

MINUTES
ORDINARY COUNCIL MEETING
Thursday, 19th March 2015

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Thursday, 19th March 2015.

PRESENT

Cr O Truran, Shire President

Crs 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
 E Garner Finance Manager

INFORMATION SESSION

The meeting was declared open for business at 3.30pm.

PUBLIC QUESTION TIME

APOLOGIES AND LEAVE OF ABSENCE

Cr W A Della Bosca

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

37/2015

Moved Cr K Crisp Seconded Cr G Guerini That the Minutes of the previous meeting of Council held on Thursday 19th February 2015 be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

38/2015

Moved Cr D Pasini Seconded Cr B Close That the Action Sheet for the meeting held on Thursday 19th February 2015 be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

39/2015

Moved Cr K Crisp Seconded Cr G Guerini That the Status Report for the meeting held on Thursday 19th February 2015 be confirmed as a true and correct record of that meeting.

40/2015

Moved Cr G Guerini Seconded Cr J Della Bosca That the minutes for WEROC meeting held on the Wednesday 25^h February 2015 be confirmed as a true and correct record of the meeting.

CARRIED (6/0)

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41/2015

Moved Cr G Guerini Seconded Cr J Della Bosca That the minutes of the Central Aged Care Alliance meeting held on the Thursday 26th February 2015 be confirmed as a true and correct record of the meeting.

CARRIED (6/0)

42/2015

Moved Cr G Guerini Seconded Cr J Della Bosca That the minutes for the Great Eastern Country Zone Meeting held on the Thursday 26th February 2015 be confirmed as a true and correct record of the meeting.

CARRIED (6/0)

43/2015

Moved Cr G Guerini Seconded Cr J Della Bosca That the minutes for the Wheatbelt North Regional Road Group Meeting held on Monday 9th February 2015 be confirmed as a true and correct record of the meeting.

CARRIED (6/0)

44/2015

Moved Cr G Guerini Seconded Cr J Della Bosca That the minutes for Tourism Advisory Committee Meeting held Monday 9th March 2015 be confirmed as a true and correct record of the meeting.

CARRIED (6/0)

ANNOUNCEMENTS

The Shire President advised the following:

- That she attended the Regional Road Group meeting on Monday 23rd February;
- That she attended WEROC on Wednesday 25th February;
- That she attended GECZ in Merredin on Thursday 26th February;
- That she attended a Planning Workshop on Thursday 5th March;
- That she attended a presentation send off for Alan Hitchcock on Friday 6th March;
- That she attended the CEACA meeting on Monday 16th March

Cr J Della Bosca advised the following:

- That she attended the Tourism Advisory Committee Meeting on Monday 9th March;

Cr D Pasini advised the following:

- That he attended the Tourism Advisory Committee Meeting on Monday 9th March;

Cr B Close advised the following:

- That he attended the Tourism Advisory Committee Meeting on Monday 9th March;

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Cr K Crisp advised the following:

- That she attended a Planning Workshop on Thursday 5th March;

Submission to:	Ordinary Meeting of Council – Thursday 19 th March 2015
Agenda Reference:	7.1
Subject:	Independent Living Units – Tender Submission Evaluation and use of common seal
File Reference:	6.6.10.2, 1.1.12.1
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	11 th March 2015

Background

Our Council has identified a need in the community through consultation for additional Senior's accommodation in Southern Cross. The measures and targets in the Strategic Corporate Business Plan include:

SI.11.1 – Work with relevant stakeholders to provide high quality accommodation for the ageing population in the Shire, including frail aged care.

Council have included in their Forward Capital Plan the construction of 4 x 2 Bedroom Independent Living Units (ILUs) to be located on the “Old Bowling Green” site on the corner of Canopus Street and Antares Street in Southern Cross. The funding for the project includes; \$424,861 from Royalties for Regions Regional funding where the Shire of Merredin is the lead Council and \$1,047,419 from the Shire's Building Reserves. Council is considering the option to sell the first four ILU as freehold titles so that the funds can then be rolled back into the project.

The tender “R01 2014/2015” was advertised in the West Australian newspaper on Saturday 31st January 2015, the Manager for Environmental Health and Building Services (MEHBS) received eleven enquiries and forwarded documentation out to the building companies. The tenders closed 2nd March 2015 and we received tenders submissions from six builders which includes;

- 1) TR Homes
- 2) Quality Builders
- 3) Fleetwood
- 4) McGrath Homes
- 5) Pindan
- 6) Nordic

Comment

A Tender Submission evaluation (see attached spreadsheet) has been conducted by the CEO and the MEHBS based on the evaluation criteria and inspection of designs compared to the specified specifications in the tender documentation (see attached).

The Evaluation Criteria includes:

Council will take into consideration each company's:

- (a) Demonstrated experience in completing similar projects;
- (b) Skills & experience of key personnel; and
- (c) Financial capability to complete this project along with having suitable insurances;
- (d) Total cost of the project, including optional extras, will be considered.

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The three Building Companies that the CEO and MEHBS have shortlisted includes:

1. TR Homes
2. Quality Builders Pty Ltd
3. Fleetwood

The main reason why these companies have been shortlisted is that all three builders met the evaluation criteria and provided a range of designs with varying features within the market price that Council will be able to sell the ILU for in Southern Cross.

Council requested that a focus group be asked to review all the designs from the three Building companies and provide feedback on the designs to identify the most common accepted design/s amongst the three companies.

Review of ILU Designs

Comments provided from a Focus Group made up of four senior residents >45 years of age.

1. TR Homes

Option 1 –

- They did not like the elevation design as the roof line was not gabled, but a modern skillion roof.

Option 2 –

- That the elevation look was better with a cottage appearance
- That a sliding door would be needed between living area and passage way so that the living area can be shut off and air-conditioning maximised.
- That the WC space would need to be reduced so that a storage cupboard can be included in design, as more storage is needed without a storage room.
- That the built in robe in Bed 1 and 2 should be the full length of the wall.
- That there was no store room in this design, but had a larger alfresco than the other designs.
- Not a lot of bench space in kitchen.

Option 3 –

- That there was no store room in this design, but had a larger alfresco than the other designs.
- The elevation design needs to have a single gabled carport not a skillion roof.
- The price of the TR Home for this design compared to the similar Fleetwood design is approximately \$10,000 more when you include the extras and have a turnkey option for buyers.

Option 4 –

- That there was no store room in this design, but had a larger alfresco than the other designs.
- They liked that there was a three bedroom design that would be available for people interested in having the extra room. In relation to those who attended the focus group, they personally would not pick an ILU with three bedrooms as it would create more cleaning, especially with the second bathroom/ensuite.
- They liked the elevations design of the house with the carport under the main roof, but were advised due to the width of the blocks being approximately 11m that it would be likely that the carport would be placed in front of the house and be free standing.

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General Comments:

That there was variety in design between the designs although there was little storage space allowed for in the design and the prices compared to Fleetwood were higher.

2. Quality Builders

Option 1 –

- That this option is a very basic design.
- That the opening of the store room needs to be on the inside as items would mainly be household items not gardening items, as they would go in the garden shed.
- That a sliding door would be needed between living area and passage way so that the living area can be shut off and air-conditioning maximised.
- That only a single carport is required and part of the tender specifications.
- That the verandah at the rear of the house is too small and should be alfresco size as per specifications.

Option 2 –

- That the opening of the store room needs to be on the inside as items would mainly be household items not gardening items, as they would go in the garden shed.
- That there is no powder room, only a second toilet in the laundry reducing the size of laundry.
- That only a single carport is required and part of the tender specifications.
- That the verandah at the rear of the house is too small and should be alfresco size as per specifications.

Option 3 –

- That the Store room door should open into the porch at the front of house.
- That the verandah at the rear of the house is too small and should be alfresco size as per specifications.

General Comments:

That the designs were very simplistic where there was not a lot of difference between them apart from the additional floor space of the ILU, not giving prospective buyers a lot of choice.

3. Fleetwood

Option A -

- That they liked the elevation designs of the ILU which provide that cottage look.
- That they could see with the use of different vertical or horizontal wall cladding each ILU can be individualised.
- That the opening of the store room needs to be on the inside as items would mainly be household items not gardening items, as they would go in the garden shed.
- That the alfresco area needs to be a little larger, otherwise it is more like a verandah.
- That a sliding door would be needed between living area and passage way so that the living area can be shut off and air-conditioning maximised.
- That the carport needs to but up against the porch

Option B -

- That they liked the elevation designs of the ILU which provide that cottage look.
- That some of the focus group did not like the location of the laundry at the front of the ILU.
- That the second window in Bed 2 should be removed and a full length WIR be included.

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- That the AC units outside of Bed 2 be repositioned to the west end of the building as the hot air from the units will heat up the alfresco area if the units are left near the sliding door.
- Increase the length of the WIR for Bed 1 for the full length of wall.
- Move carport over towards the entrance of the house
- That a sliding door would be needed between living area and passage way so that the living area can be shut off and air-conditioning maximised.

Option C -

- This design was everyone's preferred ILU layout with the inclusion of the separate dining room.
- That they liked the elevation designs of the ILU which provide that cottage look.
- That the opening of the store room needs to be on the inside as items would mainly be household items not gardening items, as they would go in the garden shed.
- They wanted the coat cupboard in the entry removed and the additional room be added to the WIR in Bed 2.
- They suggested that the second door from the living room going outside to the alfresco was not necessary, only the double sliding door from the dining room and that a security door be included.
- That the alfresco size was good.
- That the sink should be removed from the bench and be placed under the window in the kitchen and the bench facing the living room be made a breakfast bar where stools can be placed under, and that the stove top be moved towards the pantry more to accommodate for additional room.

General Comments:

All members of the focus group agreed that Fleetwood had more variety of layouts between the different designs that were on offer, the prices were within market value for the area. That the one design can be chosen if there isn't a purchaser that buys of the plan and the ILU can be individualised by the difference in colour and directional cladding. The overall preferred layout from all three Building companies was Option C from Fleetwood.

The price of the Fleetwood range of designs is:

Option A – Supply & Delivery	\$188,290.88 (incl gst)
Optional extras not including solar panels	<u>\$ 27,551.00</u> (incl gst)
Total	\$215,841.88 (incl gst)
Option B – Supply & Delivery	\$192,376.20 (incl gst)
Optional extras not including solar panels	<u>\$ 27,551.00</u> (incl gst)
Total	\$219,927.20 (incl gst)
Option C – Supply & Delivery	\$198,005.35 (incl gst)
Optional extras not including solar panels	<u>\$ 27,551.00</u> (incl gst)
Total	\$225,556.35 (incl gst)

Note:

- The extras include the concrete driveway, porch, verandah & alfresco, the landscaping and Reticulation and fencing, garden shed and concrete floor. But does not include the solar panels valued at \$8,783.00 (including gst).
- The land component of the package estimated at \$30,000 has not been included in the package.

On the information provided by the Tenderers and the focus group's feedback it appears based on the evaluation criteria and in particular design and price that Fleetwood is the preferred supplier for the four Transportable ILU.

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Financial Position of Fleetwood

The DCEO has analysed their Financial Position to date, summarising that:

Fleetwood are currently experiencing a decline in revenue (-18% for 2015 half year results) due to a downturn in the resources sector. In the last five years they have taken on more debt but have a strong balance sheet (+ve net assets and +ve cash-flow), hence they can service their debt. However they will need to grow revenue in the coming periods. To do that it seems they are now targeting the Education and Affordable Housing sectors on the East Coast rather than the resource sector in WA. Their latest investor report to the ASX advised the early signs are positive and demand is increasing.

Reference check for Fleetwood

El Caballo Lifestyle Village – \$2.8M project – Design, manufacture and install Park Homes to Village.

- Fleetwood build to El Caballo building specifications.
- Fleetwood have won this year's Housing Industry Annual Awards coming first and also getting placing in different categories.
- They have received 25 houses from them all at a high quality with quality fittings.
- The quality is exceptional
- The houses have a 6 star rating
- The construction manager (Craig) deals with issues straight away.
- The product has a 6 year guarantee
- Some of their houses have been in for 2 ½ years and nothing has moved.
- They consider themselves the best Lifestyle village in WA and Fleetwood homes are to be praised for their contribution to that title.

Fremantle Village Caravan Park - Manufacture and install 2 park cabins.

- Happy with their dealings with Fleetwood, in particular Craig.
- They were helpful in the design stage, where they made changes to the basic design.
- They were precise with their time lines and delivered product as stated.
- Fleetwood organised the whole project from start to finish.
- They had some minor issues with the building, which was addressed promptly and rectified.
- He only has praise for Fleetwood's service and provision of a quality product.

Strategic Environment

Theme – Social - S1.11.1 – Work with relevant stakeholders to provide high quality accommodation for the ageing population in the Shire, including frail aged care.

Statutory Environment

Local Government Regulations 1996 part 4 division 2, Provision of goods and services, Tenders for providing goods and services s3.57.

Policy Implications

Nil

Financial Implications

Council has allowed in the 2014/2015 budget E08451 Construction of Aged Accommodation Units – Stage 1 \$1,047,419 plus a further \$30,000 for concept designs, these funds will be transferred from the Building Reserve when required, the current balance for the Building Reserve is \$1,342,963. The Shire has been successful in getting further funding for the project from Royalties for Regions Regional Component of \$424,861 totalling \$1,502,280 available for the project.

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Based on Fleetwood's most expensive design the total cost of the project including subdivision costs of \$30,000 per ILU will be:

Option C – Supply & Delivery	\$198,005.35 (incl gst)
Optional extras not including solar panels	<u>\$ 27,551.00</u> (incl gst)
Total per ILU	\$225,556.35 (incl gst)
Total costs of 4 x ILU supply & Delivered	\$902,225.40 (incl gst)
Land Development costs per ILU (\$30,000 x 12 ILU)	<u>\$360,000</u>
Total Cost of the project (including land)	\$1,262,225.40

We have estimated that the Total costs of the project (including land development) will come within the budget allocation made in 2014/15.

Recommendation

That Council enter into a contract with Fleetwood for the supply and delivery of 4 Transportable Independent Living Units in Southern Cross, and approves the use of the Common Seal if required.

That Council allows the CEO and Manager for Environmental Health and Building service to negotiate variations of requirements before entering into the contract, taking into account the feedback received from the focus group on the design requirements of the ILU's.

Upon, acceptance from Fleetwood of the variations of requirements and entering into a contract, the CEO is to write to the unsuccessful tenderers and notify them of the successful tenderer.

Voting Requirements

Absolute Majority

45/2015

Moved J Della Bosca seconded Cr D Pasini That Council enter into a contract with Fleetwood for the supply and delivery of 4 Transportable Independent Living Units in Southern Cross, and approves the use of the Common Seal if required.

That Council allows the CEO and Manager for Environmental Health and Building service to negotiate variations of requirements before entering into the contract, taking into account the feedback received from the focus group on the design requirements of the ILU's.

Upon, acceptance from Fleetwood of the variations of requirements and entering into a contract, the CEO is to write to the unsuccessful tenderers and notify them of the successful tenderer.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thursday 19 th March 2015
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	11 th March 2015

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Background

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

The following reports are enclosed and have been prepared as at the 28th February 2015:

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

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

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

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 Council endorse the various Financial Reports as presented for the period ending 28th February 2015.

46/2015

Moved Cr G Guerini Seconded Cr B Close That Council endorse the various Financial Reports as presented for the period ending 28th February 2015.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Thursday 19 th March 2015
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:	11 th March 2015

Background

Municipal Fund – Cheque Numbers 39655 to 39683 totalling \$175,674.41, Municipal Fund EFT numbers 3339 to 3435 totalling \$304,765.17, Municipal Fund – Cheque Numbers 1208 to 1210 totalling \$179,678.88, Municipal Fund Direct Debit numbers 9436.1 to 9482.9 totalling \$46,907.96 Trust Fund –402103 to 402105 totalling \$1,935.89 and Trust Fund – Cheque Numbers 5938 to 5942 (DPI Licensing), totalling \$82,056.50 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 39655 to 39683 totalling \$175,674.41, Municipal Fund EFT numbers 3339 to 3435 totalling \$304,765.17, Municipal Fund – Cheque Numbers 1208 to 1210 totalling \$179,678.88, Municipal Fund Direct Debit numbers 9436.1 to 9482.9 totalling \$46,907.96 Trust Fund –402103 to 402105 totalling \$1,935.89 and Trust Fund – Cheque Numbers 5938 to 5942 (DPI Licensing), totalling \$82,056.50 are presented for endorsement as per the submitted list.

47/2015

Moved Cr J Della Bosca Seconded Cr B Close Municipal Fund – Cheque Numbers 39655 to 39683 totalling \$175,674.41, Municipal Fund EFT numbers 3339 to 3435 totalling \$304,765.17, Municipal Fund – Cheque Numbers 1208 to 1210 totalling \$179,678.88, Municipal Fund Direct Debit numbers 9436.1 to 9482.9 totalling \$46,907.96 Trust Fund –402103 to 402105 totalling \$1,935.89 and Trust Fund – Cheque Numbers 5938 to 5942 (DPI Licensing), totalling \$82,056.50 are presented for endorsement as per the submitted list.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Thursday 19 th March 2015
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:	11 th March 2015

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



COORDINATORS REPORT FEBRUARY 2015

Prepared by: Ronice Blair
01.02.2015 – 28.02.2015

Southern Cross Community Resource Centre

Monthly Statistics

General Enquiries	86
Computer usage	12
Library	8
Centre-link	22
Centre-link SGTA (State Govt Computer)	3
Max Employment	32
Book-club	8

Internet	\$75.00
Secretarial Services	\$916.14
Crosswords Sales	\$490.05
Advertising	\$1,230.00
Activities & Events	\$205.05
Room Hire	\$140.00
Donations	\$1,000.00

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ACTIVITIES & EVENTS

Seniors Games 2015: Practice started 4th February for this year's Seniors Games which will be held in Kulin Tuesday 24 March. While we started with a team of 19 there is still question mark hanging over several of our players, due to ill health. The team members are keen but their Doctors may not be, and I am currently waiting for final decisions on two of our team members. We have two new team members this year.

Friday 13th Afternoon Tea: A fun afternoon tea marking Friday 13 was held in the Library, with short, fun session on Tarot Cards, Numerology and Astrology. Those attending were given the tools to create their own readings. Afternoon tea was included. Response was positive, with requests for a similar day to be held. (not Tarot and Numerology).

Seniors Centre: The Seniors exercises sessions, held Tuesdays and Thursdays, have seen a good increase in numbers attending this year. Marg Pasini continues in her capacity as instructor, and I will take the sessions when Marg is unavailable. Two sessions of carpet bowls were held in February, and these were very well attended.

Southern Cross Singers: The singing group resumed in February, with three new members. The group was learning new sets of songs suitable for World Day of Prayer and also ANZAC Day.

Special Event: The From War to Remembrance – A Living History of the RSL exhibition has been on display in the foyer of the Seniors Centre since mid-February. A morning tea was provided when the exhibition was first opened with 14 people attending. Numbers attending on open days since then have been low. Seniors who normally play carpet bowls were invited to use the centre while it was open on the weekends, and these sessions have seen some players attending who normally would not be able to. As a result I am considering holding occasional Saturday bowls sessions during the winter months.

The exhibition will close 6:00pm Saturday 14 March.

TRAINING

All CRC staff members attended First Aid training during February, which was organised by the Shire and conducted by St John Ambulance.

Ronice Blair - Coordinator
9 March 2015

48/2015

Moved Cr K Crisp Seconded Cr G Guerini That the Co-ordinators report for the month of March 2015 be received.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thursday 19 th March, 2015
Agenda Reference:	10.1
Subject:	Proposed Scheme Amendment No 2 – Shire of Yilgarn Town Planning Scheme No 2 and Use of the Shire Common Seal
Location/Address:	Lots 250, 251, 650, 252, & 55 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 March, 2015

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Background

The Shire of Yilgarn owns Lots 250, 251, 650, & 252 Antares Street, Southern Cross being the land previously used for the Bowling Green and Clubhouse and vehicle parking area. At the December 2014 Council Meeting Council formally decided to develop this land for Lifestyle Accommodation Units. This decision was based on the Central East Wheatbelt Aged Care Needs Study and the Central East Aged Care Regional Solution/s Report, plus previous community consultation which identified the need for additional accommodation for older residents within the community so that they could retire and or stay in the District rather than feel they need to move to other towns/Districts for this purpose.

Comment

Lot 250 where the bowling green and the clubhouse were previously situated is currently zoned "Recreation" under the Shire of Yilgarn Town Planning Scheme No 2 (the Scheme). This zoning needs to be changed to "Residential" for the proposed development of residential lifestyle units to be carried out. Being a corner lot within the "Residential" area of town, in line with Amendment No 1 of the Scheme, this Lot should have a density rating of R30.

Lots 251, 650, and 252 Antares Street where the vehicle parking area for the bowling clubhouse was is currently zoned "Residential" under the Scheme, with a density rating of R10. To allow the most effective utilisation of the land, the density rating of these lots needs to be changed from "Residential" R10 to R30.

Lot 55 Antares Street is not owned by the Shire of Yilgarn but is owned privately. It is currently zoned "Residential" R10 under the Scheme. If Lots 250, 251, 650 & 252 are approved to change to "Residential" R30 as outlined above, this would leave Lot 55 as the only lot within the street block that has a density rating of R10 while all others have a density rating of R30. Lot 56 is a corner lot and under Amendment No 1 currently has a density rating of "Residential" R30.

See attached cadastral map of the area and an aerial view of the area prepared by Gray & Lewis Land Use Planners.

The density codes operate through the Residential Design Codes which is a State Planning Policy applied to residential area throughout Western Australia, and are also illustrated on the Shires Town Planning Southern Cross town map. Under the Residential Design Codes (R Codes) the minimum and average areas per dwelling apply to each density code, which dictates how many dwellings or lots can be created. At the current R10 density a minimum of 875m² and average of 1000m² applies per dwelling unit.

The total area of the subject lots is 6069m² which under the density rating of R10 would mean that only 6 units could be built on this land. Preliminary plans developed for the Shire for the subject lots propose development at and R30 density. Under an R30 density a minimum of 270m² and average of 300m² applies per dwelling unit.

A Scheme Amendment requires not only Council approval, but final approval by the Minister for Planning. Gray & Lewis is of the view that any scheme amendment would only be successful if the R30 density was applied for all the lots that face onto/front onto Antares Street between Canopus Street and Centaur Street. It would be undesirable to have mixed density codes within the street block as it results in varied streetscape, different potential lot sizes, different site requirements such as setbacks, and is not in the interest of orderly planning.

Any scheme amendment needs to follow a statutory process in accordance with the Town Planning Regulations and the Planning and Development Act 2005. In short, the scheme amendment process includes:

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1. Compilation of formal scheme amendment documents which explain the proposal, show the existing and proposed zoning on a scheme amendment map, and include formal signing and council resolution pages. Gray & Lewis can compile the documents on behalf of the Shire.
2. A report item to Council to initiate a formal scheme amendment and adopt the amendment for the purpose of conducting formal public advertising. The Council resolution needs to be in accordance with legislative requirements.
3. Referral of the Scheme Amendment to the Environmental Protection Authority (EPA). No scheme amendment can be advertised until the EPA formally advises that it does not require any environmental assessment.
4. Advertising for a minimum of 42 days. The Shire can refer the amendment to the Western Australian Planning Commission “up front” and request a reduced advertising period of 21 days.
5. A report item to Council after advertising to consider any submissions and determine whether to adopt the amendment for final approval (with or without modification).
6. Lodgement of the amendment with the WAPC seeking final approval by the Minister for Planning.
7. Once the amendment is approved by the Minister, the amendment has to be published in the Government gazette and advertised in a local newspaper.

Gray & Lewis considers it unlikely that the Minister would support re-zoning of Lot 55 unless the owners were supportive of their land being included in the amendment. Note that the proposed re-zoning of Lot 55 would be at the Shire’s costs.

Gray & Lewis have completed the Shires Town Planning Scheme Amendment No 2 Plan document which is attached for your information. Three hardcopies have been sent by Gray & Lewis to the Shire for signing and affixing the Shire Common Seal once approved by Council.

Statutory Environment

Shire of Yilgarn Town Planning Scheme No 2 – Clause 4.1 requires residential development to comply with the Residential Design Codes. The applicable density codes are shown on the Scheme maps.

Planning and Development Act 2005 – legislative requirements for scheme amendments.

Town Planning Regulations 1967 (as amended) – legislative procedural requirements for scheme amendments.

Environmental Protection Act 1986 (as amended) – environmental assessment requirements.

Strategic Implications

Community Business Plan – Theme – Social

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.

In 2001 Scheme Amendment No 1 was approved which changed the density code of all corner lots within the Residential area of Southern Cross from R10 to R30. The introduction of an R30 density

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through a scheme amendment allowed for greater housing choice and diversity of housing stock within the town.

The proposed Amendment No 2 will allow the Shire to develop the land more effectively, providing more aged appropriate housing within Southern Cross, which is currently not available, and which a need for such housing has been identified through community consultation.

Policy Implications

In accordance with Council Policy 1.4 “Use of Council’s Common Seal” which states:-

“Where a Council approved or authorised activity or occurrence requires the Common Seal to be affixed (or where the Shire President and Chief Executive Officer determine it would be appropriate to so affix the Seal) the Shire President and Chief Executive Officer shall be authorised to sign and seal the document or item, on Council’s behalf.

That when the Common Seal is used for official documents, it is to be referred to Council for endorsement.”

Financial Implications

Council will be responsible for paying all costs associated with any scheme amendment, including consultancy fees and public advertising costs.

Recommendation

That Council:

- A. Initiate Amendment 2 to the Shire of Yilgarn Town Planning Scheme No. 2 pursuant to Section 75 of the *Planning and Development Act 2005* for the purposes of:
 - 1. Re-classifying a portion of Lot 250 (No 42) Antares Street, Southern Cross from ‘Local Scheme Reserve – Recreation’ to ‘Residential’ with an ‘R30’ density code, and re-coding the ‘Residential’ zoned portion of Lot 250 (No 42) Antares Street, Southern Cross from an ‘R10’ density code to an ‘R30’ density code.
 - 2. Re-coding Lots 251 (No 48), 650 (No 50), 252 (No 52) and 55 (No 56) Antares Street, Southern Cross from Residential with an ‘R10’ density code to an ‘R30’ density code.

As depicted on the Scheme Amendment map.
- B. Authorise the Shire President and Chief Executive Officer to execute 3 hardcopies of the amendment documents, including affixing the Shire of Yilgarn Common Seal to each amendment document.
- C. Formally refer Amendment 2 to the Environmental Protection Authority (which is a statutory requirement) for advice, prior to commencement of formal advertising.
- D. Authorise the Chief Executive Officer to organise advertising of the Scheme Amendment (in consultation with Gray & Lewis Land Use Planners) once the Environmental Protection Authority confirms no environmental assessment is required.
- E. Note that a further report will be referred back to Council following formal advertising for a minimum of 42 days.

Voting Requirements

Simple Majority.

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Moved Cr G Guerini Seconded Cr B Close That Council:

A. Initiate Amendment 2 to the Shire of Yilgarn Town Planning Scheme No. 2 pursuant to Section 75 of the Planning and Development Act 2005 for the purposes of:

1. Re-classifying a portion of Lot 250 (No 42) Antares Street, Southern Cross from ‘Local Scheme Reserve – Recreation’ to ‘Residential’ with an ‘R30’ density code, and re-coding the ‘Residential’ zoned portion of Lot 250 (No 42) Antares Street, Southern Cross from an ‘R10’ density code to an ‘R30’ density code.

2. Re-coding Lots 251 (No 48), 650 (No 50), 252 (No 52) and 55 (No 56) Antares Street, Southern Cross from Residential with an ‘R10’ density code to an ‘R30’ density code.

As depicted on the Scheme Amendment map.

B. Authorise the Shire President and Chief Executive Officer to execute 3 hardcopies of the amendment documents, including affixing the Shire of Yilgarn Common Seal to each amendment document.

C. Formally refer Amendment 2 to the Environmental Protection Authority (which is a statutory requirement) for advice, prior to commencement of formal advertising.

D. Authorise the Chief Executive Officer to organise advertising of the Scheme Amendment (in consultation with Gray & Lewis Land Use Planners) once the Environmental Protection Authority confirms no environmental assessment is required.

E. Note that a further report will be referred back to Council following formal advertising for a minimum of 42 days.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thursday 19 th March 2015
Agenda Reference:	7.2
Subject:	Late Item - Confidential – CEO’s Employment Contract
File Reference:	1.1.10.2
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Impartiality Interest
Date of Report:	11 th March 2015

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Recommendation

That Council endorse the following in respect to the Chief Executive Officers contract of employment;

1. The Chief Executive Officer will take approved annual leave between 23 March 2015 and 10 April 2015;
2. The employment contract of the Chief Executive Officer will finish on 10 April 2015;
3. The Chief Executive Officer will be paid an amount equivalent to 3 months' at their ordinary hourly rate in addition to payment of accrued entitlements; and
4. Eddie Piper be appointed Acting Chief Executive Officer from 23 March 2015.

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Recommendation

Moved Cr B Close Seconded Cr D Pasini - That Council endorse the following in respect to the Chief Executive Officers contract of employment;

- 1. The Chief Executive Officer will take approved annual leave between 23 March 2015 and 10 April 2015;*
- 2. The employment contract of the Chief Executive Officer will finish on 10 April 2015;*
- 3. The Chief Executive Officer will be paid an amount equivalent to 3 months' at their ordinary hourly rate in addition to payment of accrued entitlements; and Eddie Piper be appointed Acting Chief Executive Officer from 23 March 2015.*

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thursday 19 th February 2015
Agenda Reference:	7.3
Subject:	Late Item Confidential Item - Update regarding Medical Practitioners Dispute
File Reference:	1.1.10.26
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	19 th March 2015

Recommendation

1. That Council engage Murfett Legal to:

- (i) Undertake an investigation into Dr Livingston's allegations against Dr Bushe;
- (ii) Initiate a dispute resolution process as is a requirement of clause 15 of the agreement. To be done by both parties agreeing in writing to vary or delete this clause - 'in writing' can be a letter from Shire signed by the CEO and Livingston.

2. That Council delegate authority to act on its behalf in relation to this matter to the Shire President, Vice President, Acting CEO and Deputy CEO.

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***Moved Cr D Pasini Seconded Cr G Guerini. That Council engage Murfett Legal to:
(i) Undertake an investigation into Dr Livingston's allegations against Dr Bushe; (ii) Initiate a dispute resolution process as is a requirement of clause 15 of the agreement. To be done by both parties agreeing in writing to vary or delete this clause - 'in writing' can be a letter from Shire signed by the CEO and Livingston. 2. That Council delegate authority to act on its behalf in relation to this matter to the Shire President, Vice President, Acting CEO and Deputy CEO***

CARRIED (6/0)

As there was no further business to discuss, the Shire President declared the meeting closed at **6.03 pm**.

I, Onida T Truran confirm the above Minutes of the Meeting held on Thursday 19th March 2015, are confirmed on _____ 2015 as a true and correct record of the March Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT