



Shire of
YILGARN

“good country for hardy people”

Council Meeting Agenda

*20 August
2020*

SHIRE OF YILGARN NOTICE OF MEETING



Councillors:
Please be advised that the

AUGUST 2020 ORDINARY MEETING OF COUNCIL

Will be held in the Council Chambers on
Thursday, 20 August 2020
Commencing at **4pm**

COUNCILLORS PLEASE NOTE:

- *The CEO Performance Review will start at 2pm*
- *The Discussion Session will start at 3pm*
- *Yilgarn Iron Pty Ltd (Mineral Resources Limited) will present to Council at 4pm after the commencement of the Council meeting.*

Peter Clarke
Chief Executive Officer

14/08/2020

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at ____pm

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3. ATTENDANCE

Presiding Member Cr W Della Bosca President

Members Cr B Close Deputy President
 Cr J Cobden
 Cr G Guerini
 Cr P Nolan
 Cr L Rose
 Cr S Shaw

Council Officers P Clarke Chief Executive Officer
 C Watson Executive Manager Corporate Services
 R Bosenberg Executive Manager Infrastructure
 G Hindmarsh Executive Manager Regulatory Services
 Laura Della Bosca Minute Taker

Apologies:

Observers:

Leave of Absence:

4. DECLARATION OF INTEREST

5. PUBLIC QUESTION TIME

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council, Thursday 16 July 2020- (Minutes Attached)

Recommendation

That the minutes from the Ordinary Council Meeting held on 16 July 2020 be confirmed as a true record of proceedings.

Voting Requirements: Simple Majority

6.2 Wheatbelt North East Sub Regional Road Group (SRRG), Thursday 9 July 2020
(Minutes Attached)

Recommendation

That the minutes from the Wheatbelt North East SRRG meeting held on the 9 July 2020 received

Voting Requirement: Simple Majority

7. PRESENTATIONS, PETITIONS, DEPUTATIONS

8. DELEGATES' REPORTS

9. OFFICERS REPORTS

9.1 Officers Report – Chief Executive Officer

9.1.1 Western Australian Local Government Association – Annual General Meeting

File Reference	1.6.21.12
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To inform Councillors that the Annual General Meeting of the Western Australian Local Government Association will be conducted at Crown Perth on Friday, 25 September 2020.

Background

The CEO reported at the July 2020 Ordinary meeting that the CEO of WALGA, Mr Nick Sloan, had written to Council to advise that the AGM of WALGA will be held on Friday, 25 September 2020 at Crown Towers Perth.

Mr Sloan had indicated in his correspondence that as Councillors would be aware, the COVID-19 pandemic has upended much of WALGA's way in doing business and created significant uncertainty about its ability to host large scale events such as WALGA's AGM. Following cancellation of the Local Government Convention, the 2020 AGM has been delayed to September to provide as much time as possible for the meeting to be held in-person.

Mr Sloan advised that if an in-person event is not able to be held due to social distancing restrictions, the meeting will be conducted virtually.

Mr Sloan indicated that the key dates are as follows:-

- **Friday, 28 August** – Registration of voting delegates closes; and
- **Friday, 25 September** – Annual General Meeting, Crown Towers Perth

Comment

At the July 2020 Ordinary meeting the Shire President requested that potential attendance of Councillors to the AGM be deferred until this meeting to allow Councillors time to consider whether the date suited their attendance.

It should be noted that WALGA will be scheduling a full day of meetings/forums with a Guest Speaker Breakfast between 7.30am – 9.00am followed by a Political Forum at 9.15am which is open to Mayors/President, their Deputies and CEO's.

Councillors should indicate at this meeting whether they wish to attend the WALGA AGM to allow staff time to undertake registrations and also arrange for accommodation.

Council will also need to appoint Delegates with voting entitlements at the Annual General Meeting. Normally this would be the Shire President and Deputy Shire President if they are attending.

Statutory Environment

Nil

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Civic Leadership Strategy – Ensure training programs for Elected Members and Staff.

Policy Implications

Nil

Financial Implications

Council allocates funds within its Annual Budget to accommodate those Councillors wishing to attend the Convention.

Officer Recommendation

That Council:-

- 1. Authorises the Shire President, Deputy Shire President, and Crs together with CEO in attending WALGA's Annual General Meeting on 25 September 2020;***
- 2. Crs be appointed as Voting Delegates at the WALGA Annual General Meeting and WALGA be informed accordingly; and***

9.1 Officers Report – Chief Executive Officer

9.1.2 Establishment of Shire of Yilgarn Tourism Advisory Committee

File Reference	1.3.10.3
Disclosure of Interest	None
Voting Requirements	Absolute Majority
Attachments Nil	Nil

Purpose of Report

To advise Council of the progress in the re-establishment of the Shire of Yilgarn Tourism Advisory Committee.

Background

During the community consultation phase in the development of the 2020-2030 Shire of Yilgarn Community Strategic Planning process, one of the priorities identified was the need to promote tourism in the district.

Therefore, Council considered that the re-formation of the Tourism Advisory Committee would be the ideal way in which this could be achieved and that community participation on the Committee was integral to meeting this objective.

Comment

Following Council adopting the Community Strategic Plan at its June 2020 Ordinary meeting, the CEO advertised in *Crosswords* of Council's intentions to re-form the Tourism Advisory Committee and called for expressions of interest from community members who have an interest in promoting tourism within the district.

At the close of the EOI period, the following 12 residents expressed their interest in being members of the Committee.

- Leonie Gethin, Robin Stevens, Kaye Crafter, Charles Jenkins, Ken Fairless, Kerry Fairless, Gary Kenward, Alison Carnicelli, Shannon Carnicelli, Jess Stephens, Laura Black, Ron Goodhill.

Four (4) Shire employees also expressed an interest but were requested by the CEO to withdraw as a Committee of 16 people would be too unwieldy. These employees would still be able to provide input via the secretariat of the Committee and should any of the above community members decide to withdraw at some stage in the future, the employees would then be invited to participate.

Councillor representation has also yet to be considered and it is requested that Councillors nominate their interest at this meeting.

Statutory Environment

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.9. Committees, types of

- (1) In this section —

other person means a person who is not a council member or an employee.

- (2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.10. Committee members, appointment of

- (1) A committee is to have as its members —

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the

committee, the local government is to appoint the mayor or president to be a member of the committee.

- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
- (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

[Section 5.10 amended: No. 16 of 2019 s. 18.]

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Economic – Tourism Opportunities Maximised – Re-establish a Yilgarn Tourism Committee to advise /recommend to Council on actions to promote tourism in the district.

Policy Implications

Nil

Financial Implications

Nil

Officer Recommendation

That Council:-

- 1. Appoints the following Community members to the Shire of Yilgarn's Tourism Advisory Committee:-***

Leonie Gethin, Robin Stevens, Kaye Crafter, Charles Jenkins, Ken Fairless, Kerry Fairless, Gary Kenward, Alison Carnicelli, Shannon Carnicelli, Jess Stephens, Laura Black, Ron Goodhill.

- 2. Appoints Councillors as Council's representatives on the above Committee.***

9.1 Officers Report – Chief Executive Officer

9.1.3 Gold Net – Proposal to Share VHF Repeater Site – Mt. Caudan

File Reference	2.4.1.7 & 5.1.5.6
Disclosure of Interest	None
Voting Requirements	Absolute Majority
Attachments	Certificate of Crown Land Title and Map

Purpose of Report

To present to Council for its consideration a proposal by Gold Net to construct a communications tower that would co-exist with a Shire of Yilgarn Bush Fire tower to service mining interests in the southern part of the Shire.

Background

Gold Net advise that they have been engaged by Vocus Communications (their business partner) to provide quotations to deliver connectivity to the Parker Range mine site for Mineral Resources Ltd and the Mt. Holland project for Covalent Lithium. Gold Net advise that their current design is based on extending the backbone from the Marvel Loch mine site (Minjar Gold) whom they have already established connectivity to.

Gold Net advise that one possible solution that they hope to investigate is the opportunity to establish a small installation that would potentially co-exist with the Shire of Yilgarn's Bush Fire infrastructure.

Comment

The Shire of Yilgarn installation that Gold Net are referring to is located on Reserve Land under a Management Order to the Shire for the purpose of a VHF Repeater Station. Gold Net's proposal would see an additional tower constructed within the confines of the Reserve Land set aside for this purpose.

Gold Net has advised that they would be prepared to negotiate with Council a Lease fee for site usage.

Statutory Environment

Reserve 51258 under Crown Land Title 501/DP54991.

Shire of Yilgarn has care, control and management of the above reserve for the purpose of which the land comprising the Reserve is reserved under Section 41 of the *Land Administrative Act 1997*, and for purposes ancillary or beneficial to that purpose to the conditions stated.

41. Reserving Crown land, Minister's powers as to

Subject to section 45(6), the Minister may by order reserve Crown land to the Crown for one or more purposes in the public interest.

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Economic – Business in the Shire remain competitive and viable.

Policy Implications

Nil

Financial Implications

Negotiation of a lease fee for the use of the land.

Officer Recommendation

That Council advises Gold Net that it has no objections to the installation of a communications tower being erected alongside the Shire of Yilgarn's Bush Fire communication tower on Reserve 51258 under Management Order of Council and that the CEO be authorised to negotiate the siting of the tower along with lease fees associated with use of the land.

9.1 Officers Report – Chief Executive Officer

9.1.4 Wheatbelt Cash for Containers Proposal – Mrs Pauline Guest

File Reference	4.1.9.9 & 1.3.4.4
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	Example of Bag Drop Point Bins

Purpose of Report

To submit to Council for consideration a proposal to establish the “Wheatbelt Cash for Containers” scheme as a part of the State Government’s Container Deposit Scheme (CDS).

Background

Mrs Pauline Guest, Proprietor of Wheatbelt Cash for Containers, has forwarded the following correspondence to Council:-

“Containers for Change is Western Australia’s new State-wide container deposit scheme that lets people cash in eligible beverage containers for 10c each and make positive environmental changes at the same time.

With the introduction of Containers for Change together we will:

- Reduce litter and landfill;*
- Increase recycling;*
- Create jobs; and*
- Provide opportunities for social enterprise and community organisations.*

With the disruption caused by COVID-19 the official start date for the scheme was deferred from June 2020 to 1 October 2020.

A site has been secured site in Merredin which will serve as the container aggregation point for the Shires of Bruce Rock, Kellerberrin, Merredin, Mukinbudin, Westonia and Yilgarn. In the Shires surrounding Merredin bag drop points are being established so that local residents have the opportunity to bag and tag their containers and receive refunds without having to travel outside of their towns to access the service. This means that I have the opportunity to work with you to provide a service to you and your broader community.

I would be delighted to enter into a partnership with the Southern Cross Community Resource Centre to enable you to maximise the benefit to you as an organisation. There are two ways that you can benefit from participation in the scheme; from an annual compensation payment for the provision of a location for placement of “bag drop” infrastructure, and by receiving

container refunds, either generated by your own fundraising activities or from general donations from others.

In the Shires of Mukinbudin and Bruce Rock 3.0m x 3.0m garden type sheds with built in donation chutes similar to a "Good Sammy" bin are to be utilised as bag drop points. Individuals register for a scheme identification number and use this to label bags of containers deposited into the bag drop bin. The bags are retrieved, counted, and refund issued to the registered bank account. You can receive funds for containers you have collected or from container refunds donated to you by others via your scheme identification number.

The Southern Cross CRC's connection with the Yilgarn community means that you will be well placed to promote the scheme in your community and encourage individuals and community groups in your community to get on board and benefit from obtaining refunds for themselves or for their community groups. Other Community Resource Centres have identified this partnership as an opportunity to improve community engagement statistics through the provision of the service, and recording of the community interactions it will generate via the provision of assistance with scheme identification numbers and the issuing of bags and tags.

I am pleased to be able to offer financial compensation of \$3,000 per annum (ex. GST) as a donation to the Southern Cross CRC, acknowledging your role in hosting a bag drop facility for your town. The amount of financial compensation will be reviewed on an annual basis, with high scheme participation potentially resulting in increased compensation.

It is estimated that Western Australian use around 4 eligible containers per person per day. With a population of 1,202 (2016 Census data), the Yilgarn community could generate significant income for groups, clubs and individuals. A table representing potential financial returns is shown below:

Return Rate (per person per day)	Containers/Annum	Refund value/Annum (\$)
1.5	658,095	\$65,809.50
3	1,316,190	\$131,619

To enable you and your community to get set up to participate in the scheme I will provide you with:

- *Two lockable sheds (installed) with deposit chutes (size, colour and configuration dependent on the location you have available)*
- *Suitable locks*
- *Informational signage on instructions for use and eligible containers*
- *A weekly collection service for your bag drop site*
- *Ongoing general marketing of the scheme to the Wheatbelt community*
- *A mobile refund service is an option which is being explored - to enable customers to receive on the spot cash refunds, which may be delivered on a fortnightly/monthly basis*

Where applicable, your participation would be focused on:

- *Provision of a safe and publicly accessible location for placement of a bag-drop site*
- *Local promotion of the bag drop site through your regular channels (eg. window advertising, Facebook, newsletter)*
- *Keeping an eye on the bag drop infrastructure, picking up small amounts of litter if necessary, or notifying me that attention is required*
- *Providing assistance to customers with obtaining or using their scheme identification number*
- *Issuing official bags and tags to customers*
- *Working with your community and allies to encourage participation and facilitate donations. Every refunded container means 10c for your community - it adds up quickly!*

The ideal location could be a car park or other open space, which is conveniently located for easy public access. It should be suitable to park a ute and trailer at on a regular basis; for collection of bags from the bag drop infrastructure and to park and wait at to provide a regular on the spot cash refund service. I look forward to hearing about options you might have available which could be suitable.

Wheatbelt Cash for Containers has public liability insurance and can provide police clearances and working with children's checks for all staff. Arrangements will need to be made to ensure that all required insurances and appropriate agreements are in place for public use and for the management of the supplied infrastructure, suited to the tenure and management of the location selected for the bag drop site.

Comment

It is the opinion of the CEO that the community would expect to see Council somehow involved in providing this service so residents can benefit from the State Government's Container Deposit Scheme.

The proposal submitted by Mrs Guest appears feasible, as long as CRC staff are only involved in the promotion of the scheme (via *Crosswords*) and the issuing of bags and tags to customers. Other potential providers of CDS were expectant of Council Officers running the scheme without reward.

In discussions with the Executive Managers of Infrastructure and Regulatory Services, they are of the opinion that the most logical site for the Deposit Bins is located on the vacant land between the Tennis Courts and Senior Citizens Centre in the Southern Cross townsite.

Statutory Environment

Nil.

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Environmental – Satisfaction with waste management services and recycling processes.

Policy Implications

Nil

Financial Implications

Nil

Officer Recommendation

That Council advises Mrs Guest, Proprietor of Wheatbelt Cash for Containers, that it agrees to participating in the Container Deposit Scheme proposal as per the following:-

- 1. That the Southern Cross CRC be the contact point for residents to obtain official bags and tags for the depositing of containers and that in return, the Shire of Yilgarn receives an annual payment of \$3,000 for this service;***
- 2. That the Southern Cross CRC and the Shire of Yilgarn promotes the Wheatbelt Cash for Containers scheme in the local Crosswords Newsletter, Shire website and other social media sites;***
- 3. That Council approves of the "Bag Drop Off Point" sheds being located on the vacant land between the Tennis Courts and Senior Citizens Centre in the Southern Cross townsite; and***
- 4. That Wheatbelt Cash for Containers commits to a weekly collection of the deposited container bags.***



3.0m



3.0m

Details

3.0m wide x 2.0m high shed walls

900mm wide x 500mm high chute

Handle at 1100mm high for accessibility

Signage to be approved by WARRRL Pty Ltd (Scheme Coordinator). Note: Wording is incorrect on ineligible containers sign shown here.

9.1 Officers Report – Chief Executive Officer

9.1.5 Southern Cross District High School – Waiving of Community Bus Hire Fees

File Reference	8.2.6.27
Disclosure of Interest	None
Voting Requirements	Simple Majority
Attachments	Letters from Students

Purpose of Report

To submit to Council a request from the Principal of the Southern Cross District High School (SXDHS) for the waiving of Community Bus Hire fees associated with student's attendance at a Country Week Carnival in Perth.

Background

The Principal, Ms Karen Tabner, advises that the opportunity for SXDHS students in Years 7-10 to attend the Country Week 2020 Carnival, which is coordinated by School Sport WA, is a fantastic educational opportunity that involved students from District High Schools across WA travelling to Perth to compete against one another in various sports.

The SXDHS has not participated in the event for many years, however, both Principals feel that many of their secondary students would benefit greatly from this opportunity. Throughout the week, students would participate in a number of sporting and non-sporting activities. The aim of this educational experience is to provide the students with the opportunity to further develop their social and cultural competence, whilst being active and encouraging physical activity. In the future and if successful, it is hoped that the school would be able to offer this opportunity on an annual basis.

At the present, the school is trying to fund the Year 7-10 students to journey to Perth from 20 – 25 September to participate in the event. Parents will be expected to contribute financially to the event to enable their child to attend, however, the total cost for the camp far exceeds this amount. As such, students and their families will also be participating in a number of fundraising events over the course of the next few months. Even so, it is going to be very difficult for the school to be able to raise the funds needed to be able to attend.

Ms Tabner advises that whilst we live in an amazing mineral rich area of WA, it has come to the attention that many school children in this area are quite disadvantaged in a social and cultural sense. In addition, junior sports in the Yilgarn region has been significantly impacted by COVID-19 and, as such, many of the students will not have the opportunity to participate in community-based sport during the winter months of 2020.

Should Council feel that it may be in a position to support these students to attend Country Week 2020, any financial contributions in the form of a donation towards the Community Bus hire and transport would be greatly appreciated.

Comment

Council's Delegation No. LGA30 only allows the CEO to waive hire fees to an amount less than \$500.00. The request by the SXDHS to waive hire fees for the Community Bus would be between \$800 - \$900.

The Shire of Yilgarn supports the SXDHS in many ways throughout the course of the school year, from donating Book Prizes, waiving Hall Hire fees for rehearsals and annual school concerts, preparing ovals for sport carnivals and waving of minor fees for other events. Quite often, the Shire is the first organisation that the school approaches when financial assistance is required.

It is pleasing to see the school community being active in fundraising to enable students to attend the Country Week 2020 event to lessen the financial burden on parents.

Statutory Environment

Delegation No: LGA30

Donations and Discount Hire Fees

<i>Date Adopted:</i>	17 March 2016
<i>Date Last Reviewed:</i>	20 February 2020
<i>Policy Reference:</i>	

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	No
<i>Chief Executive Instruction/Procedure:</i>	

Legal (Parent):

1. Local Government Act 1995, Section 5.42.

Legal (Subsidiary):

1. Local Government Act 1995, Sections 6.12

Council delegates its authority and power to the Chief Executive Officer to consider requests for Donations and Waiver of Hire Fees,

Subject to-

- a) The donation and /or waiver of hire fees request is:
 - a. less than \$500
 - b. for a non-profit group that is located in the Shire of Yilgarn
 - c. for an event that will be held within the Shire and is a general community benefit
- b) All Donations and Waiver of Hire Fees to be recorded in the Annual Report each year.

Strategic Implications

Shire of Yilgarn Strategic Community Plan 2020-2030 – Social – Maintain/increase percentage of residents engaged in recreation, cultural and leisure activities for all demographics in the Shire.

Policy Implications

Nil

Financial Implications

Requested Donation/Waiving of Hire Fees between \$800 - \$900

Officer Recommendation

That Council advises the Principal of the Southern Cross District High School that Council is prepared to support the School and its parents to assist the students in attending the Country Week 2020 event in Perth by waiving 50% of the anticipated Community Bus Hire fees (\$400-\$450).

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.1 Financial Reports

File Reference	8.2.3.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Financial Reports

Purpose of Report

To consider the Financial Reports

Background

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

The following reports are attached and have been prepared as at the 31 July 2020.

- 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.

Comment

Nil

Statutory Environment

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

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Officer Recommendation

That Council endorse the various Financial Reports as presented for the period ending 31 July 2020

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.2 Accounts for Payment

File Reference	8.2.1.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Accounts for Payment

Purpose of Report

To consider the Accounts for Payment

Background

Municipal Fund – Cheque Numbers 40929 to 40936 totalling \$8804.71, Municipal Fund-EFT Numbers 10269 to 10371 totalling \$642,130.87, Municipal Fund – Cheque Numbers 1636 to 1647 totalling \$278,025.82, Municipal Fund Direct Debit Numbers 14837.1 to 14837.11 totalling \$18,776.45, Municipal Fund Direct Debit Numbers 14885.1 to 14885.11 totalling \$19,463.96, Municipal Fund Direct Debit Numbers 14912.1 to 14912.11 totalling \$19,271.77, Trust Fund – Cheque Numbers 402515 to 402521 totalling \$2340.05, Trust Fund – Cheque Numbers 6239 to 6244 (DPI Licensing), totalling \$41,159.95 are presented for endorsement as per the submitted list.

Comment

Nil

Statutory Environment

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

Strategic Implications

Nil

Policy Implications

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

Financial Implications

Drawdown of Bank funds

Officer Recommendation

Municipal Fund – Cheque Numbers 40929 to 40936 totalling \$8804.71, Municipal Fund-EFT Numbers 10269 to 10371 totalling \$642,130.87, Municipal Fund – Cheque Numbers 1636 to 1647 totalling \$278,025.82, Municipal Fund Direct Debit Numbers 14837.1 to 14837.11 totalling \$18,776.45, Municipal Fund Direct Debit Numbers 14885.1 to 14885.11 totalling \$19,463.96, Municipal Fund Direct Debit Numbers 14912.1 to 14912.11 totalling \$19,271.77, Trust Fund – Cheque Numbers 402515 to 402521 totalling \$2340.05, Trust Fund – Cheque Numbers 6239 to 6244 (DPI Licensing), totalling \$41,159.95 are presented for endorsement as per the submitted list.

9.2 Reporting Officer– Executive Manager Corporate Services

9.2.3 Budget Amendment – Moorine Rock Tennis Club - Court Resurfacing

File Reference	8.2.5.3
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Attachments	Nil

Purpose of Report

This report seeks Councils approval for an amendment to its 2020/2021 budget to allow for expenditure from its municipal fund for the resurfacing of the Moorine Rock Tennis Courts and corresponding donation income.

Background

Council has included in its current budget, a contribution of \$40,000 ex GST allocated to the Moorine Rock Tennis Club which is intended as support for the refurbishment of three tennis court surfaces. This contribution was to be made as a cash contribution directly to the Moorine Rock Tennis Club.

The contribution is included in the budget allocation for GL Account E04119 – Support to Community Groups within schedule 4 – Governance / Members of Council.

Comment

Due to their status of not being registered for GST, the Moorine Rock Tennis Club have requested that, if Council is willing to, incur the costs associated with the refurbishment of the tennis courts with the Club donating to Council the cost difference.

The Moorine Rock tennis facilities are included on Councils asset register and are insured by Council. With Council incurring the cost of these court upgrades, then both the asset register and the insurance valuation can be updated immediately and not when the asset is next revalued.

The Moorine Rock Tennis Club have received a quote for the upgrade works totalling \$82,280 ex GST and have indicated that they are in a financial position to donate the amount of \$42,280. It will be proposed to make the following amendments to the 2020/2021 Budget:

<i>Sub-Program</i>	<i>Account / Job</i>	<i>Current Budget</i> \$	<i>Budget Adjustment</i> \$	<i>Proposed Budget</i> \$
<u>Expenditure</u>				
041. Members of Council	E04119 - Support to Community Groups	62,250	(40,000)	22,250
113. Other Recreation & Sport	SPRT11 - Moorine Rock Tennis Club - L & B	-	82,280	82,280
			42,280	
<u>Income</u>				
113. Other Recreation & Sport	R11311 - Contributions, Reimbursements & Donations	-	42,280	42,280
	<i>Total Cost to Council</i>		-	

Statutory Environment

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

The recommendation that follows is consistent with the legislative requirements.

Strategic Implications

Strategic Goal

Social Objective - An inclusive, secure and welcoming community that encourages families, youth and the aged to remain and contribute to our Shire in the long term.

Strategic Outcome

Social Outcome 1.1 - Maintain / increase percentage of residents engaged in recreation, cultural and leisure activities for all demographics in the Shire.

Strategy

- 1.1.2 - Provide and maintain high quality community infrastructure (recreation centre, oval, bowls, swimming pool, library, community centre, halls).
- 1.1.5 - Provide support to local sport, recreation and community groups.

Policy Implications

There are no policy implications as a result of this report

Financial Implications

If the recommendation below is endorsed, there will be no change to the budgets bottom line.

Officer Recommendation

That Council approves the following budget amendments:

<i>Sub-Program</i>	<i>Account / Job</i>	<i>Current Budget \$</i>	<i>Amended Budget \$</i>
<u><i>Expenditure</i></u>			
041. Members of Council	E04119 - Support to Community Groups	62,250	22,250
113. Other Recreation & Sport	SPRT11 - Moorine Rock Tennis Club - L & B	-	82,280
<u><i>Income</i></u>			
113. Other Recreation & Sport	R11311 - Contributions, Reimbursements & Donations	-	42,280

9.3 Reporting Officer– Executive Manager for Infrastructure

9.3.1 Supply and Spray Bitumen for 2020-/2021 Financial Year

File Reference	6.6.8.9
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

Supply and Spray Hot Bitumen for 2020/2021 Financial Year Road Construction Program

Background

Quotations were invited through WALGA Preferred Supply Contract for the supply and spraying of hot bitumen for the 2020/2021 Financial Year Road Construction Program. Bitumen required for the 2020/2021 Road Construction Program is for, Cramphorne Road, Bodallin South Road, Moorine South Road, Koorda Bullfinch Road (M40), Koolyanobbing Road and Achenear Street.

It is estimated 370,500 litres of bitumen is required for 2020/2021 of which 295,000 litres will be sprayed in lots of above 25,000 litres and the remaining 75,500 litres will be sprayed in lots off between 10,000 to 25,000 litres.

Included in the quotation request is a requirement to submit a cost per tonne to carry out pre-coating of 3000 tonnes of aggregate.

Comment

Three companies were invited to submitted quotations (Boral, Bitumen Surfacing and Bitutek) to supply and spray bitumen for 2020-2021 Financial Year, Bitutek and Boral supplied quotes, Bitumen Surfacing did not submit a quote.

1. Bitutek (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.25 per litre	\$ 1.25 per litre
10,000 - 25,000	\$ 1.05 per litre	\$ 1.05 per litre
over 25,000	\$ 1.00 per litre	\$ 1.00 per litre

Pre-coating Aggregate \$ 2.50 per tonne

Expected total cost to Council's Construction Program

75,500 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 79,275.00
295,000 litres in job lots above 25,000 litres of 98/2:	\$295,000.00
adhesive agent	\$ 4,157.00
3000 tonnes aggregate x \$2.50 per tonne	<u>\$ 7,500.00</u>
Total	<u>\$385,932.00</u>

Rates for pre-coating are based on the following:

Shire of Yilgarn to supply at no cost to Bitutek:

- 1) Loader
- 2) Wetting agent (diesel) for the pre-coating

Bitutek have also included an hourly rate for spreader trucks: \$125.00/hour

2. Boral (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.30 per litre	\$ 1.29 per litre
10,000 - 25,000	\$ 1.13 per litre	\$ 1.12 per litre
over 25,000	\$ 1.08 per litre	\$ 1.06 per litre

Pre-coating Aggregate \$ 2.92 per tonne

Expected total cost to Council's Construction Program

75,500 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 85,315.00
295,000 litres in job lots above 25,000 litres of 98/2:	\$312,700.00
adhesive agent	\$ 2,037.75
3000 tonnes aggregate x \$2.92 per tonne	<u>\$ 8,760.00</u>
Total	<u>\$408,812.75</u>

Rates for pre-coating are based on the following:

Shire of Yilgarn to supply at no cost to Boral:

- 3) Loader
- 4) Wetting agent (diesel) for the pre-coating

Council utilized Bitutek for the supply and spraying of bitumen in the 2019/2020 Financial Year. The service and quality of goods supplied was to a good standard.

When setting the 2020/2021 Financial Year Construction Budget an estimated monetary allocation of \$418,700 (*GST exclusive*) was allowed for in council's construction program for the supply and spray of hot bitumen and pre-coating of aggregate.

Strategic Implications

2020/2021 Construction Program

Policy Implications

In line with Council's Policy, "*Finance 3.5 Purchasing Quotes and Tenders*"

Financial Implications

Monetary costs associated for the supply, and spraying of hot bitumen has been allowed for in Council's 2020/2021 Construction Program Budget

Officer Recommendation

That Council accepts the Quotation submitted by Bitutek for the supply and spraying of hot bitumen and pre-coating of aggregate for the 2020/2021 Financial Year.

9.3 Reporting Officer– Executive Manager for Infrastructure

9.3.2 Disposal of Donga and Two x Fuel Storage Tanks

File Reference	6.6.9.1
Disclosure of Interest	Peter Clarke-Member of Southern Cross Golf Club
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To consider the disposal of a Donga and two x fuel storage tanks

Background

Recently Council purchase a block of land and shed at 25 Procyon Street Southern Cross. Located on the block and included in the purchase price was two x 2,500 litre Fuel Storage tanks on stands and a Donga. The Fuel Storage tanks have been emptied for a number of years and are showing their age. The Donga is well aged with minor damaged both external and internal. Council has no use for the above listed items.

At July 2020 Ordinary Meeting of Council, it was resolved to dispose of these items in accordance to the following resolution:

96/2020

Moved Cr Rose/Seconded Cr Cobden

That Council endorses the disposal of items listed below, to highest bidder at public auction, being via written expression of interest, with notice of public auction given via the Shire's Crossword publication

Items listed for disposal included:

1. *One x donga*
2. *Two x 2,500 litre fuel storage tanks on stands "*

Comment

The Donga and two x 2,500 litre Fuel Storage tanks were advertised in the 23rd July 2020 edition of the local Crosswords with the closing date being Friday 7th August.

The following expression of interest to purchase the Donga were received (*GST inclusive*):

Stuart Anthony	
Shac Electrical	\$3000.00
Brad Auld	
Bradelli Farm	\$6875.00

Vern Strange	
West Australian Prospectors	\$3000.00
David York	\$2000.00

Council did not receive any offers to purchase the two fuel storage tanks, but the Southern Cross Golf Club have indicated that they would like to have both donated to them for the storage of oil used to treat the sand greens with.

Statutory Environment

In accordance to the Local Government Act 1995 Section 3.58 Disposing of Property

Strategic Implications

Nil

Policy Implications

"Finance Policy 3.1 Financial Treatment of Assets"

Financial Implications

Income received for items go into general revenue

Officer Recommendation

That Council accepts the expression of interest received from Brad Auld - Bradelli Farm of \$6,875.00 (GST inclusive) for the purchase of the Donga

and that

as there was no financial offer for the two Fuel Storage tanks Council donates these tanks to the Southern Cross Golf Club

9.4 Reporting Officer– Executive Manager Regulatory Services

9.4.1 Future of Bodallin Hall – Consideration of Building Assessment and Comments

File Reference	1.3.2.1
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Bodallin Hall Building Condition Report & Asset Data

Purpose of Report

To consider a building condition report on the Bodallin Hall and comments from the Bodallin Community regarding the future of the Bodallin Hall.

The intention of the building condition report is to identify the current defects, how the building complies with the legislation and short to long-term maintenance costs. Following placing a value on these parameters, Council can make a decision on the future of the hall against the value of any unmet need of the community for such a facility in the Bodallin Community

Background

The Bodallin Halls future came under Consideration by Council in 2015, including value to the community and its condition, however no formal resolution ensued.

The Bodallin Hall, completed in 1971 has had very little use in recent years by the local community and due to attrition has fallen into disrepair. The Shire had the power disconnected from the main hall approximately three years ago.

Council Officers have more recently noted the immediate and future maintenance concerns and compliance with public building legislation. This was brought to the attention of Council in the discussion session at the June 2020 ordinary Council meeting. Following this meeting, Council Officers sought feedback from the community and a professional assessment of the building condition by independent third party at the direction of Council.

Mr Chris Roeves from SW 19 Building Consultants and the EMRS undertook the building condition inspection on the 6 July 2020. The report received from SW 19 on the 13 July 2020 as tabled in this report as attachment details the immediate and ongoing maintenance requirements and costings for the next ten years.

Feedback has been sought from the community via correspondence to residents and landowners within the Bodallin postcode of 6424 requesting comment regarding the future of the Bodallin Hall. Forty-one residents and landowners were contacted by mail requesting

comment by 31 July 2020. Furthermore, the same correspondence was disseminated in the Yilgarn Shire newsletter the Crosswords.

The Shire has received eight (8) comments from members of the Bodallin Community as follows-

- Mr Jackson Kelly
- Ms Claire Birtles
- Ms Helen Granich and Mr Mark Granich
- Mr Raymond Birtles and Rhonda Abbott
- Bodallin Community Group
- Mr Steve Rose and Ms Linda Rose
- Ms Mary Lidell
- Mr George Irving

One of the responses received is from the Bodallin Community Group, which as a collective has undertaken its own survey within the community. The correspondence received by the Shire from the Group tables their own summary of feedback they received via the survey. The comments received have been appendicised in full including the individual responses.

Of the eight responses received, seven of them supported the retention and repair of the public building; one supported the demolition of the Bodallin hall and tennis courts.

Comment

Council has a responsibility to maintain its public buildings to comply with the legislation. The Bodallin Hall building requires immediate and ongoing maintenance should Council consider the option to retain the building for the use of the local community and public.

Alternatively, Council has the option to demolish the building or simply lock the building up and not put any further resources towards the building for the medium term future.

Whilst there is some non-compliances that are not high risk and can be made good in future budget allocations the expenditure to cover immediate concerns is approximately \$23,000.

This expenditure does not include immediate repairs to the current septic system. The current system is functional with only infrequent use of the toilets, however with higher use may need to have a leach drain installed and/or new septic tanks. This cost of complete replacement was omitted from the report at the request of the EMRS when on site with the SW 19 representative. It is pertinent to note the \$6,000 allocated for the repair of the septic system in the report is only for a single leach drain to the existing concrete baffle tank.

Gauging from the sentiment of the Bodallin Community, there is much support to retain and ameliorate the building. Many of the immediate non-compliance issues raised in the report

are dealing with electrical compliance of the building, so it is pertinent to expedite these repairs as a priority.

Following the ordinary Council meeting and pending Council decision, shire officers are tentatively meeting the local electrician on site on the 21 August 2020. The budget allocation of \$20,000 for demolition could be utilised for these immediate public building non-compliances as far as practicable.

Statutory Environment

Health (Public Building) Regulations 1992

Strategic Implications

Goal

An inclusive, secure and welcoming community that encourages families, youth and the age to remain and contribute to our Shire in the long term.

Outcome

Maintain/ increase percentage of residents engaged in recreation, cultural and leisure activities for all demographics in the Shire.

Strategy

Continue to provide and maintain high quality community infrastructure (recreation centre, oval, bowls, tennis facilities, swimming pool, library, community centre, halls)

Policy Implications

4.4 Maintenance of Buildings under Council Control

6.8 Asset Management Policy

Financial Implications

Should Council make resolution to repair and maintain the hall there will be an immediate cost of circa \$23,000 for maintenance, which has no current budget allocation. Notwithstanding, the allocation in the current budget for demolition of \$20,000 could be utilised for immediate maintenance costs.

The ten year maintenance costs envisaged in the report total \$342,000 including a significant refurbishment spending in year 4 and year 6. The costs and maintenance types taken from the report are as follows-

10 Year Plan Estimates by Maintenance Types

Maintenance Types	Year	1	2	3	4	5	6	7	8	9	10	TOTAL
		2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	
Defect		\$10,080	\$6,444	\$0	\$5,026	\$0	\$0	\$0	\$0	\$0	\$0	\$21,550
Maintenance		\$8,472	\$2,952	\$2,472	\$3,924	\$2,472	\$8,904	\$2,472	\$2,472	\$2,472	\$31,314	\$67,926
Capex		\$4,812	\$2,520	\$0	\$77,842	\$0	\$149,100	\$0	\$0	\$0	\$18,108	\$252,382
Total		\$23,364	\$11,916	\$2,472	\$86,791	\$2,472	\$158,004	\$2,472	\$2,472	\$2,472	\$49,422	\$341,857

Officer Recommendation

That in light of the Bodallin community feedback for the retention of the Hall, Council acknowledges this response and endorses the following-

- 1. Allocated funds for demolition of the Bodallin Hall in the current 2020/2021 budget (\$20,000) be reallocated to immediate non-compliance issues indicated in the SW 19 Report as per current legislation requirements and direction by Council Officers.*
- 2. Following the above works being completed by Council to render the Hall functional, the Bodallin community provides an undertaking to Council that it will establish a Hall Committee to manage the Halls usage, and in conjunction with Council, undertake any future works of an urgent nature based on a co-contribution basis.*
- 3. That Council in consultation with the Bodallin community, reassess the future of the Hall based on usage and ongoing capital and maintenance cost in 2023 for potential inclusion of such agreed percentage of expenditure in the 2024/2025 Budget.*
- 4. The Bodallin Hall committee maintain a verifiable usage log and provides a written report to Council on an annual basis.*

9.4 Reporting Office – Executive Manager Regulatory Services

9.4.1 Lot 401 & 403 Garratt Road Moorine Rock Subdivision/Amalgamation – WAPC Comment

File Reference	1.6.23.1
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Correspondence from WAPC

Purpose of Report

Council has received correspondence from the Western Australian Planning Commission (WAPC) requesting comments and recommendation regarding a subdivision and amalgamation application.

The WAPC is seeking any comment from the Yilgarn Shire among several other state departments such as Public Transport Authority, Western Power, Department of Water and Environment and Main Roads.

Background

Mr Peter Gow (Licenced Surveyor) has made application to the WAPC to delete the existing boundaries between Lot 401 and 403 and excise 60.1 hectares from Lot 401 Garratt Road.

The newly created lot of 60 hectares has existing outbuildings or sheds and a dwelling currently not occupied. The larger created block will have an aggregate of 847.64 hectares and no infrastructure.

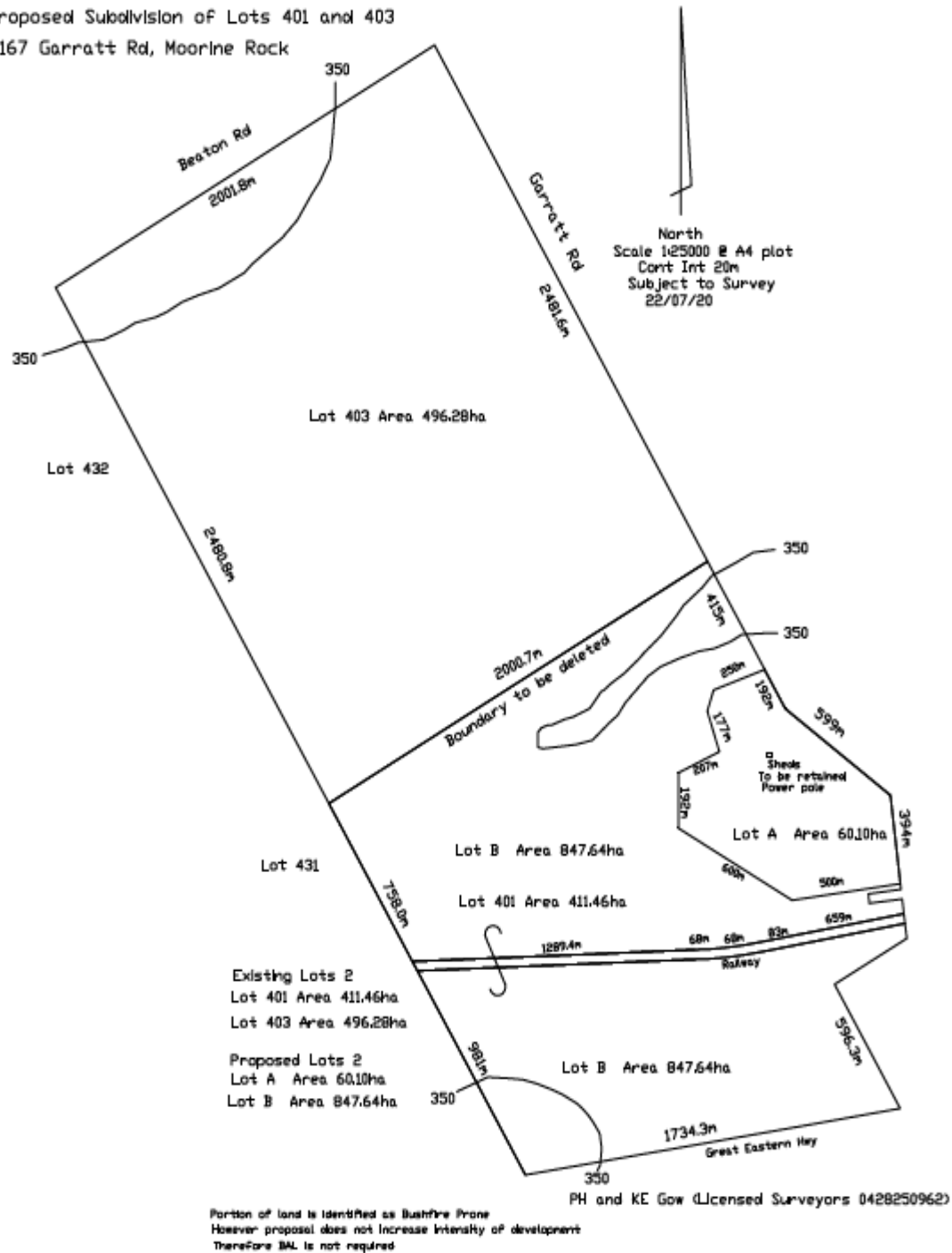
Comment

The proposed lots zoned Rural/Mining pursuant to the Shire of Yilgarn Town Planning Scheme are predominantly cleared. The current property owners have undertaken gypsum mining spasmodically over many years, however, the past and present land use is in keeping with the Scheme objectives.

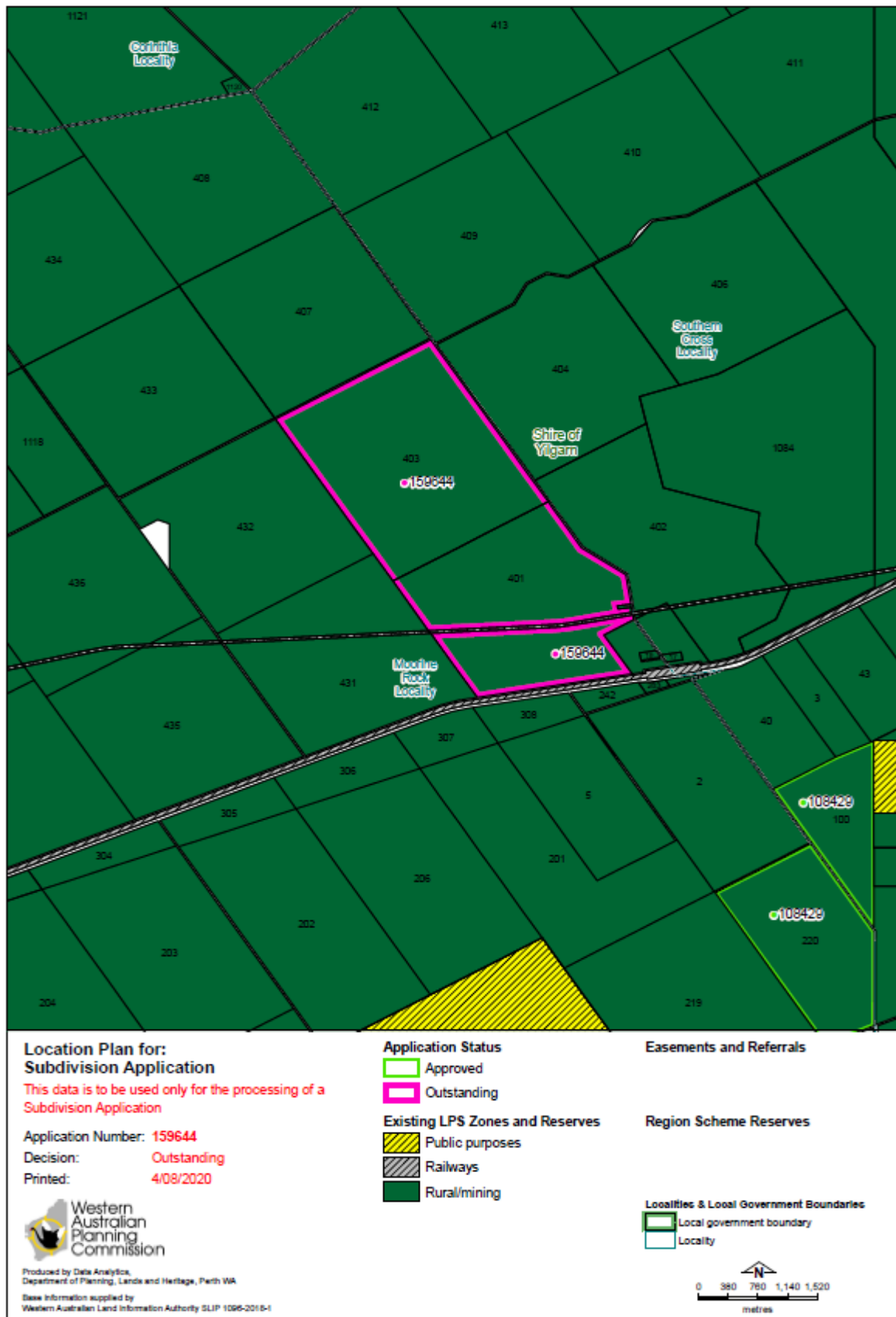
The following depictions illustrate the amalgamation and subdivision proposed-



Proposed Subdivision of Lots 401 and 403
 167 Garratt Rd, Moorine Rock



DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
04-Aug-2020	159644



Statutory Environment

*Shire of Yilgarn Town Planning Scheme
Town Planning and Development Act 2005*

Strategic Implications

Goal

A prosperous future for our community.

Outcome

Businesses in the Shire remain competitive and viable.

Strategy

Continue to provide an efficient and effective approval process and Support initiatives progressed by the local business community.

Policy Implications

Nil

Financial Implications

Nil

Officer Recommendation

Council advise the Western Australian Planning Commission (WAPC) it supports the application for subdivision and amalgamation of Lot 401 and 403 (No 167) Garratt Road Moorine Rock as per plan.



Our Ref : 159644
Previous Ref :
Your Ref :
Enquiries : Rosa Rigali (6551 9306)

6 August 2020

Application No: 159644 - Lot No 401 & 403 Garratt Rd Moorine Rock

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.

Please provide any information, comment or recommended conditions pertinent to this application by 17 September 2020 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies. If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made or if you have no comments to offer.

Referral agencies are to use the Model Subdivision Conditions Schedule in providing a recommendation to the Commission. Non-standard conditions are discouraged, however, if a non-standard condition is recommended additional information will need to be provided to justify the condition. The condition will need to be assessed for consistency against the validity test for conditions. A copy of the Model Subdivision Conditions Schedule can be accessed: www.dplh.wa.gov.au

Send responses via email to referrals@dplh.wa.gov.au. **Always quote reference number "159644" when responding.**

This proposal has also been referred to the following organisations for their comments:
Western Power, Water Corporation, Public Transport Authority, Main Roads Wa, Dept Of Water & Environment Regulations, Dept Biodiversity, Conser & Attraction and LG Shire Of Yilgarn.

Yours faithfully

Ms Sam Fagan
Secretary
Western Australian Planning Commission

APPLICATION DETAILS

Application Type	Subdivision	Application No	159644
Applicant(s)	Mr Peter Gow		
Owner(s)	Mrs Carolyn Stephen; Mr Kim Stephen		
Locality	Lot No 401 & 403 Garratt Rd Moorine Rock		

e-mail: <mailto:referrals@dplh.wa.gov.au>; web address: <http://www.dplh.wa.gov.au>

Lot No(s).	401 & 403	Purpose	Rural
Location		Local Gov. Zoning	Railways,Rural/Mining
Volume/Folio No.	1435/891	Local Government	Shire Of Yilgarn
Plan/Diagram No.	202688	Tax Sheet	
Centroid Coordinates	mE mN		
Other Factors	BUSHFIRE PRONE AREA, UNALLOCATED CROWN LAND, REMNANT VEGETATION (NLWRA), MRWA - STATE ROAD EXTERNAL REFERRAL, THREATENED ECOLOGICAL COMMUNITY BUFFER, PTA RAILWAY, HYDROGRAPHY ()		

10 APPLICATION FOR LEAVE OF ABSENCE

11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

CONFIDENTIAL ITEM

Recommendation

**That the meeting be close to members of the public in accordance with section 5.23
(2) (a) Of the Local Government Act 1995**

CEO Performance appraisal

14 CLOSURE