

MINUTES
ORDINARY COUNCIL MEETING
Thursday, 15th October 2015

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Thursday, 15th October, commencing at 3.30pm

PRESENT

Cr Onida Truran,	Shire President
Cr Wayne Della Bosca	Deputy president
Cr Julie Della Bosca	
Cr Kim Chrisp	
Cr Brian Close	
Cr David Pasini	
Cr Gary Guerini	

Brian Jones	Chief Executive Officer
John Bingham	Deputy Chief Executive Officer- left meeting at 4:05pm
Wendy Dallywater	Manager Environmental Health & Building
Robert Bosenberg	Manager for Works
Laura Della Bosca	Executive Assistant

PUBLIC QUESTION TIME

Nil

DISCLOSURES OF INTEREST

Cr Chrisp, Disclosure of Impartiality-Agenda Ref 10.2

APOLOGIES AND LEAVE OF ABSENCE

Nil

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

180/2015

Moved Cr W Della Bosca /Seconded Cr Pasini

That the Minutes of the previous Meeting of Council held on Thursday 17th September 2015 be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

181/2015

Moved Cr Close/Seconded Cr W Della Bosca

That the Action sheet for the meeting held on 17th September 2015 be confirmed as a true and correct record.

CARRIED (7/0)

182/2015

Moved Cr Guerini/Seconded Cr Pasini

That the minutes of the Tourism Advisory Committee meeting held on 14th September 2015, be confirmed as a true and correct record of that meeting

CARRIED (7/0)

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183/2015

Moved Cr Guerini/Seconded Cr J Della Bosca

That Council adopt the recommendation from the minutes of the Tourism Advisory Committee meeting held on 14 September, as follows:

Recommendation: That costs for the segments need to be clarified and that if it is \$5,795 plus GST for 2 or 3 segments that the Committee requests the Shire agree to and proceed with booking the production of at least 2 or 3 tourist segments for the Yilgarn.

Motion Lost (1/6)

ANNOUNCEMENTS BY THE PRESIDING MEMBERS AND COUNCILLORS:

The Shire President advises council of the following:

- Attended Southern Cross Football Club windup on 18th September 2015
- Met with Anthony Miller from Cliffs in regards to the Mt Jackson homestead on the 22nd September 2015
- CEACA teleconference with CEO on the 24th September 2015
- Attended the Interzone meeting (Great Eastern, Central and Avon) in Northam on the 9th October 2015
- Attended a presentation at Southern Cross District Hospital, re Health Directive on the 12th October 2015
- Met with the CEO, 12TH October 2015
- Attended the District Health Advisory Council meeting in Merredin on the 13th October 2015

Cr W Della Bosca advises council of the following:

- Attended the Bio-security meeting in Merredin on the 1st October 2015
- Chaired the Bowls and Tennis club corporate meeting on the 3rd October 2015
- Bowl and Tennis club catered for the Carlson wedding on the 4th October 2015
- Attended the Bush fire Advisory committee meeting held on the 13th October 2015 along with the CEO and R Downes.

Cr Pasini advises Council of the following:

- Attended the Car Show on the 27th September 2015

Cr J Della Bosca advises council of the following:

- Attended the Centenary Wall meeting held on the 12th October 2015
- Attended the Tourism meeting on the 13th October 2015

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Submission to:	Ordinary Meeting of Council – Thurs. 15 th October 2015
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 20 October 2015

Background:

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

The following reports will be tabled at the meeting and have been prepared as at the 30th September 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

Nil

Financial Implications

Nil

Recommendation

That Council endorse the various Financial Reports as presented for the period ending 30th September 2015.

Voting Requirements

Simple Majority

184/2015

Moved Cr Chrisp

Seconded Cr Pasini

That Council endorse the various Financial Reports as presented for the period ending 30th September 2015.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Thurs. 15 th October 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:	Nil
Date of Report:	Tuesday, 20 October 2015

Background:

Municipal Fund – Cheque Numbers 39877 to 39903 totalling \$55,058.06, Municipal Fund- EFT numbers 4107 to 4251 totalling \$982,902.63, Municipal Fund – Cheque Numbers 1235 to 1238 totalling \$95,999.87, Municipal Fund Direct Debit numbers 10006.1 to 10063.11 totalling \$42,870.05, Trust Fund –402148 to 402149 totalling \$2045.95 and Trust Fund – Cheque Numbers 5973 to 5977 (DPI Licensing), totalling \$55,248.75 are presented for endorsement as per the submitted list.

Statutory Environment

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

Policy Implications

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

Financial Implications

Drawdown of Bank funds

Recommendation

Municipal Fund – Cheque Numbers 39877 to 39903 totalling \$55,058.06, Municipal Fund- EFT numbers 4107 to 4251 totalling \$982,902.63, Municipal Fund – Cheque Numbers 1235 to 1238 totalling \$95,999.87, Municipal Fund Direct Debit numbers 10006.1 to 10063.11 totalling \$42,870.05, Trust Fund –402148 to 402149 totalling \$2045.95 and Trust Fund – Cheque Numbers 5973 to 5977 (DPI Licensing), totalling \$55,248.75 are presented for endorsement as per the submitted list.

Voting Requirements

Simple Majority

185/2015

Moved Cr W Della Bosca

Seconded Cr Close

Municipal Fund – Cheque Numbers 39877 to 39903 totalling \$55,058.06, Municipal Fund- EFT numbers 4107 to 4251 totalling \$982,902.63, Municipal Fund – Cheque Numbers 1235 to 1238 totalling \$95,999.87, Municipal Fund Direct Debit numbers 10006.1 to 10063.11 totalling \$42,870.05, Trust Fund –402148 to 402149 totalling \$2045.95 and Trust Fund – Cheque Numbers 5973 to 5977 (DPI Licensing), totalling \$55,248.75 are presented for endorsement as per the submitted list.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Thurs. 15 th October 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:	Nil
Date of Report:	Tuesday, 20 October 2015

Background:

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

Comment:



CO-ORDINATOR'S REPORT SEPTEMBER 2015

Prepared by: Ronice Blair
01.9.2015 – 30.09.2015

Southern Cross Community Resource Centre

Monthly Statistics

Seniors Activities	\$348.50
Items for Resale	\$98.20
Secretarial Services	\$876.10
Library Fees	\$4.50
Crosswords	\$486.45
Room Hire	\$140.00
Video Conferencing	\$40.00
Advertising	\$2163.50
Internet/Computer	\$184.00

STAFF MOVEMENTS

I was on annual leave from 7th September through to the 14th and on sick leave 15th September until 25th September.

Monica was on sick leave 22nd September to 25th September.

Monica and Jenna had both applied for leave 18th and 19th September, but due to my not being here either day, negotiated for a half day each 18th September and the CRC was closed on 19th. The CRC again closed for half day 21st September so staff could attend a funeral.

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ACTIVITIES & EVENTS

Seniors Exercises. The twice weekly exercise sessions continue to be popular, with numbers remaining steady.

First Monday Craft Group & Third Monday Knitting Group: Jenna opened for the Craft Group 7th September and the activity scheduled for 21st was cancelled due to CRC early closing.

Author Visit: Author Linda Bettany visited the library 1st September, and we had a good group taking advantage of this activity. Linda was a polished public speaker who told a fantastic family story, on which her book was based.

Shimmy and Shake: this women only session was presented via video conferencing by Rural in Reach. The activity was attended by 7 people and received positive feedback.

Exploding Boxes: This craft activity was cancelled due to a lack of interest.

Junk Art Competition: Response continues to be slow.

Rose & Flower Show: once again the weather has been against the flower show, which, after community consultation last year was brought forward by several weeks to ensure roses and other flowers would be at their peak. Previous shows have been held mid-October, but strong hot winds in the days preceding the show had seen roses and other garden plants almost destroyed. The Rose and Flower Show was initially scheduled Saturday 19th September and put back until Friday 2 October in the hope roses and other plants would bloom. While it appears flowers and roses are now starting to come out the decision has been made to cancel the show. This decision was not taken lightly and I hope it is reinstated in 2016.

Seniors Games fundraising: the Seniors Games Team continues their fund raising efforts to enable them to host the games 5th April, 2016. The team catered lunches at the Car Show 27th September. Sales were very slow despite positive comments about the quality of the food on offer.

Record Keeping: The CRC was contacted by Menzies CRC. Santo Casillas, who has been contracted by DRD to conduct Health Checks of all CRC's had suggested Menzies contact us for advice and assistance in determining the optimum record keeping and evidence method for activities and events. I gave what assistance I could, and offered to send samples and templates if required.

Ronice Blair
Coordinator
30 September 2015

Recommendation

That the Co-ordinators report for the month of September 2015 be received.

Voting Requirements

Simple Majority

186/2015

Moved Cr Guerini

Seconded Cr Pasini

That the Co-ordinators report for the month of September 2015 be received.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Thurs. 15 th October 2015
Agenda Reference:	8.4
Subject:	Write Off of Accounts and Doubtful Debts
File Reference:	8.2.1.4
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	Tuesday, 20 October 2015

Comment

Council has in place follow up procedures for the recovery of outstanding rates and sundry debtors:

Follow up Sundry Debtors

- 1) RO prints aged sundry debtors report (from Synergy) 30 days after sending invoice.
- 2) A statement is sent to the debtor after debt is 30 days overdue.
- 3) A reminder letter is sent to the debtor after debt is 60 days overdue.
- 4) If debt is overdue for more than 90 days, debtor may be referred (decided by DCEO) to collection agent.
- 5) Sundry Debtors reconciliation is prepared by DCEO on monthly basis.
- 6) Provision for doubtful debt is made by the DCEO.

The DCEO with assistance of the Rates/Debtors Officer has identified a write off for 2015/16.

RATE DEBTOR WRITE OFF					
DEBTOR CODE	NAME	Amount O/S	AGED DAYS	Description of Service	Status
A100862	New-Mount Holdings Pty Ltd	\$1,296.21	180+	Ratepayer	Deregistered
TOTAL		\$1,296.21			

Council's authorisation is sought to have the above proposed write offs processed to the value of \$1,296.21

Statutory Environment

Local Government Act 1995, Section 6.12 'Power to write off debts'.

Policy Implications

Not Applicable

Financial Implications

\$1296.21 write-off to E03118 – 'Debtors Written Off'

Voting Requirements

Simple majority required

Recommendation

That Council authorises write offs as listed in the table to the value of \$1,296.21.

187/2015

Moved Cr Close

Seconded Cr W Della Bosca

That Council authorises write offs as listed in the table to the value of \$1,296.21.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Thursday 15th October 2015
Agenda Reference:	9.1
Subject:	CASA - Aviation Safety Audit Report
File Reference:	2.4.1.1
Author:	Robert Bosenberg – Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	1st October 2015

Background

As part of the aerodrome registration requirements, an Civil Aviation Safety Audit is required to be carried out at the Southern Cross Airstrip. This safety audit is carried out by Civil Aviation Safety Authority (CASA) and should not be confused with the Airport Safety Inspection (ASI), carried out by Airport Management Services which is also required to be carried out annually.

The Aviation Safety Audit is a follow up on the Airport Safety Inspection (ASI) and has a fairly extensive scope which include: Aerodrome administration, Aerodrome environment (*aerodrome facilities, aerodrome lighting, bird and animal hazard management, obstacle control*), Inspecting and Reporting (*aerodrome reporting, aerodrome serviceability inspections, aerodrome safety inspections, frequency confirmation systems*), Airside Control (*aerodrome works safety*)

Comment

The Civil Aviation Safety Audit was carried out in August 2015 with council receiving the report 8th September 2015.

As a result of the Safety Audit two, Non-compliance Notices (NCN) was issued that required immediate remedial action and one observation was made:

Applicable standards for registered aerodromes -apron floodlighting

(NCN N^o 713278)

The apron floodlighting, from the ambulance transfer station, terminal building and hangars, are not shielded, creating glare to pilots/personnel operating on the apron.

Regulation 139.295

The standards applicable to registered aerodromes are:

(a) the standards applicable to certified aerodromes in relation to the following matters:

(iv) lighting;

Manual of Standards Part 139 - Aerodromes

Paragraph 9.16.3.3 Apron floodlights must be located and shielded so that there is a minimum of direct or reflected glare to pilots of aircraft in flight and on the ground, air traffic controllers, and personnel on the apron

Comment:

This has since been rectified by lowering the floodlights to horizontal position taking the direct glare away from pilots/aircraft and personnel on the apron area

Applicable standards for registered aerodromes -aerodrome markings

The sealed taxiway between the apron area and runway 14/32 does not have a taxi guideline marking running the full length of the sealed taxiway.

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Regulation 139.295

The standards applicable to registered aerodromes are:

- (a) the standards applicable to certified aerodromes in relation to the following matters:
(iii) aerodrome markings

Manual of Standards Part 139 - Aerodromes

Paragraph 8.4.2.1 Taxi guideline markings must be provided on all asphalt, sealed or concrete taxiway surfaces, in the form of a continuous yellow line 150 mm wide. On straight sections, the guideline must be located in the centre of the taxiway. On curved taxiways, the guideline must be located parallel to the outer edge of the pavement and at a distance of half of the taxiway width from it; i.e. the effect of any fillet widening at the inner edge of a curve is ignored. Where a taxi guideline marking is interrupted by another marking such as a taxi-holding position marking, a gap of 0.9 metre must be provided between the taxi guideline marking and any other marking.

The taxiway guide lines has since been repainted

Observation Details:

Large rocks were found in the Runway Strip (RWS) during the walked facility inspection, that resulted from recent works in the RWS.

Whilst they were seen by Reporting Officers, the rocks were not identified and recorded during subsequent serviceability inspections or confirmed to be within the allowable size limits of Table

6.2-4A of the Manual of Standards Part 139-Aerodromes.

The serviceability inspection checklist does not contain any references to the standards, nor do inspecting staff appear to have adequate awareness of the standards, limiting the effectiveness of the serviceability inspections.

Comment:

Airport Reporting Offices (ARO) have been advised to report any oversize rocks or foreign objects on inspection sheet check list and, if the foreign objects or oversized rocks can be removed to remove them immediately (the maximum size of rocks or foreign objects is no larger than 25mm)

Both NCN's and the observations have been dealt with by the acquitted date 29/9/2015

Attached is a copy of the Civil Aviation Safety Audit Report for Councilors to peruse.

Recommendation

Council receives the Safety Audit Report for the Southern Cross Airstrip as presented from Civil Aviation Safety Authority (CASA) for 2015

Voting Requirements

Simple Majority

188/2015

Moved Cr W Della Bosca

Seconded Cr Chrisp

Council receives the Safety Audit Report for the Southern Cross Airstrip as presented from Civil Aviation Safety Authority (CASA) for 2015

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Thursday, 15 th October 2015
Agenda Reference:	9.2
Subject:	Road Hierarchy Development Strategy
File Reference:	6.3.2.11
Author:	Bret Howson Consulting Engineer/Robert Bosenberg Manager for Works
Disclosure of Interest:	N/A
Date of Report:	6 th October 2015

Background

At Councils September 2015 Planning Meeting Mr. Bret Howson (*consulting engineer*) presented an overview of Shire of Yilgarn Road Hierarchy. The overview was presented to council at the September Planning Meeting for any comments of which were to be received before Council's October Meeting when it is proposed to present a final Road Hierarchy Development Strategy for adoption.

The Road Hierarchy Development Strategy has been prepared to provide functional classification for the Shire of Yilgarn's road network and strategy direction for council's management staff and community of Shire of Yilgarn road network objectives.

The Road Hierarchy Development Strategy document has been produced as a multi-year strategy and contains programming information necessary to prepare the strategy, however these programs have been produced as a "snap-shot" of today's conditions. They should only be considered as a reference or guidance material for the preparation of actual working programs when required.

Comment:

In the past five years it has become important to focus on good planning for council's assets and expenditure. This has seen the Shire of Yilgarn produce a number of documents to satisfy statutory and external funding requirements.

A Road Hierarchy Strategy is now becoming a necessary planning document for councils to demonstrate at a regional level that the council has a good understanding of its road network in regards to community, district and regional needs.

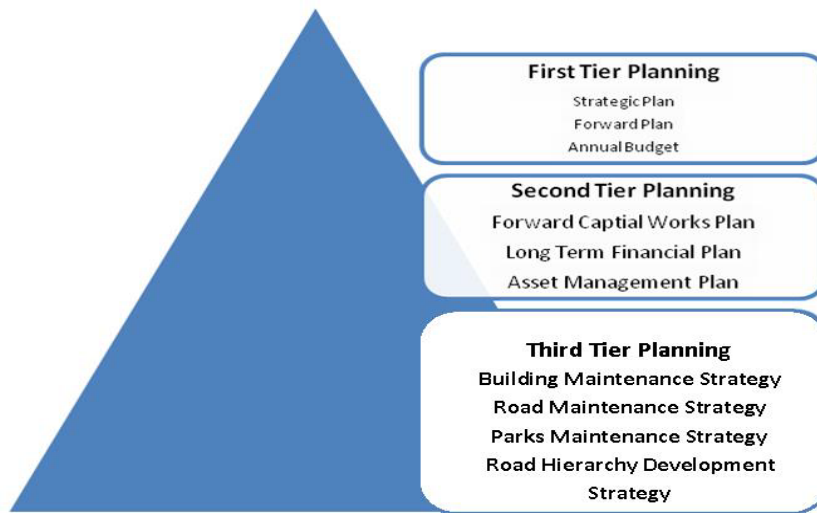
In adopting the Road Hierarchy Development Strategy it will assist council management staff with council and community direction for seeking multi-year funding from external agencies such and Regional Road Group and Road to Recovery. It also provides consistency of travel routes throughout the shire.

The strategy also identifies road expenditure, network condition and depreciation and the level of service expected by the community. The Road Hierarchy Development Strategy is a working document and should be reviewed every three years.

Statutory Environment

There are no direct statutory implication with this item, however this strategy is considered as a third tier planning document to support the Council's statutory requirements of producing accurate and timely first tier planning documents.

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Policy Implications

There are no policy implications at the time of this report.

Financial Implications

There are no known financial implications at the time of this report.

Recommendation

That Council adopts the Road Hierarchy Development Strategy for 2015/16 to 2019/20 as presented.

Voting Requirements

Simple Majority

189/2015

Moved Cr Close

Seconded Cr Guerini

That Council adopts the Road Hierarchy Development Strategy for 2015/16 to 2019/20 as presented.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Thursday 15 th October, 2015
Agenda Reference:	10.1
Subject:	Application to Keep 3 Dogs on a Property
Location/Address:	Lot 236 (H/No 13) Polaris Street, Southern Cross
Name of Applicant:	Ms Donna Fletcher & Mr Dean Sharp
File Reference:	5.2.1.8
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2015

Background

Ms Donna Fletcher & Mr Dean Sharp have written to Council seeking approval to keep 3 dogs at 13 Polaris Street, Southern Cross.

Ms Fletcher & Mr Sharp advise that they did not know that they could only have 2 dogs on a property, plus one of the dogs was going to Mr Sharp's father's property in Perth but is not now due to Mr Sharp senior's poor health. Ms Fletcher & Mr Sharp want the dogs for added security for the machinery stored on the property.

Comment

Ms Fletcher & Mr Sharp originally had one Blue Heeler "Bandy" who is a 5 year old female dog. Recently they have acquired a male and female Bullmastiff dogs (brother & sister).

Section 12 of Council's *Local Laws Relating to Dogs* states;–

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

Section 26(3) Part V of the *Dog Act 1976* states:-

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

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
 - (b) cannot authorise the keeping in or at those premises of –
 - (i) more than 6 dogs that have reached 3 months of age; or
 - (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption;
- and
- (c) may be revoked or varies at any time.”

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The two Bullmastiff dogs which are not de-sexed, have twice in the last 3 months been found at large and Ms Fletcher and Mr Sharp have made a running pen in the rear yard to house the two Bullmastiffs. Council's Dog Ranger, Ms Michele Day, has inspected the running pen and believe it is adequate to secure the dogs.

Concern is raised that the Bullmastiff dogs are not trained and do not respond to commands; if the dogs are specifically required for security then it is likely that the dogs will be encouraged to be unfriendly to anyone that comes to or near their property, and this is of concern if they escape the yard and confront people at large.

Statutory Environment

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

Strategic Implications

Community Business Plan – Theme – Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council rejects the application submitted by Ms Donna Fletcher and Mr Dean Sharp to keep 3 dogs at 13 Polaris Street, Southern Cross on the grounds that the dogs have been caught at large previously; and the dogs are un-trained and do not always respond to commands.

Voting Requirements

Simple Majority.

190/2015

Moved Cr Close

Seconded Cr W Della Bosca

That Council rejects the application submitted by Ms Donna Fletcher and Mr Dean Sharp to keep 3 dogs at 13 Polaris Street, Southern Cross on the grounds that the dogs have been caught at large previously; and the dogs are un-trained and do not always respond to commands.

CARRIED (6/1)

MINUTES
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Submission to:	Ordinary Meeting of Council – Thursday 15 th October, 2015
Agenda Reference:	10.2
Subject:	Planning Application – Existing Sea Container Storage Unit on Residential Property
Location/Address:	Lot 283 (H/No 19) Polaris Street, Southern Cross
Name of Applicant:	Mr John S Coward
File Reference:	3.1.3.6
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2015

Background

An Application for Planning Approval has been received from Mr John S Coward for the existing sea container situated in the rear yard of his property of Lot 283 Polaris Street, Southern Cross. Mr Coward has also submitted a Building Permit Application form as well for the sea container.

The sea container is –

- 2.5m wide x 6.0m long;
- required for the storage of plant, equipment, and tools;
- painted a standard red oxide colour and is proposed to remain this colour;
- situated behind the double garage that is to the south and towards the rear of the residence;
- setback 42.5m from the front boundary, 55.0m from the rear boundary, and 1.0m from the south side boundary;
- setback approximately 7.0m from the septic tank and leach drain for the residence; and
- cannot be seen from the front road (Polaris Street) as it is screened by the double garage.

See attached application form, site plan, location map, and aerial photograph of the property.

Comment

Council Policy 4.8 Sea Containers & Other Similar Storage Structures states:-

EXISTING SEA CONTAINER OR OTHER SIMILAR STRUCTURES

At the time of endorsing this Policy in December 2014 Council is aware of several existing sea containers situated on “Residential” zoned land within the Shire District as well as on “Commercial” and “Industrial” zoned land.

Council has agreed to allow these pre-existing sea containers to remain on-site on these residential blocks on the following conditions:-

1. That the owner of an existing sea container must apply for Planning Approval for each sea container, if not previously obtained.

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2. That the owner of an existing sea container must apply for a Building Permit for the structure to remain on the property as a storage shed or outbuilding, if not previously obtained.
3. The sea containers are able to be used for the current purpose until they are no longer required for this purpose.
4. If a current owner wishes to keep the sea container on the property and use it for another quite different purpose, then the owner will need to apply to Council for permission to keep the sea container for the new purpose(s).
5. Plus all existing sea containers must also comply with the conditions set-out below for proposed sea containers or other similar structures.

PROPOSED SEA CONTAINER OR OTHER SIMILAR STRUCTURES

On “Residential” Zoned Land:-

Council will consider the approval of such a structure on “Residential” zoned land based on the following conditions:-

- a) That the owner wishing to install a sea container on his/her property must apply for and obtain Planning Approval for each sea container prior to it being installed on the property.
- b) That the owner wishing to install a sea container on his/her property must apply for and obtain a Building Permit for the sea container or structure prior to it being installed on the property.
- c) The structure is only to be used for the secure storage of household items including vehicles, collectables and the like, but is not to be for the carrying out of a commercial activity on the property, unless approved by Council.
- d) The sea container or other similar structure is to be located in the rear yard of the property (that is behind the dwelling on the property) so that it will not readily be seen from the main access road or thoroughfare. If the property is a corner block then the sea container or other similar structure needs to be setback from the secondary street frontage to meet this same condition for the secondary street, or may need to be screened to the satisfaction of Council.
- e) The sea container is to be setback from the rear and side boundaries at least 1.0 metre or greater, with the doors opening into the residential yard.
- f) The sea container or similar structure shall not be located over or within 3.0 metres of any wastewater drains, deep sewer connection points, septic tanks or leach drains.
- g) The structure is to be in good condition and well maintained, painted one uniform colour to match the dwelling or nearby buildings on the property, professionally painted, and is to be treated to control rust.
- h) That if the sea container or other similar structure falls into disrepair and/or becomes unsightly, the Shire will require its removal by the owner.

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Comparing the information from the Planning Application with the requirements of Council Policy 4.8 stated above the application meets the requirements except that the red oxide colour does not match the colour of the residence exterior (walls are cream colour), the double garage (walls & roof are green Colorbond colour), or the side boundary fence (up-painted fibro sheeting). You can glimpse the sea container behind the garage but you need to look for it to see it.

Statutory Environment

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

Strategic Implications

Community Business Plan – Theme – Our Vision

“A strong, vibrant and progressive Shire that retains strength in its communities by way of continual promotion of agriculture and mining as the Shire’s major industries and an added focus on tourism to ensure that a robust economic and social base is retained for all residents.”

Policy Implications

Council Policy 4.8 Sea Containers & Other Similar Storage Structures – see under Comments above.

Financial Implications

Nil

Recommendation

That Council grants Mr John Coward planning approval for the existing sea container situated on his property of Lot 283 Polaris Street, Southern Cross on the condition that the sea container is re-painted to match the double garage or the southern boundary fence sheeting.

191/2015

Moved Cr Guerini Seconded Cr Pasini

That council is adjourned to consult Council Policy 4.8. (4.05pm)

CARRIED (7/0)

192/2015

Moved Cr Chrisp Seconded Cr Guerini

That council is reconvened. (4.15pm)

CARRIED (7/0)

Voting Requirements

Simple Majority.

193/2015

Moved Cr Pasini

Seconded Cr Close

That Council grants Mr John Coward planning approval for the existing sea container situated on his property of Lot 283 Polaris Street, Southern Cross on the condition that the sea container is re-painted to match the double garage or the southern boundary fence sheeting.

CARRIED (6/1)

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Submission to:	Ordinary Meeting of Council – Thursday 15 th October, 2015
Agenda Reference:	10.3
Subject:	Planning Application – Existing Sea Container Storage Unit on Residential Property
Location/Address:	Lot 249 (H/No 45) Polaris Street, Southern Cross
Name of Applicant:	Mr David Alan Latter
File Reference:	3.1.3.6
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2015

Background

An Application for Planning Approval has been received from Mr David A Latter for the two existing sea containers situated on his property of Lot 249 Polaris Street, Southern Cross. Mr Latter has also submitted a Building Permit Application form as well for the two sea containers.

Each sea container is –

- 2.4m wide x 12.2m long x 2.6m high;
- required for the storage of survey equipment, tools, and private motor vehicles;
- re-painted steel mid-grey colour to match new Colorbond fencing on the south side of the residence and joins onto one of the sea containers and other sheds on the property;
- situated behind the residence in the rear yard;
- setback 21.0m from the rear boundary, 8.1m from the north side boundary, and 22.3m from the south side boundary;
- setback more than 3.0m from the septic tank and leach drain for the residence and outside laundry; and
- will basically be screened from the front road (Polaris Street) by the residence and separate laundry building to the south of the residence.

See attached application form, site plan, and aerial photograph of property.

Comment

Council Policy 4.8 Sea Containers & Other Similar Storage Structures states:-

EXISTING SEA CONTAINER OR OTHER SIMILAR STRUCTURES

At the time of endorsing this Policy in December 2014 Council is aware of several existing sea containers situated on “Residential” zoned land within the Shire District as well as on “Commercial” and “Industrial” zoned land.

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Council has agreed to allow these pre-existing sea containers to remain on-site on these residential blocks on the following conditions:-

6. That the owner of an existing sea container must apply for Planning Approval for each sea container, if not previously obtained.
7. That the owner of an existing sea container must apply for a Building Permit for the structure to remain on the property as a storage shed or outbuilding, if not previously obtained.
8. The sea containers are able to be used for the current purpose until they are no longer required for this purpose.
9. If a current owner wishes to keep the sea container on the property and use it for another quite different purpose, then the owner will need to apply to Council for permission to keep the sea container for the new purpose(s).
10. Plus all existing sea containers must also comply with the conditions set-out below for proposed sea containers or other similar structures.

PROPOSED SEA CONTAINER OR OTHER SIMILAR STRUCTURES

On “Residential” Zoned Land:-

Council will consider the approval of such a structure on “Residential” zoned land based on the following conditions:-

- i) That the owner wishing to install a sea container on his/her property must apply for and obtain Planning Approval for each sea container prior to it being installed on the property.
- j) That the owner wishing to install a sea container on his/her property must apply for and obtain a Building Permit for the sea container or structure prior to it being installed on the property.
- k) The structure is only to be used for the secure storage of household items including vehicles, collectables and the like, but is not to be for the carrying out of a commercial activity on the property, unless approved by Council.
- l) The sea container or other similar structure is to be located in the rear yard of the property (that is behind the dwelling on the property) so that it will not readily be seen from the main access road or thoroughfare. If the property is a corner block then the sea container or other similar structure needs to be setback from the secondary street frontage to meet this same condition for the secondary street, or may need to be screened to the satisfaction of Council.
- m) The sea container is to be setback from the rear and side boundaries at least 1.0 metre or greater, with the doors opening into the residential yard.
- n) The sea container or similar structure shall not be located over or within 3.0 metres of any wastewater drains, deep sewer connection points, septic tanks or leach drains.

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- o) The structure is to be in good condition and well maintained, painted one uniform colour to match the dwelling or nearby buildings on the property, professionally painted, and is to be treated to control rust.
- p) That if the sea container or other similar structure falls into disrepair and/or becomes unsightly, the Shire will require its removal by the owner.

Comparing the information from the Planning Application with the requirements of Council Policy 4.8 stated above the application meets the requirements.

Statutory Environment

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

Strategic Implications

Community Business Plan – Theme –
Our Vision

“A strong, vibrant and progressive Shire that retains strength in its communities by way of continual promotion of agriculture and mining as the Shire’s major industries and an added focus on tourism to ensure that a robust economic and social base is retained for all residents.”

Policy Implications

Council Policy 4.8 Sea Containers & Other Similar Storage Structures – see under Comments above.

Financial Implications

Nil

Recommendation

That Council grants Mr David Latter planning approval for the relocation of two existing sea containers situated on his property of Lot 249 Polaris Street, Southern Cross.

Voting Requirements

Simple Majority.

194/2015

Moved Cr Guerini

Seconded Cr Pasini

That Council grants Mr David Latter planning approval for the relocation of two existing sea containers situated on his property of Lot 249 Polaris Street, Southern Cross.

CARRIED (5/2)

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Submission to:	Ordinary Meeting of Council – Thursday 15 th October, 2015
Agenda Reference:	10.4
Subject:	Planning Application – Existing Sea Container Storage Unit on Residential Property
Location/Address:	Lot 10 (H/No 12) Leo Street, Southern Cross
Name of Applicant:	Mr Gary Gerald Kent
File Reference:	3.1.3.6
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2015

Background

An Application for Planning Approval has been received from Mr Gary G Kent for the existing sea container situated on his property of Lot 12 Leo Street, Southern Cross. Mr Kent has also submitted a Building Permit Application form as well for the sea container.

The sea container is –

- 2.44m wide x 12.1m long x 2.59m high;
- required for the storage of household furniture and other items;
- painted red oxide colour but will re-paint the sea container Colorbond Wheat colour to match the Colorbond rear and side boundary fences and the nearby large shed on the property;
- situated behind the large shed in the rear yard;
- setback 12.0m from the rear of the large shed, 6.9m from the north-east corner of the verandah of the residence, 0.96-1.2m from the rear boundary, and 0.82-0.86m from the east side boundary;
- setback more than 3.0m from the deep sewer connection for the property; and
- is basically screened from the front road (Leo Street) by the large shed, however, due to neighbouring lots being vacant the sea container is visible above the boundary fence from Leo Street and Libra Place.

See attached application form, site plan, and aerial photograph of property.

Comment

Council Policy 4.8 Sea Containers & Other Similar Storage Structures states:-

EXISTING SEA CONTAINER OR OTHER SIMILAR STRUCTURES

At the time of endorsing this Policy in December 2014 Council is aware of several existing sea containers situated on “Residential” zoned land within the Shire District as well as on “Commercial” and “Industrial” zoned land.

Council has agreed to allow these pre-existing sea containers to remain on-site on these residential blocks on the following conditions:-

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11. That the owner of an existing sea container must apply for Planning Approval for each sea container, if not previously obtained.
12. That the owner of an existing sea container must apply for a Building Permit for the structure to remain on the property as a storage shed or outbuilding, if not previously obtained.
13. The sea containers are able to be used for the current purpose until they are no longer required for this purpose.
14. If a current owner wishes to keep the sea container on the property and use it for another quite different purpose, then the owner will need to apply to Council for permission to keep the sea container for the new purpose(s).
15. Plus all existing sea containers must also comply with the conditions set-out below for proposed sea containers or other similar structures.

PROPOSED SEA CONTAINER OR OTHER SIMILAR STRUCTURES

On “Residential” Zoned Land:-

Council will consider the approval of such a structure on “Residential” zoned land based on the following conditions:-

- q) That the owner wishing to install a sea container on his/her property must apply for and obtain Planning Approval for each sea container prior to it being installed on the property.
- r) That the owner wishing to install a sea container on his/her property must apply for and obtain a Building Permit for the sea container or structure prior to it being installed on the property.
- s) The structure is only to be used for the secure storage of household items including vehicles, collectables and the like, but is not to be for the carrying out of a commercial activity on the property, unless approved by Council.
- t) The sea container or other similar structure is to be located in the rear yard of the property (that is behind the dwelling on the property) so that it will not readily be seen from the main access road or thoroughfare. If the property is a corner block then the sea container or other similar structure needs to be setback from the secondary street frontage to meet this same condition for the secondary street, or may need to be screened to the satisfaction of Council.
- u) The sea container is to be setback from the rear and side boundaries at least 1.0 metre or greater, with the doors opening into the residential yard.
- v) The sea container or similar structure shall not be located over or within 3.0 metres of any wastewater drains, deep sewer connection points, septic tanks or leach drains.
- w) The structure is to be in good condition and well maintained, painted one uniform colour to match the dwelling or nearby buildings on the property, professionally painted, and is to be treated to control rust.

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- x) That if the sea container or other similar structure falls into disrepair and/or becomes unsightly, the Shire will require its removal by the owner.

Comparing the information from the Planning Application with the requirements of Council Policy 4.8 stated above the application meets the requirement except that the colour of the sea container does not match the exterior of the residence or the large shed or boundary fencing, but Mr Kent is willing to re-paint the sea container to match the shed and boundary fencing and this will help screen it from view from Leo Street and Libra Place; and the setback from the rear and side boundaries is a little under the required 1.0m distance.

Lot 12 is a total area of 1494m² and is zoned R12.5 under the Shire Town Planning Scheme No 2.

The area occupied by all buildings on the property (residence with verandahs & patio attached 441.915m² + large shed 90.0m² + 2 x rainwater tanks approximately 15.21m² + sea container 29.524m²) is 576.649m².

Under the WA Residential Design Codes Table 1 – General Site Requirements for a residential property zoned R12.5 is required to have a minimum of 55% of the lot as open space. For Lot 12 this is 821.7m² of open space. This application meets this requirement.

Under Council Policy 4.7 Outbuildings in Residential and Townsite Zoned Areas Table 1 indicates that the total area of outbuildings for a lot area up to 1500m² is 125m². The total area of the large shed, water tanks, and sea container is 134.734m². This application just exceeds this requirement.

It is therefore recommended that Council approve Mr Kent's planning application for the existing sea container to remain on the property on the condition that it is re-painted in Colorbond Wheat colour to match the large shed and boundary fences. While the setback from the rear and side boundaries is not the required 1.0m minimum, the difference is quite small and could be accepted especially as the sea container is already in position.

Statutory Environment

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

Strategic Implications

Community Business Plan – Theme –
Our Vision

“A strong, vibrant and progressive Shire that retains strength in its communities by way of continual promotion of agriculture and mining as the Shire's major industries and an added focus on tourism to ensure that a robust economic and social base is retained for all residents.”

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Policy Implications

Council Policy 4.8 Sea Containers & Other Similar Storage Structures and Council Policy 4.7 Outbuildings in Residential and Townsite Zoned Areas – see under Comments above.

Financial Implications

Nil

Recommendation

That Council grants Mr Gary Kent planning approval for the existing sea container situated on his property of Lot 12 Leo Street, Southern Cross on the condition that the sea container is re-painted Colorbond Wheat colour to match the large shed and boundary fencing on the property.

Voting Requirements

Simple Majority.

195/2015

Moved Cr Guerini

Seconded Cr Pasini

That Council grants Mr Gary Kent planning approval for the existing sea container situated on his property of Lot 12 Leo Street, Southern Cross on the condition that the sea container is re-painted Colorbond Wheat colour to match the large shed and boundary fencing on the property.

CARRIED (4/3)

MINUTES
ORDINARY COUNCIL MEETING
Thursday, 15th October 2015

Submission to:	Ordinary Meeting of Council – Thursday 15 th October, 2015
Agenda Reference:	10.5
Subject:	Planning Application – Proposed Patio Adjoining Existing Shed
Location/Address:	Lot 12 (H/No 10) Leo Street, Southern Cross
Name of Applicant:	Miss Sharnhee Kent on behalf of Mr & Mrs Gary & Josie Kent
File Reference:	3.1.3.6
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2015

Background

Miss Sharnhee Kent has submitted a building permit application to construct a steel frame and Colorbond roof Patio adjoining the front of the existing large shed on Lot 12 Leo Street, Southern Cross. The proposed patio will be 9.05m wide x 7.0m long x 2.890m high to top of posts (63.35m²). The front of the proposed patio will be forward of the front of the residence by approximately 1.0m. See attached plans and aerial view of the property.

Comment

Due to the proposed location of the patio it is likely that the structure will be used as a carport.

The proposed patio is freestanding but butts up to the shed and there will be flashing between the 2 buildings which makes them adjoining.

Lot 12 is a total area of 1494m² and is zoned R12.5 under the Shire Town Planning Scheme No 2.

The area occupied by all buildings on the property (residence with verandahs & patio attached 441.915m² + large shed 90.0m² + 2 x rainwater tanks approximately 15.21m² + sea container 29.524m² + proposed patio 63.35m²) is 639.999m².

Under the WA Residential Design Codes Table 1 – General Site Requirements for a residential property zoned R12.5 is required to have a minimum of 55% of the lot as open space. For Lot 12 this is 821.7m² of open space. This application meets this requirement.

Under Council Policy 4.7 Outbuildings in Residential and Townsite Zoned Areas Table 1 indicates that the total area of outbuildings for a lot area up to 1500m² is 125m². The total area of the large shed, water tanks, sea container and the proposed patio is 198.084m². This application exceeds this requirement.

Council could approve the application based on the fact that even with the proposed patio constructed the total open space on the lot will be 57.16% which meets the minimum 55%. The figures given in Table 1 of Council Policy 4.7 are a guide only.

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Statutory Environment

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

Strategic Implications

Community Business Plan – Theme –
Our Vision

“A strong, vibrant and progressive Shire that retains strength in its communities by way of continual promotion of agriculture and mining as the Shire’s major industries and an added focus on tourism to ensure that a robust economic and social base is retained for all residents.”

Policy Implications

Council Policy 4.7 Outbuildings in Residential and Townsite Zoned Areas – see under Comments above.

Financial Implications

Nil

Recommendation

That Council approves the application for a proposed patio 63.35m² in area to be constructed in front of the existing large shed on Lot 12 Leo Street, Southern Cross as the addition of this outbuilding still provides the minimum open space required for the property.

Voting Requirements

Simple Majority.

196/2015

Moved Cr Guerini

Seconded Cr Close

That Council approves the application for a proposed patio 63.35m² in area to be constructed in front of the existing large shed on Lot 12 Leo Street, Southern Cross as the addition of this outbuilding still provides the minimum open space required for the property.

CARRIED (5/2)

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Submission to:	Ordinary Meeting of Council – Thursday 15 th October, 2015
Agenda Reference:	10.6
Subject:	Caravan Park Refurbishment of Ablution Block, Upgrade of Caravan Bay Wastewater Drains and Upgrade of Power Supply within the Park
Location/Address:	Reserve 23237 Lots 755 & 921 Coolgardie Road, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	1.3.3.18
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th October, 2015

Background

At the July 2014 Council Meeting Council agreed to the proposed works for the Southern Cross Caravan Park under the Country Local Government Fund 2012/2013 would be changed to being:-

- 1) Refurbish amenity toilet block;
- 2) Upgrade power supply; and
- 3) Upgrade the sullage drains servicing caravan bay sites.

Comment

Duncan J Jack Consulting Engineers has prepared plans for the abovementioned works, but is still waiting on the electrical design plans for the upgrade of power supply portion of the works. The electrical design plans are expected to be completed next week.

As Council needs to agree to call tenders, this means the matter will need to wait until the November 2015 Council Meeting to obtain the approval to call tenders for the abovementioned works.

Under Council's Delegation Register the CEO has not been given delegated authority to call tenders. To help expedite this process it is recommended that Council delegate authority to the CEO to call tenders when all documents are prepared and completed.

Statutory Environment

Compliance with the Caravan Parks and Camping Grounds Regulations 1997.

Strategic Implications

Community Business Plan – Theme 1 – Social

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

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Strategy 1.3 Investigate funding opportunities for improving tourist infrastructure and opportunities in the Shire.

Policy Implications

Nil

Financial Implications

This project is funded through grant money and Council funds as stated in the 2015/16 Budget.

Recommendation

That Council delegates authority to the CEO to call tenders for this project once all design plans, specifications, and tender documents are completed.

Voting Requirements

Simple Majority.

197/2015

Moved Cr Pasini

Seconded Cr Guerini

That Council delegates authority to the CEO to call tenders for this project once all design plans, specifications, and tender documents are completed.

CARRIED (7/0)

198/2015

Moved Cr K Chrisp

Seconded Cr B Close

That the meeting be closed to the public in accordance with section 5.23(2)(a)(c)&(d) of the local government act to deal with a contract which may be entered into by the local government and to deal with staff matters. (4:30pm)

CARRIED (7/0)

199/2015

Moved Cr D Pasini

Seconded Cr B Close

That the meeting be open to the public (5:02pm)

CARRIED (7/0)

MINUTES
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As this was the last meeting of the current Council:

- ✓ The Shire President thanked all Councillors and staff for their support over the past two years
- ✓ The Deputy Shire President also thanked all Councillors and staff for their support
- ✓ Cr Gary Guerini thanked Councillors for their support and fellowship during his four year term on Council

As there was no further business to discuss, the Shire President declared the meeting closed at **5.05pm**

I, Onida T Truran confirm the above Minutes of the Meeting held on Thursday, 15th October 2015, are confirmed on Thursday, 20th November 2015 as a true and correct record of the October Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT