

MINUTES
ORDINARY COUNCIL MEETING
Friday, 19th December 2014

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 19th December 2014.

PRESENT

Cr O Truran, Shire President

Crs W A Della Bosca, J Della Bosca, D Pasini, K Chrisp, B Close, G Guerini

Council Officers: V Piccoli, Chief Executive Officer
 J Bingham, Deputy Chief Executive Officer
 W J Dallywater, Manager Environmental Health & Building
 R J Bosenberg, Manager of Works

INFORMATION SESSION

Council was joined by Mr Ron Burro who addressed the group on the Biodiversity topic of funding for animal (wild dogs) control. The general view held was that a flat rate will not be equitable the levy should be based on a rate per hectare charged to landholders.

The meeting was declared open for business at 9.30am.

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

Nil

DISCLOSURES OF INTEREST

Cr D Pasini declared a disclosure of interest for item 7.1.

Cr W Della Bosca and J Della Bosca declared a disclosure of interest for item 8.8.

Cr O Truran a disclosure of interest for item 10.1.

Cr B Close a disclosure of interest for item 10.2.

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

Cr J Della Bosca sought clarification on the Council meeting dates for 2015. She enquired if the December meeting should be Friday 18th December and not Thursday 17th December so that the Christmas function would follow as the case in 2014. The Shire President expressed that the dates can remain as advertised and Council will re-assess the December meeting date early in 2015, after reflecting on the 2014 scenario.

208/2014

Moved Cr W Della Bosca Seconded Cr Pasini. That the Minutes of the previous Meeting of Council held on Friday 21st November 2014 be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

209/2014

Moved Cr J Della Bosca Seconded Cr Pasini. That the Action Sheet for the meeting held on Friday 21st November 2014 be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

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210/2014

Moved Cr Truran Seconded Cr Chrisp. That the minutes of the Wheat-belt Communities Inc. meeting held on the 26th November be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

211/2014

Moved Cr W Della Bosca Seconded Cr Guerini. That the minutes of the WE-ROC Executive meeting held on the 26th November 2014 be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

212/2014

Moved Cr Pasini Seconded Cr Chrisp. That the minutes of the Great Eastern Country Zone meeting held on the 27th November 2014 be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

213/2014

Moved Cr Chrisp Seconded Cr Guerini. That the minutes of the MOU Working Group meeting held on the 28th November 2014 be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:

- That on the 23rd November she attended the Historical Society opening of the Mining Pavilion plus the Life membership ceremony for Carla Della Bosca.
- That on the 27th November she attended the Greater Eastern Country Zone meeting with the Acting CEO.
- That on the 1st December she attended the Hay Committee Christmas function and the AGM afterwards.
- That on the 2nd December she attended the Northam Health MOU meeting.
- That on the 7th December she attended the Seniors Christmas Dinner.
- That on the 9th December she had lunch with Minister Tony Simpson in Perth, she found the meeting beneficial, they discussed the relevance of the Annual Electors meeting and whether the public meeting due to low attendance will be retained going into the future. In addition, they discussed the low iron ore prices and the effects they have on mining companies, and on the Council's rating revenue if these companies cease to exist.
- That on the 12th December she attended the Opening of the Dryanda Aged Care Facility opening in Kellerberrin.
- That on the 16th December she attended the Southern Cross District High School Awards Presentation night.

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Cr W Della Bosca advised the following:

- That he attended St Joseph's concert as well as the Southern Cross D.H.S. school Awards Presentation night.
- That he attended the Seniors Christmas Dinner on the 7th December.
- That on the 1st December he attended the Hay Committee Christmas function.

Cr J Della Bosca advised the following:

- That she attended St Joseph's concert as well as the Southern Cross D.H.S. school Awards Presentation night.
- That she attended the Seniors Christmas Dinner on the 7th December.

Cr D Pasini advised the following:

- That on the 23rd November he attended the Historical Society opening of the Mining Pavilion plus the Life membership ceremony for Carla Della Bosca.
- That he attended the Seniors Christmas Dinner on the 7th December.

Cr B Close advised the following:

- That on the 23rd November he attended the Historical Society opening of the Mining Pavilion plus the Life membership ceremony for Carla Della Bosca.
- That he attended the Seniors Christmas Dinner on the 7th December.

❖ Cr Pasini declared a conflict of interest (Impartiality) with item 7.1 and left the meeting at 9.43am.

Submission to:	Ordinary Meeting of Council –19 th December 2014
Agenda Reference:	7.1
Subject:	Premier's Australia Day Active Citizenship Awards
File Reference:	1.3.6.2
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th December 2014

Background

Nominations for the following categories in the Premier's Australia Day Active Citizenship closed on Friday, 28th November 2014:-

- Premier's Australia Day Active Citizenship Award
- Premier's Australia Day Active Citizenship Award for a person under 25 years; and
- Premier's Australia day Active Citizenship Award for a community group or event.

At the close of nominations there has been three nominations received for the Premier's Australia Day Active Citizenship Award and one nomination for the Premier's Australia Day Active Citizenship Award for a community group or event.

These prestigious awards are only available to one recipient in each category in each year.

Comment:

The nominees for the above Awards have been circulated to Councillors via confidential email and a decision needs to be made which will then allow staff to request the Australia Day Council to prepare the Certificate prior to presentation on 26 January 2015.

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Council may wish to resolve in closed committee to discuss and decide upon accepting the nomination for the award or, as has happened in the past, establish a committee comprising the Shire President, Deputy Shire President and CEO to consider and decide upon nominations for Australia Day Awards.

Statutory Environment

Nil

Policy Implications

Nil

Strategic Environment

Theme – Social - 1.1 Investigate and implement community programs to encourage involvement at all ages and levels

Financial Implications

Nil

Recommendation

That Council makes a decision on the successful nominees of the Premier's Australia Day Active Citizenship Award by either going into committee or authorising the Shire President, Deputy Shire President and Chief Executive to meet and decide on accepting the nominations.

Voting Requirements

Simple Majority

Council Discussion

Council after carefully reviewing the nominee applications voted on who would become the successful applicants.

214/2014

Move Cr J Della Bosca Second Cr Chrisp. That Council endorses the successful nominees for the Premier's Australia Day Active Citizenship Award and the Premier's Australia day Active Citizenship Award for a community group which will be announced on the 26th January 2015, other nominees will receive an honourable mention.

CARRIED (6/0)

❖ Cr Pasini returned to the meeting at 9.48am.

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Submission to:	Ordinary Meeting of Council – Friday 19 th December 2014
Agenda Reference:	7.2
Subject:	CEO's Annual Leave
File Reference:	1.1.10.2
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th December 2014

Background

Council endorsement is sought for the CEO taking annual leave over the following period:

22nd December 2014 to 2nd January 2015 – 2 week

Comment

It is worth noting that the CEO will be annual leave over the Christmas break spending time in Mandurah with family, and will be returning when the Administration Office re-opens after Christmas, she can be contactable by telephone if required as the DCEO will also be on leave during this period.

In the case of emergencies arrangements have been made with staff to be on call until the CEO is able to return to the Shire if necessary.

The CEO will be returning back to work on the 5th January 2015.

Statutory Environment

The CEO is entitled to leave in accordance with the terms of her employment with Council.

Strategic Environment

Theme – Civic Leadership - 4.10 Provision of a safe, secure and encouraging working environment for all staff and elected members.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorse the CEO's application for annual leave over the following periods:
22nd December 2014 to 2nd January 2015.

Voting Requirements

Simple Majority

215/2014

Move Cr Guerini Second Cr Chrisp. That Council endorse the CEO's application for annual leave over the following period: 22nd December 2014 to 2nd January 2015.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 19th December 2014
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.1.3.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th December 2014

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 will be tabled at the meeting and have been prepared as at the 30th November 2014:

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity
- Unaudited 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.

Council should note that whilst this September report has been presented to Council the final figures are likely to change once the end of year audit has taken place.

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

Recommendation

That Council endorse the various Financial Reports as presented for the period ending 30th November 2014.

216/2014

Move Cr Pasini Second Cr W Della Bosca. That Council endorses the various Financial Reports as presented for the period ending 30th November 2014.

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CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th December 2014
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th December 2014

Background

Municipal Fund – Cheque Numbers 39530 to 39564 totalling \$76,663.56, Municipal Fund EFT numbers 3083 to 3164 totalling \$759,501.61, Municipal Fund – Cheque Numbers 1186 to 1189 totalling \$182,988.12, Trust Fund – 402091 to 402092 totalling \$2,364.85 and Trust Fund – Cheque Numbers 5926 to 5929 (DPI Licensing), totalling \$ 52,605.70 are presented for endorsement as per the submitted list.

Statutory Environment

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

Policy Implications / Delegation Register

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

Financial Implications

Reduction to Bank Accounts balances.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Recommendation

Municipal Fund – Cheque Numbers 39530 to 39564 totalling \$76,663.56, Municipal Fund EFT numbers 3083 to 3164 totalling \$759,501.61, Municipal Fund – Cheque Numbers 1186 to 1189 totalling \$182,988.12, Trust Fund – 402091 to 402092 totalling \$2,364.85 and Trust Fund – Cheque Numbers 5926 to 5929 (DPI Licensing), totalling \$ 52,605.70 are presented for endorsement as per the submitted list.

217/2014

Moved W Della Bosca seconded Cr Close Municipal Fund – Cheque Numbers 39530 to 39564 totalling \$76,663.56, Municipal Fund EFT numbers 3083 to 3164 totalling \$759,501.61, Municipal Fund – Cheque Numbers 1186 to 1189 totalling \$182,988.12, Trust Fund – 402091 to 402092 totalling \$2,364.85 and Trust Fund – Cheque Numbers 5926 to 5929 (DPI Licensing), totalling \$ 52,605.70 are presented for endorsement as per the submitted list.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 19th December 2014
Agenda Reference:	8.3
Subject:	Community Resource Centre Coordinators' Report
File Reference:	1.3.4.1
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th December 2014

Purpose of Report

For Council information on what activities, planning and training the Community Resource Centre has under taken in the previous month.

Background

To advise what activities, planning and training the Community Resource Centre has under taken in the previous month.

Discussion



CO-ORDINATOR'S REPORT

Prepared by: Ronice Blair
01.11.2014 – 30.11.2014
Southern Cross Community Resource Centre

Monthly Statistics

General Enquiries	107
Computer usage	16
Library	22
Centrelink	27
Max Employment	81
Book club	6

QUARTERLY FUNDING REPORT

We received a letter from DRD regarding our quarterly statistics. The CRC did not meet the contracted requirements for the following:

- Government Access Point: (two people short)
- Government Hot Office: (no bookings)
- Community Initiatives: (did not meet requirement for general community initiatives, but exceeded requirements for targeted activities)

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I contacted the CRC's Regional Coordinator, Anna Dixon, to discuss the areas raised. As we were only two short for the Government Access Point it was not an area of deep concern. Several suggestions were put forward to promote the Hot Office facilities to government departments, and these will be put in place in January. As we are exceeding the required number of targeted community events it was suggested I look at ways we could move some of these into the general community initiatives.

TRAINEE

Our current contract with DRD includes a provision for the CRC to employ trainees for the three year period. Because Jenna has, until July this year, been employed part time only for the purposes of the most recent reporting period we did not have a trainee.

Jenna Carlson has been successfully signed up for her third, and final, traineeship with CCI Kalgoorlie. Workbooks and other training material have already been received and Jenna has commenced her first assignments.

STAFF MOVEMENT

CRC staff took leave during November.

- I had leave from 29 October through to 7 November.
- Monica and Jenna both took leave Friday 7 November.
- Monica was on leave from 24 November, returning in December.

We were only able to offer one Friday Carpet Bowls during November and had 10 people attending.

SENIORS WEEK

We were successful in our Seniors Week Grant Application to COTA and received \$750.00 which covered the cost of our entertainers, Eddie and Dominic. Tickets were sold at \$35.00 per head. Bookings for the event were slow, and about two weeks out from the scheduled date I asked the Railway Tavern, who were catering, if we could move the event to their beer garden.

There were several reasons to do this:

- Previous experience with small numbers of people for a sit down event in the Seniors Centre do not work well;
- Cost cutting as no extra decorations needed to be purchased; these are costed into the ticket price; and
- Holding the event at the seniors would still have required the same input of labour, e.g. transporting alcohol supplies, set up and dismantle as for a large number of people.

As it happened the weather turned extremely cold and the event was held indoors. The proprietors at the Railway Tavern decorated the dining room with flags, bunting, streamers and hanging decorations. While it was a squeeze, the lack of space added to the atmosphere of the event. The meal was well received and remarked upon by 99% of all who attended. The evening started at 6:30pm and the stragglers finally left the venue at 12:30am.

As part of DRDs requirements for Satisfaction Ratings for Events and Activities we trialled a new system to gather the information. Copies of a few of the responses are attached.

A repeat performance has been requested.

BUILDING RELATIONSHIPS

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Book club held their monthly meeting in the library during November.

The CRC was responsible for managing RSVP's for Cliffs Natural Resources Back to Kooly event and also for bus bookings.

Ronice Blair
Coordinator
8 December 2014

218/2014

Moved Cr J Della Bosca Seconded Cr Chrisp. That Council acknowledge the information presented by the CRC co-ordinator.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th December 2014
Agenda Reference:	8.4
Subject:	2014 Shire of Yilgarn Risk Report
File Reference:	1.1.12.3
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th December 2014

Background

It is now a requirement for Local Government Audit Committees to review a report given to it by the CEO under *Local Government (Audit) Regulations 1996* section 17 and (i) report to the Council the results of that report and (ii) give a copy of that report to the Council. The report must address the appropriateness and effectiveness of certain systems and procedures in relation to:

- a. Risk Management; and
- b. Internal Control; and
- c. Legislative Compliance.

The deadline for the first report is 31st December 2014.

The report is attached.

Statutory Environment

Local Government (Audit) Regulations 1996 Regulation 17

Policy Implications

Risk Management Policy

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

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Recommendation

That Council adopts the 2014 Shire of Yilgarn Risk Report as presented.

219/2014

Moved Cr J Della Bosca Seconded Cr W Della Bosca. That Council adopts the Risk Report as presented.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th December 2014
Agenda Reference:	8.5
Subject:	Independent Auditor’s Report – 2013/2014 Financial Statements
File Reference:	8.2.3.1
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	9 th December 2014

Background

Mr Wen-Shien Chai, appointed representative of Council’s Auditor firm, UHY Haines Norton Chartered Accountants, was in Southern Cross between the 4th and 5th November 2014 to carry out Council’s Final Audit.

Comment

In concluding the Final Audit, Mr Wen-Shien Chai Partner at Haines Norton Chartered Accountants signed off on the Financial Statements and Independent Auditor’s Report on the 11th December 2014, in preparation for adoption of the Annual Report at the Ordinary Meeting of Council held on the 19th December 2014.

An Audit Committee meeting has been organised for 8.30am on the 19th December 2014 preceding the Ordinary Council meeting, in which Mr Chai will be attending via teleconference.

The CEO has signed the 2014 Financial Report on the 11th December 2014, indicating that the Financial Statements are a complete audited record of the Shire of Yilgarn’s financial position. In addition, the Management Representation Letter has been signed, stating to the best of the CEO’S knowledge the financial report gives a true and fair representation of the Shire of Yilgarn’s financial position in accordance with Australian Accounting Standards, Local Government Act 1995 and LG Financial Management Regulations.

Statutory Environment

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

Policy Implications

None

Financial Implications

This document will form part of the Annual Report.

Strategic Implications

None

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Voting Requirements

Simple majority

Recommendation

That Council receives the 'Independent Auditor's Report to the Electors of the Shire of Yilgarn' and the Management Report for the year ended 30th June 2014, as prepared by Mr Wen-Shien Chai of UHY Haines Norton Chartered Accounts, and be adopted by Council.

220/2014

Moved Cr W Della Bosca Seconded Cr Guerini. That Council receives and adopts the 'Independent Auditor's Report to the Electors of the Shire of Yilgarn' and the Management Report for the year ended 30th June 2014, as prepared by Mr Wen-Shien Chai of UHY Haines Norton Chartered Accountants.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th December 2014
Agenda Reference:	8.6
Subject:	Acceptance of the 2013/2014 Annual Report
File Reference:	8.2.3.1
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	11 th December 2014

Background

Council is required to accept (by absolute majority) the Annual Report prior to the 31st December each year, and to set a date for the convening of an Annual Meeting of Electors no later than 56 days after the local government accepts the annual report.

The 2013/2014 Annual Report including the Financial Report has been tabled for Council's acceptance.

It is then necessary to advertise that the Annual Report is ready for the community to view for a period of 14 days and then an Annual Electors Meeting can be held. The Annual Electors meeting will be held on Wednesday 4th February 2015 commencing at 7.30pm at which time the Annual Report will be formally presented to the community.

Statutory Environment

Local Government Act 1995 Section 6.4 Financial Report

Policy Implications

None

Financial Implications

2015/16 Budget

Strategic Implications

None

Voting Requirements

Absolute majority

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Recommendation

That Council adopts the Shire of Yilgarn Annual Report for the year ended 30th June 2014, and forward a copy to the Department of Local Government. In addition, the DCEO to advertise the availability of the Annual Report for viewing for 14 days prior to the electors meeting scheduled to be held 7.30pm on the 4th February 2015.

221/2014

Moved Cr Pasini Seconded Cr J Della Bosca. That Council adopts the Shire of Yilgarn Annual Report for the year ended 30 June 2014, and forward a copy to the Department of Local Government. In addition, the DCEO to advertise the availability of the Annual Report for viewing for 14 days prior to the electors meeting scheduled to be held 7.30pm on the 4th February 2015.

CARRIED BY ABSOLUTE MAJORITY (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th December 2014
Agenda Reference:	8.7
Subject:	WATC – Local Government Master Lending Agreement – Use of Common Seal
File Reference:	8.2.3.1: 1.1.12.1
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	11 th December 2014

Background

This report is a recommendation that Council enter into a Master Lending Agreement with the Western Australia Treasury Corporation (WATC) and to approve the affixation of the Common Seal of the Shire of Yilgarn. According to Shire policy 1.4 “For official documents which require the common seal of the Shire to be affixed, the seal shall be accompanied by the following wording: “The Common Seal of the Shire of Yilgarn was hereto affixed by authority of Council.”

When previously borrowing funds from WATC, the Shire of Yilgarn has been required to enter individual loan agreements. These individual agreements would then require execution of the common seal each time borrowings were sought and approved.

The Master Lending Agreement will facilitate borrowings under this one Agreement thereby removing the need for individual loan agreements being executed each time under seal.

Statutory Environment

Local Government Act 1995 Part 6 Subdivision 3 – Borrowings 6.20 (1) Power to Borrow
Local Government (Financial Management) Regulations 1996

Policy Implications

Shire Policy 1.4 – Use of Council’s Common Seal

Financial Implications

None

Strategic Implications

None

Voting Requirements

Absolute majority

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Recommendation

That Council resolves:

1. That the Shire of Yilgarn enters into a Master Lending Agreement with Western Australian Treasury Corporation as per the document tabled at this meeting.
2. To approve the affixation of the Common Seal of the Shire of Yilgarn to the said Master Lending Agreement in the presence of the Shire President and the Chief Executive Officer or an Agent or a Senior Employee of the Shire of Yilgarn authorised by the Chief Executive Officer each of whom shall sign the document to attest the affixation of the Common Seal thereto; and
3. That the Chief Executive Officer, Agent or any one of the Senior Employees of the Shire of Yilgarn authorised by the Chief Executive Officer from time to time is authorised to sign schedule documents under the Master Lending Agreement and or to give instructions thereunder on behalf of the Shire of Yilgarn.

222/2014

Moved Cr Guerini Seconded Cr Close. That Council resolves:

1. *That the Shire of Yilgarn enters into a Master Lending Agreement with Western Australian Treasury Corporation as per the document tabled at this meeting.*
2. *To approve the affixation of the Common Seal of the Shire of Yilgarn to the said Master Lending Agreement in the presence of the Shire President and the Chief Executive Officer or an Agent or a Senior Employee of the Shire of Yilgarn authorised by the Chief Executive Officer each of whom shall sign the document to attest the affixation of the Common Seal thereto; and*
3. *That the Chief Executive Officer, Agent or any one of the Senior Employees of the Shire of Yilgarn authorised by the Chief Executive Officer from time to time is authorised to sign schedule documents under the Master Lending Agreement and or to give instructions thereunder on behalf of the Shire of Yilgarn.*

CARRIED BY ABSOLUTE MAJORITY (7/0)

- ❖ Cr W Della Bosca and Cr J Della Bosca declared an Impartiality interest in item 8.8 and left the meeting at 10.00am.
- ❖ Robert Bosenberg left the meeting at 10.04am.
 - Moved Cr Pasini seconded Cr Guerini that Council go into committee at 10.04am for item 8.8.
 - Moved Cr Pasini seconded Cr Chrisp that Council go out of committee at 10.18am for item 8.8.

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Submission to:	Ordinary Meeting of Council – Friday 19 th December 2014
Agenda Reference:	8.8
Subject:	Staff Legal Costs
File Reference:	5.1.3.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th December 2014

Background

A Shire employee has taken out a restraining order against a member of the public due to alleged harassment and stalking that occurred whilst undertaking work duties. The member of

the public is now challenging the order and pursuing legal options to seek remedy. Upon advice from WALGA it would be available to Council to resolve to support the employee financially to engage legal advice to support the employee at any future hearings into the restraining order challenge.

Section 5.41 of the *Local Government Act 1995* outlines the functions of the CEO. One of these functions is to ‘be responsible for the employment, management, supervision, direction and dismissal of other employees.’ Section 19 of the *Occupational Safety and Health Act 1984* makes it a duty of an employer to provide and maintain a working environment in which employees are not exposed to hazards. These pieces of legislation require that the Shire take reasonable measures to ensure the safety and health of their employees.

Statutory Environment

Local Government Act Section 5.41 – CEO functions

Occupational Safety and Health Act 1984 – Section 19 Duties of Employer

Policy Implications

None

Financial Implications

Increase to E031150 - Legal Expenses (current Budget 13/14 is \$15,000).

Strategic Implications

Nil

Voting Requirements

Simple Majority

Recommendation

That Council resolves to support the employee financially to engage legal advice.

Council Discussion

The Shire President expressed as employee matters are under the Chief Executive Officers delegations, Council will only receive the information as presented.

223/2014

Moved Cr Close Seconded Cr Chrisp. That Council receives the information as presented.

CARRIED (5/0)

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- ❖ The meeting adjourned at 10.20am and reconvened at 10.30am
- ❖ Cr W Della Bosca, Cr J Della Bosca and R Bosenberg returned to the meeting at 10.30am

Submission to:	Ordinary Meeting of Council – Friday 19 th December 2014
Agenda Reference:	9.1
Subject:	Replacement of the Manager Health and Building Officer Vehicle – YL-252
File Reference:	4111
Author:	Robert Bosenberg – Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	12 th December 2014

Background

In Councils 2014-2015 Financial Year Budget a monetary allocation has been allowed for the change-over of the Holden Commodore Sedan utilised by Councils Manager of Environmental Health and Building Services.

In accordance to “*Council’s Policy 7.12*”, it is proposed to replace the Manager Environmental Health and Building Services vehicle at intervals of 30,000 to 40,000 kilometres. The current Holden Commodore Sedan was purchased in 2012 and has a speedometer reading of 42,000km

Comment

Quotations were sought for the replacement of the current Holden Commodore Sedan with a similar type motor vehicle from Golden City Motors Kalgoorlie and Northam Holden’s.

The vehicles quoted, and submitted for consideration, as follows, with all prices inclusive of GST:

Golden City Motors- Kalgoorlie (GST Inclusive)

1 x 2014 VF Holden Commodore SV6 Auto Sedan, at a cost of \$36,869.80, with a trade price of councils existing vehicle of \$18,869.80 resulting in a change-over cost of \$18,000

Licensing at cost to council

Northam Holden - Northam (GST Inclusive)

1 x 2014 VF Holden Commodore SV6 Auto Sedan, at a cost of \$40,820, with a trade price on the existing vehicle of \$16,788 resulting in a change-over cost of \$24,032

Licensing at cost to council

Summary:

Council in its 2014/-2015 Financial Year Budget has an allocation of \$38,500 to purchase a replacement vehicle, and a trade-in income allocation of \$18,500 with a change-over allocation of \$20,000.

As it can be seen from the quotation submitted by Golden City Motors for the net change over cost of \$18,000 (GST inclusive) is the lowest and within the budget amount allowed, for the changeover of this vehicle.

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Statutory Environment

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

Policy Implications

Council's Policy "7.12 Vehicle Replacement Policy Vehicle Standard and Accessories"

Financial Implications

Expenditure for the replacement of this vehicle will be funded from account E14750 – Purchase Plant – Administration, with a budgeted allocation of \$38,500 been allowed for in Councils 2014/2015 Financial Year Budget for the changeover of this vehicle

Voting Requirements

Simple Majority

Recommendation

That Council purchase the Holden Commodore SV6 Auto Sedan from Golden City Motors - Kalgoorlie for the quoted purchase price of \$36,869.80 (*inclusive of GST*), and trade Council's existing 2012 Holden Commodore Sedan for the quoted trade price of \$18,869.80 resulting in a change-over cost of \$18,500.00 (*inclusive of GST*).

224/2014

Moved Cr J Della Bosca Seconded Cr Guerini. That Council purchase the Holden Commodore SV6 Auto Sedan from Golden City Motors - Kalgoorlie for the quoted purchase price of \$36,869.80 (inclusive of GST), and trade Council's existing 2012 Holden Commodore Sedan for the quoted trade price of \$18,869.80 resulting in a change-over cost of \$18,500.00 (inclusive of GST).

CARRIED (7/0)

❖ Cr Truran declared a conflict of interest (Impartiality) with item 10.1 but remained in the Chambers.

Submission to:	Ordinary Meeting of Council – Friday 19 th December, 2014
Agenda Reference:	10.1
Subject:	Planning Approval – Vehicle Storage Facility
Location/Address:	Lot 790 Corner Antares & Spica Street, Southern Cross
Name of Applicant:	Southern Cross Motor Mart - Mr Jamie Scott & Ms Michele Day
File Reference:	3.1.3.1
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	9 th December, 2014

Background

Mr Jamie Scott & Ms Michele Day of Southern Cross Motor Mart have written advising that they have recently purchased Lot 790 Spica Street, Southern Cross and are seeking planning approval to use the property as a vehicle storage facility for crashed vehicle's, Police impound vehicles, old vehicle suitable for emergency training, etc. Vehicles may be stored on the property for 28 days to 18 months.

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The proposed development will initially consist of erecting a 1.8m high Colorbond fence plus gates around the perimeter with 3 or 4 strands of barbed wire strung on top at a 45° angle for security of the vehicles and to screen the vehicles from public view. In the future they plan to erect a carport to store vehicles for police examination.

Comment

Lot 790 corner Antares & Spica Streets, Southern Cross is zoned “Commercial” under the Shire of Yilgarn Town Planning Scheme No 2.

The proposed land use could be termed a “Car Park”, is similar to a “Car Sales”, and is associated with the “Motor Repair Station”. From Table 1 – Zoning Table of the Town Planning Scheme for land zoned “Commercial” a “Car Park” has an ‘AA’ symbol; a “Car Sales” has a ‘P’ symbol; and a “Motor Repair Station” has an ‘AA’ symbol. Clause 3.2.2 states that the symbols in Table 1 have the following meanings:

- “P” means that the use is permitted by the Scheme.
- “AA” means that the use is not permitted unless the Council has granted planning approval.
- “SA” means that the use is not permitted unless the Council has granted planning approval after giving notice in accordance with Clause 6.3.

The parent business in this case is the Southern Cross Motor Mart which is a “Motor Repair Station” where the land is used for the mechanical repair and overhaul of motor vehicles, plus there is a shop front or showroom where items/materials are offered for sale by retail. The Southern Cross Motor Mart has been at its current location for more than 15 years, and it is one of three motor repair businesses plus an auto electrical repair business located in the “Commercial” zoned area of Southern Cross.

I understand that there will be no mechanical repairs carried out on Lot 790, and there will be no wrecking of vehicles either.

Vehicles will be stored on Lot 790 until a decision is made about the vehicle, such as the owner or the insurance company agreeing to repair the vehicle, or the Police returning the vehicle to the owner, etc. This is similar to a “Car Sales” although there will be no sales occurring, and similar to a private “Car Park”.

Southern Cross Motor Mart regularly has too many vehicles to store on-site in particular because of the period some vehicles need to be held, and so alternative locations need to be found to store vehicles until a decision is made about the vehicle. By using Lot 790 for this purpose there will be adequate room for the storage of vehicles.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2

Strategic Implications

Community Business Plan – Theme – Economic

Strategy 3.6 - Develop programs that assist and encourage businesses to survive, grow and thrive in the Shire.

Strategy 3.7 - Encourage and support local businesses to ‘think outside the square’ and to improve business opportunities in the region.

Policy Implications

Nil

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Financial Implications

Previously the Shire did not receive rates on Lot 790 as it was owned by the Crown, but now owned privately it will receive rates on the property.

Recommendation

That Council grant planning approval to Southern Cross Motor Mart for the proposed development of Lot 790 corner Antares & Spica Streets, Southern Cross as a vehicle storage facility for crashed and Police impounded vehicles and vehicles for emergency training exercises, but where no mechanical repairs or wrecking processes will occur.

Voting Requirements

Simple Majority

225/2014

Moved Cr Guerini Seconded Chrisp. That the recommendation be altered to include “Colour-bond fence is to be erected” and exclude “but where no mechanical repairs or wrecking processes will occur.”

CARRIED (6/0)

226/2014

Moved Cr Close Seconded Cr Chrisp. That Council grant planning approval to Southern Cross Motor Mart for the proposed development of Lot 790 corner Antares & Spica Streets, Southern Cross as a vehicle storage facility for crashed and Police impounded vehicles and vehicles for emergency training exercises, and that a colour-bond fence is to be erected.

CARRIED (6/0)

❖ Cr Close declared an Impartiality interest in item 10.2 and left the meeting at 10.53am.

Submission to:	Ordinary Meeting of Council – Friday 19 th December, 2014
Agenda Reference:	10.2
Subject:	Planning Approval – Southern Cross Tyre Service - Proposed Mechanical Repairs
Location/Address:	Lots 48-46 Corner Orion & Spica Streets, Southern Cross
Name of Applicant:	Mr Bryan Close
File Reference:	3.1.3.1
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	9 th December, 2014

Background

Mr Bryan Close forwarded an E-mail on 1st December 2014 advising that he had recently purchased the Southern Cross Tyre Service business situated on Lots 48, 47, & 46 corner Orion & Spica Streets, Southern Cross. Along with operating a tyre service business Mr Close wishes to carry out vehicle mechanical servicing and sell vehicle batteries, belts, filters, tools, hydraulic oils and fluids, Fuchs oil, and other products related to vehicle operation, and is seeking permission to operate these additional services from this site. The new trading name will be “Southern Cross Tyre & Auto Services”.

Comment

Lots 48, 47, and 46 corner Orion & Spica Streets, Southern Cross are zoned “Commercial” under the Shire of Yilgarn Town Planning Scheme No 2.

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The proposed land use could be termed a “Motor Repair Station” with a front shop. From Table 1 – Zoning Table of the Town Planning Scheme for land zoned “Commercial” a “Motor Repair Station” has an ‘AA’ symbol and a “Shop” has a “P” symbol. Clause 3.2.2 states that the symbols in Table 1 have the following meanings:

- “P” means that the use is permitted by the Scheme.
- “AA” means that the use is not permitted unless the Council has granted planning approval.
- “SA” means that the use is not permitted unless the Council has granted planning approval after giving notice in accordance with Clause 6.3.

In this instance the shop area is associated with the tyre service and the motor repair service rather than being a standalone shop.

There are 3 other mechanical repair businesses and 1 auto electrical repair business within the “Commercial” zoned area. Thus the proposed new motor repair business should be approved.

Mr Close was keen to forward as soon as possible a letter stating he had planning approval from the Shire so that he could register his new business name. The Manager of Environmental Health & Building Services forwarded the attached letter of approval to Mr Close and is seeking Council’s endorsement of this action.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2

Strategic Implications

Community Business Plan – Theme – Economic

Strategy 3.6 Develop programs that assist and encourage businesses to survive, grow and thrive in the Shire

Strategy 3.7 Encourage and support local businesses to ‘think outside the square’ and to improve business opportunities in the region

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorses the actions of the Manager of Environmental Health & Building Services in writing and forwarding the planning approval letter to Mr Close for the proposed Southern Cross Tyre & Auto Services business situated on Lots 48-46 corner Orion & Spica Streets, Southern Cross.

Voting Requirements

Simple Majority

227/2014

Moved Cr Guerini Seconded Cr W Della Bosca. That Council endorses the actions of the Manager of Environmental Health & Building Services in writing and forwarding the planning approval letter to Mr Close for the proposed Southern Cross Tyre & Auto Services business situated on Lots 48-46 corner Orion & Spica Streets, Southern Cross.

CARRIED (6/0)

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❖ Cr Close returned to the meeting at 10.55am

Submission to:	Ordinary Meeting of Council – Friday 19 th December, 2014
Agenda Reference:	10.3
Subject:	Proposed Upgrade of Existing Telecommunications Facility for Mobile Telephone Service
Location/Address:	Lot 907 Great Eastern Highway, Ghooli (Mt Palmer)
Name of Applicant:	Prime Planning – Ms Lynette Brandwood
File Reference:	1.6.19.2 & 3.1.3.4
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	9 th December, 2014

Background

Prime Planning on behalf of Optus Pty Ltd has written to the Shire advising that Optus intends to upgrade its existing telecommunications infrastructure situated on Telstra's site of Lot 907 Great Eastern Highway, Ghooli. The proposal is to install 2 new panel antennas on the existing tower, 2 remote radio units, 2 mast head amplifiers, and other ancillary equipment for the 4 G network upgrade. This work will improve the mobile telephone network coverage/service along the Great Eastern Highway. This is upgrade has been assessed as being a low impact facility.

See attached covering letter and technical information.

Comment

While new telecommunications facility installations as a land use have an 'AA' symbol under the Shire of Yilgarn Town Planning Scheme No 2 and would require Council's approval, but as this is an addition to an existing installation that has previously been approved by Council, no further approvals are required. The installation of the new antennas and associated infrastructure on/in the existing structures will have no additional visual, health or environmental impact.

Planning approval is not required in this instance as the upgrade is considered to be low impact, which is exempt under the Town Planning and Development Act 1928.

Statutory Environment

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

Strategic Implications

Community Business Plan – Theme – Economic

Our Goal – Improve telecommunications infrastructure that provide metropolitan standard access to the internet and mobile phone coverage.

Strategy 3.3 - Seek government support and funding for infrastructure that improves internet and mobile phone coverage in the region.

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council receives this information.

Voting Requirements

Simple Majority

228/2014

Moved Cr W Della Bosca Seconded J Della Bosca. That Council receives the information as presented.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th December, 2014
Agenda Reference:	10.4
Subject:	Proposed Development of Old Bowling Club and Parking Area – Lifestyle Accommodation Units
Location/Address:	Lots 250, 251, 650, & 252 Antares Street, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	1.3.3.18, 3.1.3.6, & 3.1.1.7
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	11 th December, 2014

Background

At the June 2012 Council Meeting the Chief Executive Officer advised that the “Towards a Wheatbelt Infrastructure Plan (2010) Aged Care” has become a key focus area for the Wheatbelt Development Commission (WDC), which has been working closely with a group of 11 Wheatbelt local governments to focus on Aged Care services, infrastructure and governance structures for their sub-regions. The Central East Aged Care Alliance (CEACA) (Shires of Bruce Rock, Kellerberrin, Koorda, Merredin, Mount Marshall, Mukinbudin, Nungarin, Trayning, Westonia, Wyalkatchem, and Yilgarn) in partnership with the WDC and Regional Development Australia Wheatbelt (RDAW) advertised in March 2012 to employ a consultant to undertake the Central East Aged Care Regional Solution (CEACRS) project. Verso Consulting’s tender was accepted. Verso prepared a summary of aged housing and care needs in the Yilgarn Shire which was presented to the Shire and interested community members on 10th July 2012 with a request for comments to be received by 29th June 2012.

The final CEACA Report prepared by Verso was presented to the February 2013 Council Meeting with a series of 5 recommendations for accepting the findings and implications of the Report; Implement and Aged Friendly Community Strategy; realise an Older Persons Housing Strategy; realise the Community Aged Care Strategy; and realise the Residential Aged Care Strategy. The following motion (24/2013) was passed:-

“That In relation to the Central East Wheatbelt Aged Care Needs Study and the Central East Aged Care Regional Solution/s report that Council endorse the following recommendations:

- 1. That the six steps for adoption and implementation of the two CEACA Reports be endorsed; and specifically:*
- 2. That Council adopt the CEAC Needs Study and Central East Wheatbelt Aged Support and Care Regional Solution/s Report.*
- 3. Each of the CEACA Councils make a provision of up to \$5,000 in their 2013/14 budgets to fund ongoing advocacy and research in order to implement the recommendations of the CEACRS Report.*

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4. ***That endorsement of the Report is sought from the respective ROC'S with a view to seeking funding to implement the recommendations of the CEACS Report on a regional basis."***

At the November 2014 Council Meeting the Chief Executive Officer advised that the WEROC and NEWROC Councils have been progressing the CEACA project which involves the construction and management of 211 independent living units across the 11 Shires for aged care accommodation. WEROC has also been working towards the formation of an incorporated body (Wheatbelt Communities Inc.) to administer Royalties for Regionals funding for the CEACA project and any other future initiatives that may arise. The

incorporated body will be less encumbered by legislation for the construction of the units as well as having less compliance requirements than if a Regional Council was created, plus it will have the added advantage of being able to enter into legal arrangements in its own right. At this Meeting the following motion (200/2014) was passed:-

"That Council provide in principal support to the Heads of Agreement document between CEACA and Access Housing Australia Pty Ltd subject to some minor amendments."

A combined WEROC and NEWROC application for grant funding was submitted for the CEACA project. The Shire of Yilgarn's portion of this project was to construct 12 lifestyle units on the Old Bowling Club and car parking area for additional seniors' accommodation. These units are to be 2 bedroom units, providing more built space than the existing Yilgarn Homes for the Aged units which a 2 bedroom units.

SIA Architects Pty Ltd were contracted to develop the architectural plans and specifications for the CEACA Business Report/Plan. In February 2014 SIA Architects submitted for the Shire of Yilgarn a concept site plan for 17 units with a grassed common area, footpaths, and driveway/roads. In addition there were 4 concept floor plans and elevations which are a modern modular style with split roof lines, and not every unit had a carport adjoining it, which is not as was discussed with the architect.

Comment

Concept Plans

Steve Dubczuk Architect Pty Ltd was approached to design an alternative concept site plan, plus at least 3 different floor plans and allowing for different elevation details. Attached is the concept site plan for 15 units with a larger grassed common area with footpaths and driveway/roads. Also attached are 3 concept floor plans and 1 elevation plan which is more traditional in style with gabled roof line and a carport either attached to the unit or the front verandah of each unit.

These are concept plans which, if Council agrees, will be used as a guide for the final site plan, plus for the design work for the internal water supply, sewer drains, electrical cables, stormwater drainage, footpath, roadways, and floor heights for each unit on the site. Council was verbally advised at the November 2014 Meeting that Duncan J Jack Consulting Engineers of Kalgoorlie has been contracted to commence this design work of each of these aspects. A concept site plan is required to continue the preliminary design work, plus being able to go to tender for the supply of the first 4 units to be built.

In the CEACA application for grant funding it stated that the Shire of Yilgarn would build 12 units on the site. If Council accepts the Steve Dubczuk Architect concept plan it would be agreeing that the potential number of units on the site would be 15 rather than 12 units.

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Attached is a copy of Steve Dubczuk Architect Pty Ltd and SIA Architects proposed plans for Council's consideration.

The next step will be to draw-up perimeter specifications similar to what was done for the Professional Houses and to go to tender for the supply of the first 4 units. It is expected that the units will be transportable buildings. When considering the tenders received, Council will be provided with actual floor plans and elevation plans for the units. In general the specifications would include the area of each unit to be 108m² to 110m²; have a gable roof; 2 bedrooms; 1 to 1½ bathrooms; are to meet the AS 1428.1 requirements for full disability movement within the unit and is to be fitted out with grab rails and rocker light/power switches, etc.; each unit is to have a storeroom that may be access from outside or inside, an

Alfresco area, car port, and front porch/verandah; external wall cladding to be all weatherboard style or flat sheeting or a combination of the two to provide differences between neighbouring units; roof to be Colorbond sheeting; to be fully fitted out with cooking appliances and reverse cycle air-conditioning units supplied and installed.

In terms of services, it is expected that each unit will have its own sub-meter for water and power so that residents will pay for what they consume. This will also allow for each unit to be isolated for maintenance repairs in the future rather than having to affect all the units. At the Yilgarn Homes for the Aged each unit has its own power meter and telephone connection, but water comes from 1 water meter and provision was not made for isolation stop cocks so when water needs to be turned off to fix a leaking tap, et, the water for all units needs to be turned off, thus affecting all residents.

Planning Issues

Proposed Amalgamation of Lots

At present the Old Bowling Club and car parking area consists of 4 lots – Lots 250, 251, 650, & 252. It is proposed that the 4 lots are amalgamated into one lot which will assist with the re-zoning of the land from R10 to R30.

It will also assist with the future development of the land if internal lot boundaries are not an issue, so that units will never be constructed over a lot boundary; and services are not crossing over lot boundaries.

It will also reduce the need for and the costs of providing separate water supply meters, sewer drain connections points, and electrical supply connection points for each unit. Currently there is 1 water connection point for the site, 1 electrical supply connection point for the site, and there are 4 sewer connection points for the site – one for each existing lot.

If Council agrees to amalgamate the 4 lots into one it will mean that Council has decided not to sell any of the lots as “freehold title” lots but to only lease (“lease for life”) or rent the units. This will give Council more control over the land and units and how they are used or developed into the future. The negative of this is that those who may want to purchase the land and unit will not be able to, but would only be able to do a “lease for life” or a long term lease agreement. A lease for life arrange should generate similar funds for Council to selling the land and unit freehold. This money should be placed into a reserve for the construction of additional units on the site.

Re-Zoning of Land

At present the Old Bowling Club and car parking area consists of 4 lots – Lots 250, 251, 650, & 252. Lots 250 and 251 were the bowling green and clubhouse were situated were re-zoned in 2001 under the Shire of Yilgarn Town Planning Scheme No 2 Amendment No 1 from

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“Residential” with a density rating of R10 to “Recreation”. This was to reflect the then land use. Along with this change, under Amendment No 1 most corner lots in the “Residential” area were re-zoned from R10 to R30 to allow for additional residential development within Southern Cross.

In order for the proposed development of constructing lifestyle accommodation units on this land to proceed, Council needs to agree to re-zone Lots 250 & 251 from “Recreation” to “Residential”. It then needs to agree to re-zone Lots 250, 251, 650, & 252 from R10 to R30.

By re-zoning the lots to R30 it will allow Council to develop the lots with 12 or 15 lifestyle units.

Requirements under the Residential Design Codes of WA Table 1

- R30 for a Grouped Dwelling development requires a minimum of 270m² and an average of 300m² of area per dwelling.
- R10 for a Grouped Dwelling development requires a minimum of 875m² and an average of 1,000m² of area per dwelling.

The total area of the 4 lots is 6070m². If the zoning is R10 Council can construct 6 units on the site, but if the zoning is R30 Council could construct 20 units with very little common space and fairly small gardens for each unit, with a minimum front street setback of 4.0m, and the area of the unit may need to be reduced from what is proposed.

Gary & Lewis prepared and submitted the Shire’s Town Planning Scheme No 2 Amendment No 1 to the Western Australian Planning Commission (WAPC) which was approved in 2001. Speaking to one of their Town Planners it was suggested that the WAPC would not agree for one lot within a street block to be a different zoning than the neighbouring lots, that is one lot zoned R10, and the rest zoned R30. Council would therefore need to agree to change the zoning of Lot 55 from R10 to R30 which would see all the lot facing onto Antares Street between Canopus Street and Centaur Street being zoned R30.

Expressions of Interest

At the 2014 Yilgarn Agricultural Show Day the Shire of Yilgarn provided a display marquee to advise residents of projects recently completed and proposed. One of these was the proposed Lifestyle Units of Independent Living Units. Residents were able to register their interest in a Unit by putting their name and contact details on a multiple table form or by completing a separate individual form at the marquee. A total of 9 couples or single names were written on the multiple table form and there were 4 separate individual forms received. One couple put their name on the table form and the individual form, but they were only counted once. These people currently live in Southern Cross, Moorine Rock area, Bodallin area, and the Mt Hampton area.

On the individual form the question of whether people were interested in purchasing, renting, or lease for life was posed. Of the 5 individual forms completed – 1 would purchase only, 1 would lease for life, 1 would purchase or rent, and 2 did not answer this question.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2 Amendment No 1, and the Planning and Development Act 2005

Strategic Implications

Community Business Plan – Theme – Social

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Our Goals – Cultivating an inclusive secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term.

Strategy 1.11- Secure funding from either State or Federal Governments to ensure aged care facilities are maintained in the region.

Policy Implications

Nil

Financial Implications

Cost for the Scheme Amendment is approximately \$5,000.00 and for the Re-zoning is approximately \$2,000.00.

Recommendation

That Council agree to develop Lots 250, 251, 650, & 252 Antares Street, Southern Cross for Lifestyle or Independent Living Units for seniors accommodation in line with the CEACA project and the CEACA Business Plan, and agrees to:-

- 1) Adopt in principle the concept plan and floor plans designed by Steve Dubczuk Architect Pty Ltd so that work can progress on this project;
- 2) Accept the proposal of constructing 15 units as per Steve Dubczuk Architect Pty Ltd.'s concept site plan which is different to the 12 units proposed in the CEACA Business Plan for the Shire of Yilgarn;
- 3) Amalgamate the four lots into one lot to allow the land to be developed in a more economical way, that is to have 15 units on the site based on a rating of R30, and understanding that in doing so the provision of separate services for each unit is not required;
- 4) Re-zone Lots 250 & 251 from "Recreation" to "Residential";
- 5) Re-zone Lots 250, 251, 650 & 252 from "Residential" R10 to R30 to allow for the greater development of the site, in this case 15 units as per the proposed concept site plan; and
- 6) Re-zone Lot 55 Antares Street from "Residential" R10 to R30 so that all the lots within the street block that face onto the west side of Antares Street between Canopus Street and Centaur Street will all have a density rating of R30.

Voting Requirements

Simple Majority

229/2014

Moved Cr Guerini Seconded Chrisp. That the recommendations

2) be changed to 12 units and not 15 units and the same for 3) and 5)

3) be changed to read "Amalgamate then sub-divide so that four units can be sold free hold if required."

CARRIED (7/0)

230/2014

Moved Cr W Della Bosca Seconded Cr Close. That Council agrees to develop Lots 250, 251, 650, & 252 Antares Street, Southern Cross for Lifestyle or Independent Living Units for seniors accommodation in line with the CEACA project and the CEACA Business Plan, and agrees to:-

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- 1) *Adopt in principle the concept plan and floor plans designed by Steve Dubczuk Architect Pty Ltd so that work can progress on this project;*
- 2) *Accept the proposal of constructing 12 units in line with Steve Dubczuk Architect Pty Ltds concept site plan to be amended;*
- 3) *Amalgamate Lots 250, 251, 650 & 252 into one lot to allow the land to be developed in a more economical way that is to have 12 units on the site based on a rating of R30. Provision is to be made to subdivide the four units facing Canopus Street so that they can be sold as freehold if required.*
- 4) *Re-zone Lots 250 & 251 from “Recreation” to “Residential”;*
- 5) *Re-zone Lots 250, 251, 650 & 252 from “Residential” R10 to R30 to allow for the greater development of the site, in this case 12 units as per the proposed concept site plan; and*
- 6) *Re-zone Lot 55 Antares Street from “Residential” R10 to R30 so that the four lots within the street block that face onto the west side of Antares Street between Canopus Street and Centaur Street will all have a density rating of R30 and can be subdivided.*

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th December, 2014
Agenda Reference:	10.5
Subject:	Draft Council Policy – Sea Containers and Similar Structures
Location/Address:	Shire of Yilgarn
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	2.3.3.2
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	11 th December, 2014

Background

I refer to Agenda Item 10.4 of the October 2014 Council Meeting where Council was presented with two amended draft policies titled the Use of Sea Containers & Other Similar Storage Structures v3 and v4. At this Meeting Council decided that it wanted a policy which included the following:-

- Requirement that the sea container is to be painted and/or screened;
- Maximum 20ft length;
- Structures need Planning Approval as well as a Building Permit;
- Current owners need to apply for approval in 6 months or remove sea container;
- No skillion roof required; and
- In rear of lot meeting setback and area requirements.

Comment

Attached is a draft policy which hopefully covers all of these points and it is presented for Council’s consideration. There is 1 amendment to the version E-mailed to Councillors last week which are highlighted in red for easy identification.

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Statutory Environment

Compliance with the WA Residential Design Codes and the Shire of Yilgarn Town Planning Scheme

Strategic Implications

Community Business Plan – Theme – Civic Leadership

Strategy 4.1 Complete and review all integrated planning strategies and organisational policies in a timely manner.

Policy Implications

For Council's consideration to include one of the draft policies in Council's Policy document.

Financial Implications

Nil

<p>Recommendation</p>

<p>That Council adopts Draft Council Policy – Sea Containers and Other Similar Structures v5 as presented at the meeting.</p>

Voting Requirements

Simple Majority

231/2014

Moved Cr Guerini Seconded W Della Bosca. That Council adopts the Draft Council Policy – Sea Containers and other similar Structures v5 as presented at the meeting.

CARRIED (6/1)

As there was no further business to discuss, the Shire President declared the meeting closed at **12.07 pm.**

I, Onida T Truran confirm the above Minutes of the Meeting held on Friday 19th December 2014, are confirmed on Thursday 22nd January 2015 as a true and correct record of the December Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT