

MINUTES
ORDINARY COUNCIL MEETING
Thursday, 19th November 2015

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Thursday, 19th November 2015, commencing at 3:30pm.

PRESENT

Councillors

Cr Onida Truran Shire President
Cr Wayne A Della Bosca Deputy President
Cr Julie Della Bosca
Cr Kim Chrisp
Cr David Pasini
Cr Phil Nolan

Staff

Brian Jones Chief Executive Officer
John Bingham Deputy Chief Executive Officer
Wendy Dallywater Manager Environmental Health & Building
Robert Bosenberg Manager for Works
Laura Della Bosca Minute Taker

Observer

Kaye Crafter

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

Cr Bryan Close – Apology

DISCLOSURES OF INTEREST

Cr Julie Della Bosca declared an Impartiality Interest in Agenda Ref 7.1

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

200/2015

Moved Cr Chrisp/Seconded Cr W Della Bosca

That the Minutes of the previous Meeting of Council held on Thursday, 15th October 2015 be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

201/2015

Moved Cr Chrisp/Seconded Cr Pasini

That the Action sheet for the Council meeting held on 15th October 2015 be received.

CARRIED (6/0)

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202/2015

Moved Cr Pasini/Seconded Cr Chrisp

That the minutes of the Special Meeting of Council held on Tuesday, 20th October 2015 be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

203/2015

Moved Cr Pasini/Seconded Cr Chrisp

That the minutes of the Tourism Advisory Committee held on Tuesday, 12th October 2015 be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

204/2015

Moved Cr W Della Bosca/Seconded Cr Chrisp

That the minutes of the Bush Fire Officers Advisory Committee Meeting held on Wednesday, 13th October 2015 be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

ANNOUNCEMENTS BY THE PRESIDING MEMBERS AND COUNCILLORS:

The Shire President advised the following:-

- Attended the Election Count on the 17th October 2015
- Attended the Special Meeting of council and Swearing in Ceremony on the 20th October 2015
- WEROC Meeting with the CEO in Southern Cross on the 21st October 2015
- 22nd October 2015 attended Southern Cross District High School to give a talk to year 3/4 students about Local Government.
- LEMC Meeting 29th October 2015
- Attended the District Health Advisory Committee in Northam on the 30th October
- Attended DHAC as a Shire representative at Southern Cross District Hospital for a Survey on National Standards on the 10th November 2015
- Attended DHAC meeting in Merredin for Survey on National Standards on the 11TH November
- Wheatbelt Communities Inc teleconference on the 16th November 2015
- Attended the Wheat belt North East Road Group with the Manager for Works on the 16th November 2015
- Meeting with The CEO on the 17TH November 2015

Cr Truran also suggested that Council make a donation to the Lord Mayors Fund in aid of the Esperance Bushfires.

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Cr Wayne Della Bosca advises the following:-

- Attended the LEMC meeting on the 29th October 2015
- Advises that instead of waiting for FESA to replace the Bodallin Fire Truck he is waiting on a costing for the repairs of the truck, which may be a quicker option.
- Attended the Special Meeting of Council and Swearing in Ceremony on the 20th October 2015

Cr Julie Della Bosca advises the following

- Attended the Hay Committee Meeting on the 20th October 2015
- Attended the Day care AGM on the 20th October 2015
- Attended the Special Meeting of Council and Swearing in Ceremony on the 20th October 2015

Cr Chrisp advises the following:-

- Attended the Special Meeting of Council and Swearing in Ceremony on the 20th October 2015

Cr Pasini advises of the following:-

- Attended the Special Meeting of Council and Swearing in Ceremony on the 20th October 2015

Cr Nolan advises of the following:-

- Attended the Special Meeting of Council and Swearing in Ceremony on the 20th October 2015

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Submission to:	Ordinary Meeting of Council – Thursday, 20 th August 2015
Agenda Reference:	7.1
Subject:	Community Funding Program 2015/2016
File Reference:	8.2.6.22
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 24 November 2015

Background:

The Shire of Yilgarn Community Funding Program was developed to provide a source of funding for non-profit organisations operating within the district. As part of the 2015/2016 Budget Council agreed to make available \$12,500 (Exl GST) for two categories of funding - 'Essential Equipment' (\$12,000) and 'Travel & Training Assistance' (\$500).

The objective of the program is:

- To assist community organisations in maximising their future development.
- To provide an impartial means by which community organisation can access Council funds.

Comment:

Applications received:

Moorine Rock Tennis Club

Split system airconditioning so that the club rooms are more versatile to the community to use during summer or winter for meetings and other events.

Two quotes received, being \$3,171 and \$4,826 (exc GST).

Does not comply with any of the approved categories (ground maintenance equipment, sporting equipment, office equipment or minor plant equipment) however recommended for maximum grant as provides direct benefit to members.

Yilgarn Agricultural Society

Replace 3 to 4 pop up marques with better quality 3m x 3m marques.

Two quotes received, being \$350 and \$322 (exc GST).

Recommended that Council approve a grant of up to \$1,400 to allow for four new marques to be purchased.

Yilgarn Mens Shed

To buy a metal cutting band saw.

Two quotes received, being \$1,545 and \$1,850 (exc GST)

Recommended that Council approve a grant of up to \$1,545 to allow for a new metal cutting band saw to be purchased.

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Yilgarn History Museum

Metal Display signage (UV coated black text on white background), Timber Display boards for mounting tools (mining, farming) and Indoor Display Signs & Perspex Holders.

Two quotes received, being \$1,898 and \$1,785 (exc GST).

Recommended that Council approve a grant of up to \$1,785 for the purchase of display signage.

Yilgarn Occasional Child Care Centre

Play Kitchen / Home Corner, Laptop computer and vacuum cleaner.

Two quotes received, being \$1,400 and \$1,254 (exc GST).

Recommended that Council approve a grant of up to \$1,254 to allow for the purchase of a play kitchen (\$495), Acer Laptop (\$627) and Vacuum cleaner (\$132).

Southern Cross Football Club

Purchase of two new laptop computers (one for the Treasurer and one for the Secretary).

Quotes received for four different laptops with the cheapest being the Lenovo Think pad notebook at \$759 (exc GST). This is more expensive than the Acer Laptop requested by the Yilgarn Occasional Child Care Centre.

Recommended that Council approve a grant of up to \$1,250 for the purchase of two laptop computers. The reason for this recommendation is this is the money required to purchase suitable laptops. If the Club wish to purchase a higher standard laptop then they can contribute own source funds towards the purchase.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Council has included \$12,000 in the 2015/16 Budget.

Recommendation

That Council approve the following grants from the Community Funding Program:

Moorine Rock Tennis Club	\$2,000
Yilgarn Agricultural Society	\$1,400
Yilgarn Mens Shed	\$1,545
Yilgarn History Museum	\$1,785
Yilgarn Occasional Child Care Centre	\$1,254
Southern Cross Football Club	\$1,250

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Voting Requirements

Simple Majority

205/2015

Moved Cr Chrisp/Seconded Cr Nolan

That Council approve the following grants from the Community Funding Program:

<i>Moorine Rock Tennis Club</i>	<i>\$2,000</i>
<i>Yilgarn Agricultural Society</i>	<i>\$1,400</i>
<i>Yilgarn Mens Shed</i>	<i>\$1,545</i>
<i>Yilgarn History Museum</i>	<i>\$1,785</i>
<i>Yilgarn Occasional Child Care Centre</i>	<i>\$1,254</i>
<i>Southern Cross Football Club</i>	<i>\$1,250</i>

CARRIED (5/1)

Submission to:	Ordinary Meeting of Council – Thursday, 19 th November 2015
Agenda Reference:	7.2
Subject:	Council Meeting Dates & Times for 2016
File Reference:	2.1.2.4
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 24 November 2015

Background:

Council is required to determine the time and date of Council meetings for 2016 to allow public notice to be provided.

Comment:

Council currently meets on the third Thursday of each month, commencing at 3:30pm, apart from the January meeting which is held on the fourth Thursday to allow for staff and Councillors to return from leave and the December meeting which is held in the morning on the third Friday to coincide with the annual Christmas function.

If Council were to maintain the current meeting schedule then meetings in 2016 will be held on: Thursday 28 January; Thursday 18 February; Thursday 17 March; Thursday 21 April; Thursday 19 May; Thursday 16 June; Thursday 21 July; Thursday 18 August; Thursday 15 September; Thursday 20 October; Thursday 17 November and Friday 16 December 2016.

In addition to the ordinary Council meetings Council also holds a monthly information session and occasionally holds a planning meeting.

It is recommended that Council consider meeting one hour prior to the ordinary Council meeting to hold a combined information session / planning meeting. The format would be to provide Council an opportunity to seek further information on matters within the Information Booklet and to pick one Strategic project for general discussion.

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The monthly strategic projects for discussion could include:

December:	Independent Living Units
February	CRC / Visitors Centre / Library
March	Communication Policy
April	Caravan Park
May	Draft Budget
June	Delegations Register
July	Policy Manual
August	Local Laws
September	Integrated Planning
October	Swimming Pool

Statutory Environment

Section 12 of the Local Government (Administration) Regulations 1996 requires a Local Government to at least once a year give local public notice of the dates, time and place at which –

- (a) The ordinary council meetings; and
- (b) The committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council meetings for 2016 be held at the Council Chambers, Antares Street, Southern Cross, commencing at 3:30pm (except December), on the following days; Thursday 28 January; Thursday 18 February; Thursday 17 March; Thursday 21 April; Thursday 19 May; Thursday 16 June; Thursday 21 July; Thursday 18 August; Thursday 15 September; Thursday 20 October; Thursday 17 November; Friday 16 December (commencing at 10:30am).

That Council meet one hour prior to the ordinary Council meeting each month to hold a combined information session / planning meeting to provide Council an opportunity to seek further information on matters within the Information Booklet and to pick one Strategic project for general discussion.

Voting Requirements

Simple Majority

206/2015

Moved Cr Pasini/Seconded Cr W Della Bosca

That Council meetings for 2016 be held at the Council Chambers, Antares Street, Southern Cross, commencing at 4pm (except December), on the following days;

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Thursday 28 January; Thursday 18 February; Thursday 17 March; Thursday 21 April; Thursday 19 May; Thursday 16 June; Thursday 21 July; Thursday 18 August; Thursday 15 September; Thursday 20 October; Thursday 17 November; Friday 16 December (commencing at 10:30am).

That Council meet after the ordinary Council meeting each month to hold a combined information session / planning meeting to provide Council an opportunity to seek further information on matters within the Information Booklet and to pick one Strategic project for general discussion.

CARRIED (4/2)

Note: The Council resolution differs from the Officer recommendation as the commencement time was changed from 3:30pm to 4:00pm and the Information Session to be held after the Council meeting rather than prior to. The reason for the change is that the later start time was more convenient for some Councillors.

Submission to:	Ordinary Meeting of Council – Thursday, 19 November 2015
Agenda Reference:	7.3
Subject:	Development Assessment Panels – Request for Local Government Nominations
File Reference:	1.6.26.8
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 24 November 2015

Background:

The Planning and Development (Development Assessment Panels) Regulations 2011 (the Regulations), which establish the operational framework for Development Assessment Panels, were gazetted on 24th March 2011.

Development Assessment Panels (DAPs) are intended to enhance planning expertise in decision making by improving the balance between technical advice and local knowledge.

Each DAP consists of five panel members, three being specialist members and two local government councillors. Under the DAP regulations, each DAP will determine development applications that meet set type and value thresholds as if it were the responsible authority under the relevant planning instrument, such as the local planning scheme or region planning scheme. The DAP regulations state that DAP applications cannot be determined by local government or the Western Australian Planning Commission (WAPC).

The role of DAP members is to determine development applications within a certain type and value threshold through consistent, accountable, and professional decision-making.

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Council is being requested to nominate 4 elected members of Council to sit on the local DAP for our Region. Two of the 4 nominated members will be local members and two will be alternate local members. All nominated members are required to attend training sessions before they sit on a DAP. Nominated members are entitled to payment of sitting, training, and State Administrative Tribunal attendance fees unless they are a Federal, State, Local Government employee, an active or retired judicial officer, or an employee of a public institution.

Comment:

In 2011, Crs Pasini and J Della Bosca were nominated to sit on the local DAP for our Region and Crs Patroni and Truran were nominated as the two alternate local members.

At the January 2013 ordinary Council meeting Council resolved to nominate Crs Pasini and J Della Bosca to sit on the Local DAP for the region and Crs Patroni and Truran were nominated as the alternate elected members.

Statutory Environment

Compliance with the Planning and Development (Development Assessment Panels) Regulations 2011.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council nominate Cr Pasini and Cr Truran as members and Cr W Della Bosca and Cr Nolan as alternate members to the Development Assessment Panel.

Voting Requirements

Simple Majority

207/2015

Moved Cr W Della Bosca/Seconded Cr Chrisp

That Council nominate Cr Pasini and Cr Truran as members and Cr W Della Bosca and Cr Nolan as alternate members to the Development Assessment Panel.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Thursday, 19 th November 2015
Agenda Reference:	7.4
Subject:	Mount Jackson Homestead
File Reference:	3.2.1.5
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 24 November 2015

Background:

Correspondence has been received from Cliffs Asia Pacific Iron (Cliffs) (copy attached) regarding the Mount Jackson Homestead.

Cliffs advise of the opportunity for the Department of Lands to issue a licence for TrackCare to restore the remains of the homestead. If / when restored, Cliffs is not prepared to accept responsibility for the ongoing management and offer the Shire the opportunity to manage the restoration of the homestead, incorporating the facilities the Shire would want for a tourism attraction.

Cliffs are also requesting the Shire to consider executing a deed whereby the Shire takes full responsibility for the management and ownership of the homestead.

Comment:

The Shire does not employ the resources to manage any restoration of the Homestead. If Council were to agree to this offer the Shire would need to engage a consultant to undertake this task.

As the location of the Homestead is approximately 150km from Southern Cross, accepting ongoing management responsibility would also require Council to allocate additional resources. As we would be inviting people to camp at the facility we would be liable for compliance with relevant legislation.

Costs in ongoing management would include building maintenance, insurance, regular inspections, signage etc.

Statutory Environment

The homestead is included on the Shire's Municipal Inventory as a category D. Category D is: *These places are significant but not essential to an understanding of the history of the district; Photographically record the place prior to any major redevelopment or demolition*

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council:

- Decline the offer from Cliffs Asia Pacific Iron to manage the restoration of the homestead
- Decline the offer from Cliffs Asia Pacific Iron to execute a deed whereby the Shire takes full responsibility for the management and ownership of the homestead.

Voting Requirements

Simple Majority

208/2015

Moved Cr Pasini/Seconded Cr Nolan

That Council:

- *Decline the offer from Cliffs Asia Pacific Iron to manage the restoration of the homestead*
- *Decline the offer from Cliffs Asia Pacific Iron to execute a deed whereby the Shire takes full responsibility for the management and ownership of the homestead.*

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thursday, 19 th November 2015
Agenda Reference:	7.5
Subject:	Tourism Advisory and Yilgarn Youth, Sport & Recreation Advisory Committees
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 24 November 2015

Background:

At the Special Council meeting held on Tuesday 20 October 2015 Council passed the following resolution:

That Council request the CEO to prepare a report for the November Council meeting regarding the future structure and purpose of the Tourism Advisory Committee and the Yilgarn Youth, Sport & Recreation Advisory Committee

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When Council establishes a Committee the Council would ordinarily determine the purpose of the Committee, structure (membership & meeting frequency) and appoint persons as members after each ordinary election.

As the Tourism Advisory Committee and the Yilgarn Youth, Sport & Recreation Advisory Committee have been in existence for a period of time, the original intention of why they were established is not recorded. Both Committees are “advisory” committees without any delegated authority. Council should establish the scope of advice they wish the Committees to provide.

Comment:

Yilgarn Youth, Sport & Recreation Advisory Committee

From information received it appears that meetings of the Yilgarn Youth, Sport & Recreation Advisory Committee have not been well attended in recent times. It has been suggested that it is important for Council to consult with our Youth, Sporting and Recreation clubs and that an alternate method of consultation be considered.

It is recommended that Council disband this Committee.

Additionally it is recommended that Council review the Community Engagement Policy when next reviewing the Policy manual to include how the Council consults with various segments of our community (sporting clubs, business community, farmers, community groups, youth etc).

Tourism Advisory Committee

At the Special Council meeting held on 21 October 2013 Council resolved that Crs O Truran, J Della Bosca, G Guerini, KL Chrisp be appointed members of the Tourism Advisory Committee. There is no record of Council appointing any other persons to the Committee and accordingly the Committee had four members, all councillors, for the period October 2013 to 17 October 2015.

Council needs to determine; the membership of the Committee; meeting times and frequency; and the scope of advice that Council wishes the Committee to make recommendations on.

It should be noted that Council is required to appoint persons to Committees so that if Council wishes to have different groups represented, that group should be invited to nominate their preferred representative who is subsequently appointed by Council.

It is recommended that the Committee comprise three Councillors, the Deputy CEO plus other members as determined by Council. It is also recommended that meetings be held quarterly.

Council also needs to determine the role of the committee and the scope of advice that they wish the committee to provide recommendations to Council on.

This could include:

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- Represent the tourism industry and advise and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in the Shire of Yilgarn.
- Undertake actions in partnership with Council to promote tourism.
- Raise awareness of the value and benefits of tourism.

In addition to the above Council may also wish the Tourism Advisory Committee to provide recommendations regarding the implementation of a Tourism Strategy. This is the subject of a separate report to Council.

Statutory Environment

Relevant sections of the local government act are as follows:

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.

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).

(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 local government.

(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.

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(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.

5.11. Committee membership, tenure of

(1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —

(a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or

(b) the person resigns from membership of the committee; or

(c) the committee is disbanded; or

(d) the next ordinary elections day, whichever happens first.

(2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —

(a) the term of the person's appointment as a committee member expires; or

(b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or

(c) the committee is disbanded; or

(d) the next ordinary elections day, whichever happens first.

5.12. Presiding members and deputies, election of

(1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —

(a) to "office" were references to "office of presiding member"; and

(b) to "council" were references to "committee"; and

(c) to "councillors" were references to "committee members".

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council:

- Disband the Yilgarn Youth, Sport & Recreation Advisory Committee,
- Appoint Cr _____, Cr _____, Cr _____, and the Deputy CEO to the Tourism Advisory Committee
- Invite the following groups to nominate a representative to be appointed by Council to the Tourism Advisory Committee:
 -
 -
 -

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- Agree that the role of the Tourism Advisory Committee be to:
 - Represent the tourism industry and advise and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in the Shire of Yilgarn.
 - Undertake actions in partnership with Council to promote tourism.
 - Provide recommendations regarding the implementation of a Tourism Strategy (when adopted by Council)
- That the Tourism Advisory Committee meet quarterly, during the week before the ordinary council meeting to allow minutes to be included in the agenda .

Voting Requirements

Absolute Majority

209/2015

Moved Cr Nolan/Seconded Cr Chrisp

That Council disband the Yilgarn Youth, Sport & Recreation Advisory Committee and that when Council next reviews the Community Engagement Policy an alternate method of consultation be considered.

CARRIED (6/0)

210/2015

Moved Cr Pasini/Seconded Cr J Della Bosca

That this item lay on the table

CARRIED (6/0)

Note: The reason Council adopted a different resolution to the Officers recommendation is because Council wanted more time to deal with the Tourism Strategy (following Agenda item) prior to determining the structure and role of the Tourism Advisory Committee.

Submission to:	Ordinary Meeting of Council – Thursday, 19 th November 2015
Agenda Reference:	7.6
Subject:	Tourism Strategy
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 24 November 2015

Background:

Brighthouse have prepared a Tourism Strategy for the Yilgarn Region 2015 – 2025 (copy attached). This strategy is now presented for Council consideration.

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Comment:

The original draft strategy was received by the Shire in March 2015 and the most recent version is dated October 2015. There is no record of Council considering the strategy and accordingly Council needs to consider adopting the strategy as is, with amendments, or not at all.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

For Council consideration

Voting Requirements

Simple Majority

211/2015

Moved Cr Nolan/Seconded Cr W Della Bosca

That Council:

- *Undertake a review of the structure and scope of proposed services to be transferred to the new premises (11 Antares Street) including a review of the Community Resource Centre services, proposed Visitor Information Centre, Library, Westrail Booking service and Police Licensing*
- *Consider the Tourism Strategy following the above mentioned review*

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thursday, 19 th November 2015
Agenda Reference:	7.7
Subject:	Caveat – Jilbadji location 896
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 24 November 2015

Background:

In February 1981 Council placed a Caveat on Jilbadji location 896. The Caveat does not specify the purpose and there are no Council records. The owners have advised that the purpose of the Caveat was related to electricity supply and the Shire has no reason to retain the Caveat.

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Comment:

Nil

Statutory Environment

Transfer of Land Act

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council agree to remove the Caveat (C81050) from Jilbadji location 896 and authorise the use of the Council seal on the required documentation.

Voting Requirements

Simple Majority

212/2015

Moved Cr Pasini/Seconded Cr Chrisp

That Council agree to remove the Caveat (C81050) from Jilbadji location 896 and authorise the use of the Council seal on the required documentation.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thurs. 19 th November 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, 24 November 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 are attached and have been prepared as at the 31st October 2015:

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

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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 31st October 2015.

Voting Requirements

Simple Majority

213/2015

Moved Cr Chrisp/Seconded Cr W Della Bosca

That Council endorse the various Financial Reports as presented for the period ending 31st October 2015.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thurs. 19 th November 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, 24 November 2015

Background:

Municipal Fund – Cheque Numbers 39904 to 39925 totalling \$83,697.38, Municipal Fund- EFT numbers 4251 to 4321 totalling \$314,522.96, Municipal Fund – Cheque Numbers 1239 to 1243 totalling \$525,808.59, Municipal Fund Direct Debit numbers 10090.1 to 10128.10 totalling \$41,595.26, Trust Fund 402150 to 402160 totalling \$17,498.12 and Trust Fund – Cheque Numbers 5978 to 5982 (DPI Licensing), totalling \$84,847.65 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

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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 39904 to 39925 totalling \$83,697.38, Municipal Fund- EFT numbers 4251 to 4321 totalling \$314,522.96, Municipal Fund – Cheque Numbers 1239 to 1243 totalling \$525,808.59, Municipal Fund Direct Debit numbers 10090.1 to 10128.10 totalling \$41,595.26, Trust Fund 402150 to 402160 totalling \$17,498.12 and Trust Fund – Cheque Numbers 5978 to 5982 (DPI Licensing), totalling \$84,847.65 are presented for endorsement as per the submitted list.

Voting Requirements

Simple Majority

214/2015

Moved Cr Nolan/Seconded Cr Chrisp

Municipal Fund – Cheque Numbers 39904 to 39925 totalling \$83,697.38, Municipal Fund- EFT numbers 4251 to 4321 totalling \$314,522.96, Municipal Fund – Cheque Numbers 1239 to 1243 totalling \$525,808.59, Municipal Fund Direct Debit numbers 10090.1 to 10128.10 totalling \$41,595.26, Trust Fund 402150 to 402160 totalling \$17,498.12 and Trust Fund – Cheque Numbers 5978 to 5982 (DPI Licensing), totalling \$84,847.65 are presented for endorsement as per the submitted list.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thurs. 19 th November 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, 24 November 2015

Background:

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

Comment:

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COORDINATOR'S REPORT OCTOBER 2015

Prepared by: Monica Fairless
01.10.2015 – 31.10.2015
Southern Cross Community Resource Centre

Monthly Statistics

Seniors Activities	\$180.15
Items for Resale	\$29.00
Secretarial Services	\$1,996.75
Library Fees	\$9.50
Crosswords	\$885.95
Room Hire	\$140.00
Activities & Events	\$176.00
Advertising	\$1,952.00
Internet/Computer	\$122.00
Donations	\$426.65

STAFF MOVEMENTS

This month saw Ronice Blair depart as the Coordinator and Monica Fairless has taken on higher duties to perform the role. Ronice's last day was the 9th October. Jenna was on annual leave from the 1st October and returned to work on the 19th October. Monica was away on a RDO on the 9th October.

ACTIVITIES & EVENTS

Senior's Exercises. The twice weekly exercise sessions continue to be popular, with numbers remaining steady. The Senior's group have made an informal committee to work out what exercises and events they would like to hold and when, and will liaise with the CRC Coordinator regarding advertising and other administrative details.

Carpet Bowls will be held on Fridays every 2 weeks or so, and will be run by either a member of the Seniors Group or by a staff member at the CRC.

First Monday Craft Group & Third Monday Knitting Group: Ronice opened for the Have a Go Craft Group, and Monica opened for the Third Monday Knitting Group on the 19th October. Jenna and Monica will take it in turns to open the Library for the Craft and Knitting Groups. We currently have 5 people who attend the evening groups every time, and often have a number of people who attend when they are able to due to work and family schedules.

Junk Art Competition: Advertising has been on the radio, as well as in the Crosswords and placed on both Shire and CRC websites. Advertising has also gone out on CRC Facebook, and onto the Australia All Over Facebook. Monica had a sign and entry forms at the CRC Stall on Saturday 31st October to try and get the word out down the main street. Some radio listeners have phoned in and requested information from Southern Cross Austereo. The flyers and entry forms have been provided.

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Singing Group

Some members of the Southern Cross Singers have expressed interest to start singing up again after their break during the year. I have approached Judy Guerini for suitable times and dates to advertise for interest. If enough people are interested, we will look at hopefully starting prior to Christmas so that they have an opportunity to sing at the Carols by Candlelight run by the Hospital Auxiliary.

CRC Annual Report

The CRC Annual Report is due on 20 November, and all of the CRC Coordinator's reporting has been completed. As at 30 October we are only waiting for the audited financial report, which will be available after the auditors visit the Shire. Due to our deadline and the availability of the audited financials, we will be submitting the Annual Report by 20 November with reports from the CEO and DCEO including information on income and expense performance to give DRD an idea of the CRCs financial performance for the year. Once the audited financials are made available, we will resubmit the Annual Report to the Dept. of Regional Development. Anna Dixon at DRD has been very helpful in providing an extension and being flexible with the deadline (given to other CRCs as well) so that we can submit our Annual Report with everything that has been requested.

Statutory Environment

Nil

Policy Implications

Nil

Recommendation

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

Voting Requirements

Simple Majority

215/2015

Moved Cr Pasini/Seconded Cr W Della Bosca

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

CARRIED (6/0)

Submission to:	Ordinary Council Meeting – Thurs. 19 th November 2015
Agenda Reference:	8.4
Subject:	Review of Integrated Strategic Plans 2014/2015
File Reference:	1.1.12.4
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Thursday, 22 October 2015

Comment

The Shire adopted its Integrated Strategic Plans at a Special Council meeting on 23rd June 2013. To meet the requirements of the *Local Government (Administration) Regulations 1996* there is a requirement these documents be reviewed over the life of the plans.

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The Strategic Community Plan (SCP) and Community Business Plan are reviewed annually (in-house or desktop) and every four years (major review). During the 2014/15 financial year the CEO and Executive Managers performed an in-house review to identify whether the Shire is effectively working towards meeting the goals of the community as identified in the SCP and delivering upon the priorities therein.

The informing documents of the Integrated Plans including the Workforce Plan, Asset Management Plan, Forward Capital Works Plan and Long Term Financial Plan are not required by legislation to be reviewed however management considers and adjusts their content at least annually.

Statutory Environment

Local Government Act 1995 & Local Government (Administration) Regulations 1996 Division 3 - Planning for the future 19C. Planning for the future: strategic community plans — s. 5.56

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorse the desktop review of the Strategic Community Plan and the Corporate Business Plan for 2014/15.

Voting Requirements

Simple Majority

216/2015

Moved Cr Pasini/Seconded Cr W Della Bosca

That Council endorse the desktop/in-house review of the Strategic Community Plan and the Corporate Business Plan for 2014/15.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Thursday 19 th November, 2015
Agenda Reference:	10.1
Subject:	Shire Depot New Office Building
Location/Address:	Reserve 30447 Lot 844 Arcturus Street, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	2.4.1.11
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	10 th November, 2015

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Background

In the 2015/2016 Council Budget a capital works project for the Shire Depot is the replacement of the existing timber frames and fibro clad Office with a new transportable building.

Comment

A suitable floor plan for the proposed office has been obtained, and a specifications for the construction written ready to advertise the project for tender. See attached tender document.

Council needs to agree to call tenders. 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 National Building Code of Australia and the Shire of Yilgarn Town Planning Scheme No 2.

Strategic Implications

Community Business Plan – Theme 3 – Economic

Our Goals

Invest in new infrastructure that meets the needs of our diverse community.

Policy Implications

Council Policy No 3.5 Purchasing and Tendering Policy

PURCHASING THRESHOLDS:

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Policy
Up to \$10,000	Where practicable, obtain verbal or written quotations
\$10,000 to \$99,999	At least one written quotation.
\$100,000 and Above	Conduct a public tender process

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$100,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

\$10,001 to \$99,999

Chief Executive Officer and a Delegated Senior Manager may approve purchases where the value exceeds \$10,001 but is less than \$99,999, with at

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least one quotation containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

Financial Implications

In the 2015/2016 Council Budget an amount of \$200,000 has been identified under E14651 Shire Depot Capital which are municipal funds.

Recommendation

That Council delegates authority to the CEO to call tenders for this project as per the presented tender document.

Voting Requirements

Simple Majority.

217/2015

Moved Cr Pasini/Seconded Cr W Della Bosca

That Council delegates authority to the CEO to call tenders for this project as per the presented tender document.

CARRIED (5/1)

Submission to:	Ordinary Meeting of Council – Thursday 19 th November, 2015
Agenda Reference:	10.2
Subject:	Replace Open Overflow Dam with Enclosed Pipe Storage System at Arcturus Street Pump Station (PS No 1)
Location/Address:	Reserve 41128 Lot 943 off Arcturus Street, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	10.2.5.4
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th November, 2015

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Background

The Shire has engaged River Engineering to draw up plans and specifications and to be the project manager for the supply and installation of enclosed pipe storage system to replace the open overflow dam at the Arcturus Street Pump Station in Southern Cross. The drawings are now completed as is the tender document so that the Shire can now call tenders for this work. See attached tender document.

Comment

Council needs to agree to call tenders. 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 Health Act 1911 and Regulations made under this Act, Australian Standards for plumbing and sewerage works, and the Environmental Protection Act 1986.

Strategic Implications

Community Business Plan – Theme 3 – Economic

Our Goals –

Maintaining existing infrastructure to ensure its suitability and usability for residents and community groups across the Shire.

Policy Implications

Council Policy No 3.5 Purchasing and Tendering Policy

PURCHASING THRESHOLDS:

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Policy
Up to \$10,000	Where practicable, obtain verbal or written quotations
\$10,000 to \$99,999	At least one written quotation.
\$100,000 and Above	Conduct a public tender process

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$100,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

\$10,001 to \$99,999

Chief Executive Officer and a Delegated Senior Manager may approve purchases where the value exceeds \$10,001 but is less than \$99,999, with at

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For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

Financial Implications

In the 2015/2016 Council Budget an amount of \$131,670 has been identified under E10350 Southern Cross Sewerage Capital which are municipal funds.

Recommendation

That Council delegates authority to the CEO to call tenders for this project as per the presented tender document.

Voting Requirements

Simple Majority.

218/2015

Moved Cr W Della Bosca/Seconded Cr Chrisp

That Council delegates authority to the CEO to call tenders for this project as per the presented tender document.

MOTION LOST (2/4)

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Submission to:	Ordinary Meeting of Council – Thursday, 19 th November 2015
Agenda Reference:	7.7
Subject:	Staff Structure
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 24 November 2015

219/2015

Moved Cr Chrisp/Seconded Cr W Della Bosca

That Council close the meeting to members of the public to deal with a confidential staff matter, in accordance with section 5.23(2)(a) of the local government act.

CARRIED (6/0)

220/2015

Moved Cr Nolan/Seconded Cr Pasini

That Council agree to implement the changes to the organisational structure, as presented by the CEO, from March 2016.

CARRIED (6/0)

221/2015

Moved Cr Chrisp/Seconded Cr Pasini

That Council open the meeting to members of the public

CARRIED (6/0)

As there was no further business to discuss, the Shire President declared the meeting closed at **5.30pm**

I, Onida T Truran confirm the above Minutes of the Meeting held on Thursday, 19th November 2015, are confirmed on Thursday, 20th November 2015 as a true and correct record of the November Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT