Skeleton Weed was discussed at the above meeting, with Agriculture WA advising the Skeleton Weed Programme, as a grower-owned fund, would not be able to provide for the supply of chemical to affected landholders, however, Local Governments had the latitude to be able to purchase same directly, and then invoice the Local Action Group for this cost, which could then be sought from the State Committee as an over-spend after year end.

Council felt this issue required further consideration and a letter of clarification be sought from DAFWA however, Cr Auld indicated that he was prepared to research the matter further and report back to Council in due course.

- Cr Truran advised that she had attended the Annual General Meeting of the Yilgarn Occasional Day Care Centre and indicated that the Committee had appointed a President and Secretary however were unable to appoint a Treasurer. Cr Truran indicated that the Committee was contemplating paying a person to undertake the duties.

SHIRE OF YILGARN ROAD PROGRAM 2010/2011
237/2009

Moved Cr Kenward Seconded Cr Truran that Council endorses the Shire of Yilgarn's 2010/2011 Road Programme to be submitted to the to the Wheatbelt North Regional Road Group (WNRRG).

CARRIED (6/0)

CHIEF EXECUTIVE OFFICERS REPORT

Submission to:	Ordinary Meeting of Council – Friday, 16 October 2009
Agenda Reference:	7.1
Subject:	Western Australian Planning Commission - "Towards a Wheatbelt Regional Strategy"
File Reference:	10316
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	7 October 2009

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Background

The Western Australian Planning Commission (WAPC) has written to advise that the Minister, the Hon. John Day MLA, has released the document "*Towards a Wheatbelt Regional Strategy*".

The WAPC advises that the Directions Paper is a precursor to the preparation of a regional strategy during 2010 and its purpose is to invite input and stimulate discussion on the scope and policy direction to be included in a strategy for the region. The WAPC advises that public comment is sought and open to **Monday, 21 December 2009**.

Comment

A copy of the Directions Paper is available for Councillors perusal by contacting the CEO or alternatively, Councillors can access the Paper online at www.planning.wa.gov.au.

On first glance at the Directions Paper, it appears that the strategy proposes to dissect the Wheatbelt into two areas being the growth area of the west and the stable/declining population areas of the eastern Wheatbelt. This could have significant ramifications for the eastern area in future.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council considers the Directions Paper "*Towards a Wheatbelt Regional Strategy*" with the view to providing a submission to the Western Australian Planning Commission prior to 21 December 2009.

Voting Requirements

Simple Majority

Councillors noted the above information and indicated that they would forward comments to the CEO to allow the preparation of a Council submission on the Strategy to the Western Australian Planning Commission.

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Submission to:	Ordinary Meeting of Council – Friday, 16 October 2009
Agenda Reference:	7.2
Subject:	Standing Committee on Public Administration - Inquiry into “Wooden Power Poles”
File Reference:	4014
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	7 October 2009

Background

The Chairman of the Standing Committee on Public Administration, the Hon Max Trenorden MLC, has advised Council that the above Standing Committee recently resolved to undertake an inquiry into electricity transmission and distribution management by Western Power and Horizon Power, and in particular:

- Issues raised in the report released by *Energy Safety, 2008 Distribution Wood Pole Audit Review* (May 2009);
- Maintenance procedures;
- Current wood distribution pole management practices;
- Current wood transmission pole management practices;
- The use of other materials beside wood for electrical transmission and distribution poles;
- Electricity pole management practices in other jurisdictions; and
- Any other relevant matter.

The Standing Committee has advised Council that in particular, it is interested in the views of residents and ratepayers within the Shire of Yilgarn.

Submissions can be forwarded to the Standing Committee by **5.00pm on Friday, 30 October 2009** and should residents have any questions regarding this inquiry, contact can be made with the Committee Clerk, Cassandra Stephenson on 9222 7229.

Comment:

An advertisement advising the community of the above Inquiry was placed in the “*Council News*” section of recent editions of “*Crosswords*”. Should Council wish to provide a submission to the Standing Committee, comments will need to be provided to the CEO prior to 30 October.

Statutory Environment

Nil

Policy Implications

Nil

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Financial Implications

Nil

Recommendation

That should Council wish to provide a submission to the Standing Committee on Public Administration's Inquiry into "Wooden Power Poles", comments need to be provided to the CEO to allow formulation of the submission prior to the close of submissions on 30 October 2009.

Voting Requirements

Simple Majority

238/2009

Moved Cr Della Bosca Seconded Cr Truran that Council submit a submission to the Standing Committee on Public Administration's Inquiry into "Wooden Power Poles", with the key issues to be incorporated into the submission as follows:

- *Existing wooden power-poles within the Wheatbelt region are estimated to have been commissioned somewhere between 30 and 50 years ago, and have exceeded their life expectancy and usefulness as a product,*
- *A perception that Western Power have focussed too strongly on high-volume industrial customers (Mining and Commercial) rather than rural and remote facilities,;*
- *The current practice of driving-in steel supports to old poles appears to be unsuccessful, as existing poles are now breaking above the steel support, instead of at ground-level, defeating the purpose on commissioning the steel supports, and;*
- *CCA treated Pine poles are being used to replace hard wood poles, a problematic result with white-ant populations in the area undermining the structure of the replacement poles, resulting in a substantially shorter-life product.*

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday, 16 October 2009
Agenda Reference:	7.3
Subject:	Councillors Annual Christmas Function, Outside Workers Christmas Function and Senior Citizens Christmas Function
File Reference:	
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	7 October 2009

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.

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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, 18 December 2009. The Palace Hotel has been booked for this function.

Outside Workers Christmas Function

It is proposed that the Christmas function for the Outside Workers will be held on Thursday, 24 December 2009 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 6, December 2009 is the date set for this function. Council's Administrative Services Officer will be liaising with the Tennis and Bowling Club's to again provide catering for the function.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council resolves the following in respect to conducting the above Christmas functions for 2009:-

- 1) That the Councillors Annual Christmas function be conducted following the Council meeting on Friday, 18 December 2009.
- 2) That the outside workers Christmas function be conducted on Thursday, 24 December 2009 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, 6 December 2009.

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Voting Requirements

Simple Majority

239/2009

Moved Cr Auld Seconded Cr Kenward that That Council resolves the following in respect to conducting the above Christmas functions for 2009:-

- 1) *That the Councillors Annual Christmas function be conducted following the Council meeting on Friday, 18 December 2009.*
- 2) *That the outside workers Christmas function be conducted on Thursday, 24 December 2009 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, 6 December 2009.*

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday, 16 October 2009
Agenda Reference:	7.4
Subject:	Shire Office Closure - Christmas/New Year Period
File Reference:	
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	7 October 2009

Background

As the Christmas/New Year period is extremely quiet, Council over the past 10 years has supported the Shire Office being closed during this period with staff taking Annual Leave or accrued Rostered Days Off (RDO's).

Comment

Staff again seek Council support in the closure of the office during the Christmas/New Year period. The following lists Public Holidays, RDO and Annual Leave days over the period in question:-

Thursday, 24 December 2009	Work until midday
Friday, 25 December 2009	Christmas Day
Saturday, 26 & Sunday, 27 December 2009	Weekend
Monday, 28 December 2009	Public Holiday in lieu of Boxing Day on Saturday, 26 December

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Tuesday, 29, Wednesday 30, Thursday 31 December 2009	Office Closed RDO/ Annual Leave Days
Friday, 1 January 2010	New Years Day Public Holiday
Saturday, 2 & Sunday, 3 January 2010	Weekend
Monday, 4 January 2010	Normal Work Pattern Resumes

If Council endorses the above, the Office would be closed for 3 working days only, not taking into account Christmas Day and New Years Day. In past years no adverse comments have been received and it is believed that the residents have accepted the closure practice.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council approves of the Shire Office being closed over the Christmas/New Year Period subject to a comprehensive advertising process being undertaken to minimise any inconvenience to residents.

Voting Requirements

Simple Majority

240/2009

Moved Cr Auld Seconded Cr Kenward that Council approves of the Shire Office being closed over the Christmas/New Year Period subject to a comprehensive advertising process being undertaken to minimise any inconvenience to residents.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday, 16 October 2009
Agenda Reference:	7.5
Subject:	"Strategic Plan for Sport & Recreation in the Shire of Yilgarn 2009 - 2014"
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	7 October 2009

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Background

The Yilgarn Youth, Sport and Recreation Advisory Committee (YSSRAC) has recently completed its review of the previous strategic plan for sport and recreation following the invitation of community consultation in the process.

At its Committee meeting held on Monday, 21 September 2009 the YYSRAC resolved to recommend to Council that it adopts the revised Plan for the future planning of sporting and recreational facilities in the Yilgarn district.

Comment

The Strategic Plan is an integral component in the Community Sporting and Recreation Facilities Fund (CSRFF) grant application to the Department of Sport and Recreation for the Southern Cross Recreation Precinct Redevelopment Project hence the requirement for the review and Council's adoption of same.

The revised Plan is attached to this Report for Councillors perusal.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council adopts the "Strategic Plan for Sport and Recreation in the Shire of Yilgarn 2009-2014".

Voting Requirements

Simple Majority

241/2009

Moved Cr Truran Seconded Cr Pasini that Council adopts the "Strategic Plan for Sport and Recreation in the Shire of Yilgarn 2009-2014".

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Friday, 16 October 2009
Agenda Reference:	7.6
Subject:	Department of Sport and Recreation (DSR) – Community Sporting & Recreation Facilities Fund (CSRFF) Applications
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 October 2009

Background:

At the September 2009 Ordinary meeting of Council the CEO provided a report on the process for the submission of grant funding applications under the CSRFF program which was as follows:-

September 2009	<ul style="list-style-type: none"> • Applications to be lodged to Shire of Yilgarn on Wednesday, 30 September 2009.
October 2009	<ul style="list-style-type: none"> • Applications are assessed by the LGA and recommendations prepared. • Applications presented to LGA Council meeting • Applications to be lodged to DSR regional office by 30 October 2009
November 2009	<ul style="list-style-type: none"> • Applications forwarded to DSR Perth
December 2009	<ul style="list-style-type: none"> • Applications assessed by State Sporting Associations
February/March 2010	<ul style="list-style-type: none"> • Successful applicants notified

No CSRFF applications were received from Sporting and Recreational organisations in the Yilgarn district. That leaves the Southern Cross Recreation Precinct Redevelopment Project as the only application that Council needs to consider and provide an appropriate recommendation to DSR.

Comment:

Attached to this report is the application for funding as prepared by the CEO for consideration by Council.

The CEO has almost completed the funding application based on the staged development as indicated on the attached site plan and estimates provided. Costs are inclusive of GST:-

Stage 1	\$ 3,476,122.00	2010/2011
Stage 2	\$ 506,580.00	2011/2012
Stage 3	\$ 2,250,609.00	2012/2013
	\$ 6,233,311.00	

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The project is a significant one and is staged over the 3 year period to assist both Council in planning financially for and DSR in its triennium funding rounds.

The funding breakup for the project is as follows:-

	Council Contribution	DSR Contribution
Stage I	\$1,738,061	\$1,738,061
Stage II	253,290	253,290
Stage III	1,125,305	1,125,305
TOTAL	\$3,116,656	\$3,116,656

Council's component of \$3,116,656 is proposed to be funded as follows:-

Stage I	\$1,738,061	(Fully funded from Recreation Facility Reserve)
Stage II	253,290	(2010/2011 Royalties for Regions component)
Stage III	\$1,125,305	(2011/2012 \$708,000 Royalties for Regions and \$417,305 Loan Funds)

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Funding for Stages I and II of the project is committed, however Stage III funding will depend upon Council seeking WEROC support for Royalties for Regions funding based on regional project status and the Council of the day in its 2011/2012 Budget making provision for the taking out of a loan in the vicinity of \$400-500,000.00

Circumstances in the availability of funds may change by the time Stage III is ready for commencement and staff will be endeavouring to secure other funding avenues should they become available in the lead-up to Stage III.

Recommendation

That Council submits the application for funding under the Department of Sport and Recreation's CSRFF program for the Southern Cross Recreation Precinct Redevelopment Project based on 3 stages of the project and it being 50% funded by DSR through its Development Bonus provisions.

Voting Requirements

Simple Majority

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242/2009

Moved Cr Kenward Seconded Cr Della Bosca that Council submits the application for funding under the Department of Sport and Recreation's CSREFF program for the Southern Cross Recreation Precinct Redevelopment Project based on 3 stages of the project and it being 50% funded by DSR through its Development Bonus provisions.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday, 16 October 2009
Agenda Reference:	7.7
Subject:	Moorine Rock Primary School P&C - Year 7 Placements
File Reference:	6002
Author:	Peter Clarke - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	7 October 2009

Background

The President of the Moorine Rock Primary School P&C, Mr Will Harvey, has provided a copy of a letter forwarded to the Minister for Education and other Politicians advising of the P & C's objections and concerns regarding the proposal to relocate Year 7 students into High School and the implications that this will have on rural communities and families compared to urban areas.

Mr Harvey in his letter to the Minister highlights the following points of concern:-

- In many cases remote students have to go to Boarding school and leave the area. Now with the recently introduced July to June intake method this means some children will only be 11 years old when they leave to go boarding in Year 7. This is a very young age to be leaving home.
- Taking Year 7 students out of smaller schools would impact student numbers and consequently affect staffing numbers in schools. This has a compounding affect of a decrease in the number of community members.
- The fact that children are leaving the area a year earlier also impacts on sporting groups as they struggle for numbers for team sports.
- The lower number of students will give the Government an excuse to close down yet another country school. Over a 14 year period we have seen the closure of 6 schools within our Shire or directly neighbouring Shires including Mt. Hampton, Marvel Loch, Bodallin, Burracoppin, Mt. Walker and Muntadgin Primary Schools. Our Shire covers 30,720sqkm and has only 2 Government Primary schools. We can't afford to have another one shut down.
- This proposed move also financially impacts rural families. To send a child away boarding costs between \$8,000 - \$30,000 a year depending upon your choice of school. This does not include the cost of books or uniforms. An extra year of school fees for a few children can add up particularly in a drought year.

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Mr Harvey in his correspondence also questions an Education Department report on the matter and which suggested that there was little evidence that Year 7 being integrated in to secondary school had any real significant benefits.

Comment

The Moorine Rock Primary School P&C is seeking Council's support in their objections to relocating Year 7 students to high school and request that Council also writes to the Minister for Education and the Local Member highlighting the concerns that this will have on the Yilgarn community.

Middle Schooling has been around for a number of years now but without the threat of Year 7's from Primary Schools being elevated to High School status.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advises the Moorine Rock Primary School P&C that it supports the concerns that it has raised in respect to Year 7's being allocated to High School status and the ramifications that this will have on rural families and the community at large and that Council also expresses these concerns to the Minister for Education and Local Members of Parliament and requesting that they take the appropriate action to reverse this decision.

Voting Requirements

Simple Majority

243/2009

Moved Cr Auld Seconded Cr Truran that Council advises the Moorine Rock Primary School P&C that it supports the concerns that it has raised in respect to Year 7's being allocated to High School status and the ramifications that this will have on rural families and the community at large and that Council also expresses these concerns to the Minister for Education and Local Members of Parliament and requesting that they take the appropriate action to reverse this decision.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Friday, 16 October 2009
Agenda Reference:	7.8
Subject:	Caitlin Turner – Application to Keep 3 Dogs at 9 Leo Street, Southern Cross
File Reference:	5101
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	8 October 2009

Background

Miss Caitlin Turner writes to Council seeking approval to keep 3 dogs at the above premises.

Miss Turner advises that whilst she was given approval by Council in June 2009 to keep 3 mastiff dogs at the above, unfortunately 1 of the dogs had to be put down and she is now hoping to acquire a Shih Tzu Maltese cross.

Miss Turner advises that the Shih Tzu will be registered and de-sexed at 6 months of age.

Comment

Section 12 of Council's Local Laws Relating to Dogs states the following:-

“The owner or occupier of any premises within the district shall not, unless the premises has been granted exemption under Section 26(3) of the Act, keep, permit or suffer to remain thereon more than two dogs over the age of three months, unless such premises are licensed as an approved kennel establishment”.

Section 26(3) of the Dog Act states:-

“Where by a Local Law under this Act a council has placed a limit on the keeping of dogs in any specified area but the council is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the council may grant an exemption in respect of those premises but any such exemption-

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
- (b) shall not operate to authorise the keeping of more than 5 dogs on those premises; and
- (c) may be revoked or varied at any time.

The CEO contacted Council's Dog Ranger, Ms Michelle Day, to request that she inspect the property to ensure that it has suitable fencing is still in place to keep the animals within the confines of the property.

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Following the inspection Ms Day advised that she has no objections to the request. Ms Day advises that Miss Turner has done everything right in respect to the keeping of the dogs and in applying for a new application for the keeping of the 3 dogs at her premises.

Statutory Environment

In accordance with the provisions of Council's "Local Laws Relating to Dogs" and the "Dog Act 1976" regarding the keeping of dogs.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants approval to Miss Caitlin Turner to keep 3 dogs (2 Mastiffs and 1 Shih Tzu Maltese Cross) at 9 Leo Street, Southern Cross.

Voting Requirements

Simple Majority

244/2009

Moved Cr Auld Seconded Cr Pasini that Council grants approval to Miss Caitlin Turner to keep 3 dogs (2 Mastiffs and 1 Shih Tzu Maltese Cross) at 9 Leo Street, Southern Cross.

CARRIED (6/0)

DEPUTY CHIEF EXECUTIVE OFFICERS REPORT

Submission to:	Ordinary Meeting of Council - Friday 16 th October 2009
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	4144
Author:	Adam M Seiler - Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	14 th October 2009

Background

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

These reports, prepared to the 30th September 2009, are enclosed as follows:

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- Statement of Financial Position
- Statement of Investments,
- Statement of Surplus,
- Monthly Statement of Financial Activity and;
- Rates Receipt Statement (prepared to 13th October 2009)

Councillors will be aware that it is normal practice for all financial reports to be indicative of Council's current Financial Position as at the end of each month.

Statutory Environment

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

Policy Implications

None

Financial Implications

None

Strategic Implications

None

Voting Requirements

Simple majority required

Recommendation

That the Various Financial Reports for the period ending 30th September 2009, as presented, be received.

245/2009

Moved Cr Kenward Seconded Cr Auld that the Various Financial Reports for the period ending 30th September 2009, as presented, be received.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday 16 th October 2009
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	4132
Author:	Adam M Seiler – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	14 th October 2009

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Background

Municipal Fund - Cheque Numbers 34059 to 34184, totalling \$762,636.11, Municipal Fund - Cheque Numbers 903 to 908, totalling \$159,045.08, Trust Fund - Cheque Numbers 401838 to 401839, totalling \$3,032.95 and Trust Fund - Cheque Numbers 5636 to 5641 (DPI Licensing), totalling \$115,970.75 are presented for endorsement as per the submitted list.

Statutory Environment

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

Policy Implications / Delegation Register

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

Financial Implications

Reduction to Bank Accounts balances.

Strategic Implications

Nil.

Voting Requirements

Simple majority.

Recommendation

That Council endorse the accounts covered by Municipal Fund - Cheque Numbers 34059 to 34184 totalling \$762,636.11, Municipal Fund - Cheque Numbers 903 to 908, totalling \$159,045.08, Trust Fund - Cheque Numbers 401838 to 401839, totalling \$3,032.95 and Trust Fund - Cheque Numbers 5636 to 5641 (DPI Licensing), totalling, \$115,970.75 as per the submitted list.

2462009

Moved Cr Truran Seconded Cr Kenward that Council endorse the accounts covered by Municipal Fund - Cheque Numbers 34059 to 34184 totalling \$762,636.11, Municipal Fund - Cheque Numbers 903 to 908, totalling \$159,045.08, Trust Fund - Cheque Numbers 401838 to 401839, totalling \$3,032.95 and Trust Fund - Cheque Numbers 5636 to 5641 (DPI Licensing), totalling, \$115,970.75 as per the submitted list.

CARRIED (6/0)

Council adjourned for afternoon tea at 3.42pm and recommenced at 3.54pm

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MANAGER OF WORKS REPORTS

Submission to:	Ordinary Meeting of Council - Friday 16th October 2009
Agenda Reference:	Works 9:1
Subject:	Supply and Delivery of Granite Aggregate for the 2009/2010 Financial Year Construction/Maintenance Program
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	12301
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	8th October 2009

Background

Quotations were invited for the annual supply and delivery of washed Granite Aggregate in accordance with council's 2009/2010 Financial Year Road Construction/Maintenance Program. Aggregate demand for the 2009/10 Financial Year Road Construction Programs is for bitumen seal works on Moorine Rock South Road, Old Marvel Loch Road and Bodallin North Road. The estimated combined quantities required for these works is 1030 tonne.

Comments

Quotations were received from Little Industries and BGC Quarries (*Barmenco Crushing was also invite to submit a quote but declined*). Aggregate specifications are in accordance with relevant Australian Standards and Main Roads Western Australian specifications. The following delivery locations and volumes were included in the quotation documentation:

400 tonne of 10 mm washed aggregate delivered to 42km south of Moorine Rock

100 tonne of 10mm washed aggregate delivered approximately 35km south of Southern Cross (Old Marvel Loch Road)

150 tonne of 10mm washed aggregate delivered to Bodallin Townsite

150 tonne of 10mm washed aggregate delivered approximately 35km North of Bodallin (North Bodallin Road)

100 tonne of 7 mm Aggregate delivered to shire depot
50 tonne Cracker Dust delivered to shire depot

The following Quotations were received GST exclusive

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BGC Asphalt/Quarries

<i>Volume</i>	<i>Description</i>	<i>Unit Price</i>	<i>Total</i>
400 tonne	10 mm washed aggregate delivered 42km south of Moorine Rock	\$51.90 per tonne	\$20,760.00
100 tonne	10 mm washed aggregate delivered 35km south of Old Marvel Loch Road	\$53.90 per tonne	\$5,390.00
150 tonne	10mm washed aggregate delivered to Bodallin Townsite	\$50.90 per tonne	\$7,635.00
150 tonne	10mm washed aggregate delivered 35km North of Bodallin	\$51.90 per tonne	\$7,785.00
50 tonne	Cracker Dust delivered to shire depot	\$31.60 per tonne	\$1,580.00
100 tonne	7 mm washed aggregate delivered to shire depot	\$53.90 per tonne	\$5,390.00
		Total	<u>\$48,540.00</u>

Little Industries

<i>Volume</i>	<i>Description</i>	<i>Unit Price</i>	<i>Total</i>
400 tonne	10 mm washed aggregate delivered 42km south of Moorine Rock	\$87.00 per tonne	\$34,800.00
100 tonne	10 mm washed aggregate delivered 35km south of Old Marvel Loch Road	\$83.00 per tonne	\$8,300.00
150 tonne	10mm washed aggregate delivered to Bodallin Townsite	\$85.00 per tonne	\$12,750.00
150 tonne	10mm washed aggregate delivered 35km North of Bodallin	\$89.00 per tonne	\$13,350.00

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50 tonne	Cracker Dust delivered to shire depot	<i>\$50.00 per tonne</i>	<i>\$2,500.00</i>
100 tonne	7 mm washed aggregate delivered to shire depot	<i>\$84.00 per tonne</i>	<i>\$8,400.00</i>
		<i>Total</i>	<i><u>\$80,100.00</u></i>

As shown in the calculations above BGC total amount of \$48,540 is \$31,560 less than Little Industries total amount of \$80,100

In Councils 2009/2010 construction budget an estimated monetary allocation of \$56,650 has been allowed for the supply of washed aggregate.

Policy Implications: In line with Council's Policy, "Finance 4.5 Purchasing Quotes and Tenders"

Financial Implications: Monetary costs associated for the supply of washed aggregate have been allowed for in council's 2009/2010 Construction Program

Strategic Implications: 2009/2010 Construction Program

Recommendation

Council accepts the Quotation submitted by BGC Asphalt/Quarries to supply and deliver, the Shire of Yilgarn washed aggregate required during the 2009/2010 Financial Year.

Voting Requirements

Simple Majority

247/2009

Moved Cr Auld Seconded Cr Della Bosca that Council accepts the Quotation submitted by BGC Asphalt/Quarries to supply and deliver, the Shire of Yilgarn washed aggregate required during the 2009/2010 Financial Year.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council - Friday, 16th October 2009
Agenda Reference:	Works 9.2
Subject:	Tender: 1/2009-2010 Hot Sprayed Bitumen
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	12301
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	8 th October 2009

Background

Tenders were invited for the annual supply and spraying of hot bitumen as required for the 2009/2010 Financial Year Road Construction Program. Bitumen demand is required for the 2009/2010 Road Construction Program for the Moorine Rock South Road, Bodallin North Road, Old Marvel Loch Road, Bodallin Bin Road and Koolyanobbing Road. It is expected 53% of bitumen quantities will be sprayed in lots of above 25,000 litres. The remaining 47% will be sprayed in lots off between 10,000 to 25,000 litres.

Comments

Under the terms and conditions of the tender document the cost per litre of bitumen is fixed for the duration of the acceptances of the tender until 30th June 2010.

In councils Construction Program for the 2009/2010 Financial Year it is estimated that 93,000 litres of 98/2 hot bitumen will be used to carry out re-sealing programs and 61,000 litres 95/5 hot bitumen will be used to carry out first coat prime seals, a combined total of 154,000 litres.

Also included in the tender form was the cost to pre-coat 600 tonne of washed aggregate (*for reseal works only*) required for the 2009/2010 Construction Program.

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

1. R n R Contracting (*GST exclusive*)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.23 per litre	\$ 1.22 per litre
10,000 25,000	\$ 1.05 per litre	\$ 1.04 per litre
above 25,000	\$ 1.01 per litre	\$ 1.00 per litre

Adhesive Agent - \$ 0.05 per litre

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Expected total cost to Council's Construction Program

51,000 litres in job lots of 10,000 to 25,000 litres of 98/2:	\$ 53,040.00
42,000 litres in job lots of above 25,000 litres of 98/2:	\$ 42,000.00
21,000 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 22,050.00
40,000 litres in job lots of above 25,000 litres of 95/5:	\$ 40,400.00
154,000 litres with 0.1% adhesive agent	\$ 770.00

Pre-coating 600 tonne 10mm aggregate @ \$8.95 per tonne \$ 5,370.00

Total **\$163,630.00**

2. Boral Asphalt (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.19 per litre	\$ 1.17 per litre
10,000 25,000	\$ 1.05 per litre	\$ 1.03 per litre
over 25,000	\$ 1.03 per litre	\$ 1.02 per litre

Adhesive Agent - \$ 0.038 per litre

Expected total cost to Council's Construction Program

51,000 litres in job lots of 10,000 to 25,000 litres of 98/2:	\$ 52,530.00
42,000 litres in job lots of above 25,000 litres of 98/2:	\$ 42,840.00
21,000 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 22,050.00
40,000 litres in job lots of above 25,000 litres of 95/5:	\$ 41,200.00
154,000 litres with 0.1% adhesive agent	\$ 585.20

Pre-coating 600 tonne 10mm aggregate @ \$8.05 per tonne \$ 4,830.00

Total **\$164,035.20**

3. Bitumen Surfacing (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 2.20 per litre	\$ 2.15 per litre
10,000 25,000	\$ 1.13 per litre	\$ 1.11 per litre
above 25,000	\$ 1.05 per litre	\$ 1.02 per litre

Adhesive Agent - \$ 0.08 per litre

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Expected total cost to Council's Construction Program

51,000 litres in job lots of 10,000 to 25,000 litres of 98/2:	\$ 56,610.00
42,000 litres in job lots of above 25,000 litres of 98/2:	\$ 42,840.00
21,000 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 23,730.00
40,000 litres in job lots of above 25,000 litres of 95/5:	\$ 42,000.00
154,000 litres with 0.1% adhesive agent	\$ 1,232.00

Pre-coating 600 tonne 10mm aggregate @ \$20.00 per tonne \$ 12,000.00

Total **\$ 178,412.00**

When setting the 2009/2010 Financial Year Construction Budget a monetary allocation of \$167,140 (*GST exclusive*) was allowed for in councils construction program for purchasing of bitumen products to carry out bitumen spray works and pre-coating of 10mm aggregate in 2009/2010.

As can be seen from the above calculations the tender submitted by Bitumen Surfacing (\$178,412) is the highest, followed by Boral Asphalt (\$164,035), and the least expensive from RnR Contracting (\$163,630).

Policy Implications: In line with Council's Policy, "*Finance 4.5 Purchasing Quotes and Tenders*"

Financial Implications: Monetary costs associated for the supply, spraying of hot bitumen and pre-coating of aggregate has been allowed for in councils 2009/2010 Construction Program Budget

Strategic Implications: 2009/2010 Construction Program

Recommendation

That Council accepts the tender submitted by RnR Contracting for the supply and spraying of hot bitumen and pre-coating of aggregate for the 2009/2010 Financial Year.

Voting Requirements

Simple Majority

248/2009

Moved Cr Della Bosca Seconded Cr Kenward that Council accepts the tender submitted by RnR Contracting for the supply and spraying of hot bitumen and pre-coating of aggregate for the 2009/2010 Financial Year.

CARRIED (6/0)

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MANAGER OF ENVIRONMENTAL HEALTH AND BUILDING REPORTS

The CEO presented the Manager of Environmental Health & Building Services Report I n her absence.

Submission to:	Ordinary Meeting of Council - Friday 16 th October, 2009
Agenda Reference:	10.1
Subject:	Planning Application - Bulk Skip Bin Service Business
Location/Address:	Lot 790 Antares Street, Southern Cross
Name of Applicant:	Mr E Daniel
File Reference:	10303
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2009

Background

Mr E Daniel has written requesting planning approval to establish a skip bin service on Lot 790 Antares Street, Southern Cross. Mr Daniel proposes to store empty skip bins on the lot, and as ordered, will place a bin(s) on private land for the business or owner to use for the disposal of bulk rubbish. Mr Daniel is speaking to the mining companies in regards to placing bins on their sites for the disposal of bulk materials from the office or other sections of the mine site. Likewise he is looking at approaching local businesses that may require assistance in disposing of bulk materials such as cardboard, etc.

Mr Daniel proposes to plant screening trees around the street frontages behind a new 1.8 metre high fence, with a 1.8 metre high fence with shade cloth along the rear boundaries of the lot to screen the activities from general view.

See attached copy of the application letter, proposed site plan, and location map.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 Lot 790 Antares Street is zoned "Commercial". This land is vacant and appears not to have been previously developed.

Under Part III - Zones part 3.1 Classifications (ii) Commercial Zone is described as -

"The Commercial Zone is to be used for retail shopping, sales, hotels, offices, professional suites, restaurants and other business oriented uses. Other uses, listed in Table 1, may be permitted at the discretion of Council if they are considered to be an integral part of the commercial environment and where Council is satisfied that they will benefit the community and not result in being a nuisance."

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The proposed skip bin service initially sounds as if it will not impact adversely on the surrounding environment, however, if skip bins are brought back to the lot for sorting and stockpiling of waste material, whether the material is old cardboard, scrap metal, building rubble, etc, it can create issues of noise, odours, windblown waste inside and outside the lot, attract flies and other vermin, and impact visually.

By description the proposed business is not a commercial business, and therefore should be in the "Industrial" area. Attached is a copy of the definitions of "industry" plus the various types of different industries for Council's information.

Unfortunately there are several businesses established in the commercial area south of Orion Street (Great Eastern Highway) which ideally should be situated in the industrial area. It can be assumed that these businesses were established prior to the introduction of the Shire's Town Planning Scheme and therefore they have a "non-conforming use" approval. Regardless of this fact, this is not a good reason to grant approval to a new business establishing itself in an inappropriate area.

Mr Daniel is proposing to install a transportable office and ablution on the lot, and connecting the ablutions to a septic tank and leach drain system. Deep sewer is available on the north side of Lot 789 (occupied by Elders) and it may be possible for the ablutions to be connected to deep sewer. If levels allowed this Council would need to extend the deep sewer drain along the rear lane-way or along the Spica Street road reserve to service this lot.

I have had a brief telephone discussion with Mr Daniel regarding this application and suggested that he should be looking at the industrial area rather than the commercial area, however, Mr Daniel still wished to make his application to Council.

Policy Implications

Nil

Statutory Requirements

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

Financial Implications

If the lot is purchased from the Department of Planning and Infrastructure and then developed, Council will receive rates for the land.

If an extension of the deep sewer drain is carried out this will be an un-budgeted expense that Council will need to find.

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Recommendation

That Council not grant planning approval to Mr E Daniel for his proposed skip bin business as the business activity is not suitable on land zoned "Commercial" and advise Mr Daniel that he should consider establishing his business on land zoned "Industrial".

Voting Requirements

Simple Majority

249/2009

Moved Cr Kenward Seconded Cr Auld that Council not grant planning approval to Mr E Daniel for his proposed skip bin business as the business activity is not suitable on land zoned "Commercial" and advise Mr Daniel that he should consider establishing his business on land zoned "Industrial".

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday 16 th October, 2009
Agenda Reference:	10.2
Subject:	Un-Budgeted Expense - Contract to Service Shire's Chlorination Units
Location/Address:	Southern Cross Public Swimming Pool on Pt Lot 5 Antares Street, Southern Cross Sewage Ponds on Reserve 16597 Lot 94 Koolyanobbing - Southern Cross Road, and Marvel Loch Sewage Ponds on Reserve 40746 Lot 201 Old Marvel Loch Road
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	15001
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2009

Background

I refer to Agenda Item 10.4 for the Council Meeting held on 21st November 2008 where Council endorsed the actions of the Manager Environmental Health & Building Services and the Chief Executive Officer in accepting the quote from Hydramet Pty Ltd in Perth to supply and install new chlorine injection components at the Southern Cross Public Swimming Pool. The quote was for \$7,451.90 excluding GST, and funds were found to cover this purchase via the Budget Review process carried out in January 2009.

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The main reasons to change the equipment to those supplied by Hydramet are that Hydramet services all the equipment it sells and will travel to country locations to carry out installations and servicing. Due to problems previously experienced with the Pool Managers sending the chlorine gas injection equipment away for servicing and re-installing it and finding that there were still faults and the chlorine gas was not able to be injected into the pool water, it was decided to arrange for Hydramet to travel to Southern Cross to carry out an on-site service at the Swimming Pool. At the time of arranging the installation Hydramet was asked for a quote to travel to Southern Cross and carry out the annual servicing of the chlorination system at the swimming pool. Unfortunately a quote was not received prior to adopting the 2009/2010 Budget.

In June 2009 Hydramet staff travelled to Southern Cross and Marvel Loch to change the configuration of the chlorine gas cylinder at the sewage ponds so that the cylinder is not located within the pump control shed but in a new shed situated a short distance away (300-400mm). This re-configuration was carried out to improve the safety of gardening staff that operate the irrigation pumps within the pump control sheds. Existing chlorine injection equipment was taken away for repair and servicing by Hydramet, with the intention that they would install and re-fit the equipment when in Southern Cross to service the equipment at the Public Swimming Pool. At the same time Hydramet also installed a chlorine gas leak detecting device at the Swimming Pool which is the first part of an auto-shut-off chlorine gas leak system. This is to improve the safety of staff and patrons at the Swimming Pool.

A quote (see attached) for the servicing of all chlorine gas injection systems was received from Hydramet on 14th September 2009 which is for a 2 year period (1st October 2009 to 30th September 2011).

- In the first year Hydramet will carry out on-site the annual servicing of the chlorine gas injection equipment at the Swimming Pool including the chlorine gas leak detector alarm, plus install the serviced chlorine gas injection equipment at the Southern Cross Sewage Ponds and at the Marvel Loch Sewage Ponds and commission the systems for a cost of \$5,478.15 plus GST.
- In the second year Hydramet will carry out on-site the annual servicing of all chlorine gas injection systems at all three sites, and will include the servicing of the chlorine gas leak detector alarm for a cost of \$10,081.19 plus GST.
- The total cost for the two year contract is \$15,559.34 plus GST.

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Comment

I believe that the cost is warranted as it will reduce the “down time” for the chlorine gas injection system to basically zero, the Pool Managers will not need to hand-dose the pool water with dry chlorine during this “down time”, and by having the service staff on-site they can see the system in-situ and identify any problems we may have or any potential problems from occurring.

The cost of \$5,478.15 plus GST for the first years service work is un-budgeted in Council’s 2009/2010 Budget. Within the current Budget for the Swimming Pool Maintenance an amount of \$7,000.00 has been allocated for the purchase and installation of an auto-shut-off device to be added to the existing chlorine gas leak detector alarm unit. If Council is agreeable to accepting the service quote from Hydramet then the first year’s costs can be covered by deferring the purchase and installation of the auto-shut-off device and utilising the funds for this purpose. The second years costs would then be included in the 2010/2011 Budget.

Policy Implications

Council Policy 4.5 Purchasing – Quotes and Tenders – for goods to the value of \$10,000 - \$50,000 at least one quote to be called, and the Executive Manager may approve.

Statutory Requirements

Nil

Financial Implications

This is an un-budgeted cost, however, the first years cost can be covered in the current allocation for maintenance at the Swimming Pool.

Recommendation

That Council accepts the quote of \$15,559.34 plus GST (\$5,478.15 plus GST in 2009/2010) for a two year period received from Hydramet Pty Ltd for the servicing of chlorine injection equipment at the Southern Cross Public Swimming Pool, the Southern Cross Sewage Ponds, and the Marvel Loch Sewage Ponds, and that provision of these funds be allocated during the 2009/10 Budget Review.

Voting Requirements

Absolute Majority.

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250/2009

Moved Cr Kenward Seconded Cr Auld that Council accepts the quote of \$15,559.34 plus GST (\$5,478.15 plus GST in 2009/2010) for a two year period received from Hydramet Pty Ltd for the servicing of chlorine injection equipment at the Southern Cross Public Swimming Pool, the Southern Cross Sewage Ponds, and the Marvel Loch Sewage Ponds, and that provision of these funds be allocated during the 2009/10 Budget Review.

CARRIED BY ABSOLUTE MAJORITY (6/0)

DECLARATION OF FINANCIAL INTEREST

Cr Pasini declared he had a Financial Interest regarding item 10.3 'Renew Southern Cross Public Swimming Pool Managers Contract - Use of Common Seal' as a spouse of one of Council's Swimming Pool Managers, Mrs Margaret Pasini, and whilst he did not vote on the matter, was permitted to remain in the Council Chambers as Council felt the matter primarily related to a past event, and the decision was in relation to the use of Council's Common Seal.

Submission to:	Ordinary Meeting of Council - Friday 16 th October, 2009
Agenda Reference:	10.3
Subject:	Renew Southern Cross Public Swimming Pool Managers Contract - Use of Common Seal
Location/Address:	Not Applicable
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2009

Comment

Once again both Mrs Margaret Pasini and Mrs Sandra Ciabbarri have indicated they wish to undertake the management of the Southern Cross Public Swimming Pool sharing the duties between them during the coming swimming season and during the winter break period.

Negotiations on the terms of the new contract have been completed to the satisfaction of all parties. The new contract documents have been signed by both ladies, the Shire CEO and Shire President, and the Shire's Common Seal has been affixed.

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Policy Implications

In accordance with Council Policy 1.8 "Use of Council's Common Seal" when ever the Shire Common Seal is used on official documents, it is to be referred to Council for endorsement.

Statutory Requirements

Nil

Financial Implications

The cost of the contract has been allocated in Council's 2009/2010 Budget.

Recommendation

That Council endorses the Shire President and Chief Executive Officer signing and affixing the Shire's Common Seal for the Southern Cross Swimming Pool Managers Contract for 2009/2010 between the Shire of Yilgarn, Mrs Margaret Pasini and Mrs Sandra Ciabbarri.

Voting Requirements

Simple Majority

251/2009

Moved Cr Truran Seconded Cr Della Bosca that Council endorses the Shire President and Chief Executive Officer signing and affixing the Shire's Common Seal for the Southern Cross Swimming Pool Managers Contract for 2009/2010 between the Shire of Yilgarn, Mrs Margaret Pasini and Mrs Sandra Ciabbarri.

CARRIED (5/0)

Submission to:	Ordinary Meeting of Council - Friday 16 th October, 2009
Agenda Reference:	10.4
Subject:	Building Licenses Issued Between 13/8/09 and 7/10/09
File Reference:	13201
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2009

Background

For Council's information, below is a summary of the Building Licenses issued for the Shire of Yilgarn between 13/8/09 and 7/10/09.

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Licence No	Owner	Address	Builder	Description of Building Work	Area m2
3/0910	Mr Jamie Scott 89 Antares St, SOUTHERN CROSS	Lot 177 (H/No 89) Antares St, SOUTHERN CROSS	Mr Clinton Scott C/o 89 Antares St, SOUTHERN CROSS	Construct a new steel frame & Colorbond roof Carport attached to the side of the existing dwelling	58.295
4/0910	Hislop (WA) Pty Ltd C/o Yellowdine Roadhouse Lot 22 Gt Eastern Hwy, YELLOWDINE	Lot 27 (H/No --) Gt Eastern Highway, YELLOWDINE	Owner & Pedrin Building, SOUTHERN CROSS	Relocate 2 second-hand Transportable Accommodation Units with Ensuites onto lot and construct new steel & Zincalume Verandahs along front of units - as Staff accommodation & Motel Units.	129.948
5/0910	Hislop (WA) Pty Ltd C/o Yellowdine Roadhouse Lot 22 Gt Eastern Hwy, YELLOWDINE	Lot 27 (H/No --) Gt Eastern Highway, YELLOWDINE	Owner & Pedrin Building, SOUTHERN CROSS	Relocate 3 second-hand Transportable Accommodation Units with Ensuites onto lot and construct new steel & Zincalume Verandahs along front of units - Motel Units.	137.651
6/0910	Bulkwest Engineering GPO Box L886, PERTH	Location 51 Lot 1 (H/No --) Bodallin Bin Road, BODALLIN	Owner Manufacturer: Western Portables PERTH	Relocate 2 second-hand Transportable Accommodation Units onto site for staff accommodation.	86.400
7/0910	Mrs Margaret Pasini 75 Antares St, SOUTHERN CROSS	Lot 170 (H/No 75) Antares St, SOUTHERN CROSS	Merredin Outdoor Centre PO Box 792, MERREDIN	New steel & iron roof sheeting Gable Patio attached to rear of existing dwelling.	29.520

No Demolition Licenses were issued during this same period.

Statutory Requirements

Compliance with the Building Regulations, Building Code of Australia as amended from time to time, and the Shire of Yilgarn Town Planning Scheme No 2.

FOR COUNCILLORS INFORMATION ONLY

PURCHASE OF MOBILE LIGHTING TOWERS AT AUCTION

The Manager for Works advised Council of an opportunity that has arisen for the purchase of mobile lighting towers to be sold at auction from Southern Cross Rentals later this month.

Ownership of this equipment could greatly assist Council in it's ability to provide facilities to community groups and events within the Shire of Yilgarn, and Mr Bosenberg sought Council's approval to investigate further the possibility of purchasing four mobile lighting towers.

252/2009

Moved Cr Patroni Seconded Cr Truran that the Manager for Works be authorised to bid at auction for the purchase of four mobile lighting towers, with the combined value not to exceed \$22,000 including GST.

CARRIED BY ABSOLUTE MAJORITY (6/0)

CR RAY DELLA BOSCA - 'CERTIFICATE OF APPRECIATION'

Prior to officially declaring the meeting closed, the Shire President advised that this meeting was the last of the current Council, with the Local Government Elections being conducted on Saturday, 17 October. The Shire President indicated that this was Cr Ray Della Bosca's last meeting of Council after 33 years of distinguished service to the residents of the Yilgarn district in the capacity as Councillor for 31 years and Deputy Shire President during this current 2 year term. The Shire President presented a "Certificate of Appreciation" to Cr Della Bosca in recognition of this exceptional service.

Cr Della Bosca responded and indicated that he had thoroughly enjoyed his many years as a Councillor and that he had enjoyed working with the many Councillors that had served on Council over these years. Cr Della Bosca made particular mention of the standard of Shire President's that he had served under and that the Shire of Yilgarn was in a sound position to move forward even with the uncertainties that were around with the Structural Reform process.

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MINUTES - ORDINARY MEETING OF COUNCIL
FRIDAY, 16th October 2009

MR ADAM SEILER - DEPUTY CEO

The Shire President also advised that this was Mr Seiler last Council meeting before taking up the position of CEO at the Shire of Sandstone. In recognition of Mr Seiler's service to Council over the past 7 years, the Shire President presented Mr Seiler with the history book of the Yilgarn, "*Good Country for Hardy People*".

CLOSURE

There being no further business to discuss, the Shire President declared the meeting closed at 4.28pm.

I, Peter Romolo Patroni confirm the afore Minutes of the Meeting held on Friday, 16th October 2009 are confirmed as a true and correct record of that meeting on Friday, 13th November 2009.

Cr Romolo Patroni
SHIRE PRESIDENT