



Minutes

Ordinary Council

Meeting

December

2015

Minutes
Ordinary Council Meeting, 17th December 2015

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1. OFFICIAL OPENING

The Presiding Member declared the meeting open at 3.30pm

2. RECORD OF ATTENDANCE

PRESENT

Presiding Member	Cr OTruran	
Members	Cr W Della Bosca - Deputy President Cr K Chrisp Cr B Close Cr J Della Bosca Cr P Nolan Cr D Pasini	
Council Officers	B Jones J Bingham R Bosenberg W Dallywater L Della Bosca	Chief Executive Officer Deputy CEO Manager Works Manager EH & B Minute Taker
Apologies:	Nil	
Leave of Absence:	Nil	
Observers:	Mr. Lynn Emmett Mrs. Rebecca Guerini	

3. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTEREST

Nil

4. PUBLIC QUESTION TIME

Mr. Lynn Emmett attended public question time and made statements in relation to asbestos clad buildings and Ranger services.

Mrs. Rebecca Guerini attended public question time and asked questions regarding the use of the old Pony club reserve.

The CEO advised that as the land was a reserve for public use it could not be leased exclusively to a private person as this would prohibit the land being enjoyed by the community. The land can however be used for horse clinics, riding lessons and other uses and that she should contact the CEO to discuss further.

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council Thursday 19th November 2015
222/2015

Moved Cr Nolan/Seconded Cr W Della Bosca

That the minutes of the Ordinary Council Meeting Held on the Thursday the

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19th November 2015 be confirmed as a true record of proceedings

Voting Requirement: **Simple Majority** *Carried(7/0)*

5.2 Ordinary Council Meeting 19th November 2015 Action Sheet
223/2015

Moved Cr Chrisp/Seconded Cr Pasini

That the Action Sheet for the Council Meeting Held on Thursday 19th November 2015 be received

Voting Requirement: **Simple Majority** *Carried(7/0)*

5.3 Special Meeting of Council Wednesday 9th December 2015
224/2015

Moved Cr J Della Bosca/Seconded Cr Chrisp

That the minutes of the Special Council Meeting Held on the Wednesday the 9th December 2015 be confirmed as a true record of proceedings.

Voting Requirement: **Simple Majority** *Carried (7/0)*

6 ANNOUNCEMENTS BY THE PRESIDING MEMBERS AND COUNCILLORS

At the November Council meeting Council discussed and deferred to this meeting the opportunity to make a donation to the Lord Mayor's Distress Relief Fund that has been activated to raise and coordinate donations to support the victims of the fires recently burning in the State's south in the Shire of Esperance.

225/2015

Moved Cr W Della Bosca/Seconded Cr Nolan

That Council agrees to donate \$3,000 to The Lord Mayor's Distress Relief Fund to support the victims of the fires recently burning in the State's south in the Shire of Esperance.

Voting Requirement: **Absolute Majority** *Carried (7/0)*

Cr Truran announced the following

1. On the 20th November met with a Doctor candidate in Southern Cross with the CEO
2. Attended the Great Eastern Country Zone and Central East Aged Care Alliance meetings in Merredin with the CEO on 26 November 2015
3. Telephone meeting with a Doctor candidate on 1st December
4. 4th December attended a meeting with a Doctor candidate with the CEO in Southern Cross

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5. Attended the Seniors Lunch on the 6th December
6. Attended the Southern Cross District High School Work Experience Presentation by year 10 students on the 9th December
7. Attended the Junk Art Competition on the 12th December

Cr J Della Bosca announced the following:

1. On the 9th December attended the Southern Cross District High School Work Experience Presentation by year 10 students
2. 10th December attended St Joseph's Catholic School end of year concert
3. Attended the Junk Art Competition on the 12th December

Cr Close announced the following:

1. Attended the Southern Cross District High School Work Experience Presentation by year 10 students on the 9th December

Cr W Della Bosca announced the following:

1. Attended the Seniors lunch on the 6th December
2. Attended the Moorine Rock Primary School presentation evening on the 12th December

Cr Nolan announced the following:

1. Attended the Southern Cross District High School Work Experience Presentation by year 10 students on the 9th December

Cr Pasini announced the following:

1. Attended the Southern Cross District High School Work Experience Presentation by year 10 students on the 9th December

Cr Chrisp announced the following:

1. Attended the Moorine Rock Primary School presentation evening on the 12th December

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CHIEF EXECUTIVE OFFICERS REPORTS

Submission to:	Ordinary Meeting of Council – Thursday, 17 th December 2015
Agenda Reference:	7.1
Subject:	Premier's Australia Day Active Citizenship Awards
File Reference:	1.3.6.2
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 11 December 2015

Background:

Nominations for the following categories in the Premier's Australia Day Active Citizenship closed on Friday 27th November 2015:-

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

At the close of nominations there has been two nominations received for the Premier's Australia Day Active Citizenship Award and one nomination for the Premier's Australia Day Active Citizenship Award for a community group or event. One nomination for the citizenship award was received after the closing date and accordingly has not been included.

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

Comment:

A copy of the confidential nominations has been provided to Councillors and a decision needs to be made which will then allow staff to request the Australia Day Council to prepare the Certificate prior to presentation on 26 January 2016.

Each of the two nominations has been numbered so that a Council decision can be recorded without any names being known.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council:

- Agrees to accept the only nomination received for the community group category, and
- Agrees that nomination No. _____ be declared the winner of the Premier's Australia Day Active Citizenship Award

226/2015

Moved Cr Pasini/Seconded Cr J Della Bosca

That Council:

- ***Agrees to accept the only nomination received for the community group category, and***
- ***Agrees that nomination No.1 be declared the winner of the Premier's Australia Day Active Citizenship Award***

Voting Requirement: **Simple Majority**

Carried (7/0)

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Submission to:	Ordinary Meeting of Council – Thursday, 17 th December 2015
Agenda Reference:	7.2
Subject:	Caravan Park Redevelopment Business Case
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 11 December 2015

Background:

At the ordinary Council meeting held on Friday 20 June 2014 Council passed the following resolution:

That Council endorses the CEO to enlist Brighthouse Consultancy to develop the:

- 1. The Shire of Yilgarn Tourism Strategy*
- 2. A Business Plan for the co-location of a Community Resource Centre and Visitor Information Centre.*
- 3. A Strategic Design Master Plan & Business Case for the Southern Cross Caravan Park.*

The total cost of the three consultancies being \$99,640.

The Shire subsequently commissioned Brighthouse to prepare a strategic design master plan and business case for the Southern Cross Caravan Park in July 2014.

A draft copy was received in November 2015 and a hard copy provided to all Councillors at the November ordinary Council meeting.

Comment:

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The cost of preparation of the Business case is \$39,970.

Recommendation

For Council consideration

227/2015

Moved Cr Nolan/Seconded Cr W Della Bosca

That Council

Receives the report and seek further financial analysis before a decision on how to move forward is made.

Voting Requirement: Simple Majority

Carried (7/0)

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Submission to:	Ordinary Meeting of Council – Thursday, 17 th December 2015
Agenda Reference:	7.3
Subject:	Independent Living Units
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 11 December 2015

Background:

I refer Council to the December 2014 and March 2015 Council minutes which contain detailed information regarding the Independent Living Units and at which the following resolutions were passed by Council:

December 2014:

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

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

March 2015:

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

Comment:

The site preparations and headworks have now been completed and the four units placed on site. The units will be ready to be occupied by the end of February 2016.

Under the Grant Agreement the units cannot be sold for the first five years. Council has

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the option of offering a lease for life arrangement or to offer the units for lease on a standard residential tenancy agreement.

Council direction is required on the following issues:

- ✓ Lease term?
- ✓ Lease amount?
- ✓ What Bond will be charged?
- ✓ Who is responsible for water, electricity, repairs & maintenance, gardens?
- ✓ Are Pets allowed?
- ✓ Does Council wish to have a legal agreement prepared or use the standard residential lease agreement?
- ✓ Will rent increase by CPI or by other means?
- ✓ Is sub-letting allowed?
- ✓ Who will receive priority if demand is more than the four units?
- ✓ Do tenants have to be seniors or will Council rent to others?

Statutory Environment

Residential Tenancies Act

Policy Implications

Nil

Financial Implications

Council has included \$1,669,050 in the 2014/15 Budget, being funded \$424,361 from grants and \$1,244,689 from Shire own funds.

Recommendation

That Council:

- Agree to advertise the Independent Living Units for rental at a rental of \$250 per week,
- Agree that the terms of lease will be as follows:
 - 12 month renewable lease
 - \$250 per week rent payable in advance
 - \$1,000 bond payable before occupation
 - Shire responsible for water, tenants responsible for power and garden maintenance
 - No pets allowed
 - Rental to increase by Perth annual CPI at end of March each year, to apply from 1st July each year
 - No sub-letting is permitted
 - Other conditions in accordance with standard residential lease
 - Seniors who are long term residents of the Shire to take precedence if more than four applications received.
 - Agree to rent the Units to non-seniors if there is insufficient interest from Seniors

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228/2015

Moved Cr Pasisni /Seconded Cr W Della Bosca

That Council:

- *Agree to advertise the Independent Living Units for rent with the rental being based on an Independent Valuation.*

- *Agree that the terms of lease will be as follows:*
 - *12 month renewable lease*
 - *Shire responsible for water, tenants responsible for power and garden maintenance*
 - *Pets allowed with a pet bond being applied*
 - *Rental to increase by Perth annual CPI at end of March each year, to apply from 1st July each year*
 - *No sub-letting is permitted*
 - *Other conditions in accordance with standard residential lease*
 - *Seniors who are long term residents of the Shire to take precedence if more than four applications received.*
 - *Agree to rent the Units to non-seniors if there is insufficient interest from Seniors*

Voting Requirement: **Simple Majority**

Carried(6/1)

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Submission to:	Ordinary Meeting of Council – Thursday, 17 th December 2015
Agenda Reference:	7.4
Subject:	Yilgarn Men’s Shed
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 11 December 2015

Background:

The Yilgarn Men’s Shed occupies the old Shire Depot located on Archenar Street.

There is no official record on file regarding the arrangement agreed to between the Shire and the Yilgarn Men’s Shed regarding their use of the premises however following research our understanding is as follows:

- Grant funding was obtained to help set up the Men’s Shed through Men’s Shed Australia Association (via Donna Newbury, HACC Coordinator). This was thought to be in 2008/09.
- The Shire insures the building and sheds and toilet block and also provided an access ramp.
- A new evaporative air conditioner was installed by the Shire in 2013/2014.
- The Shire has maintained the building and has previously included an annual budget of \$5000 for this purpose.
- The Shire pays for the electricity and water.
- The Members have oiled the timber ramp from time to time, as well as some painting of the CBD street furniture from time to time with an informal arrangement between the Shire regarding the supply of materials.
- The Men’s Shed Association covers the Public Liability insurances through their affiliation/membership.

At the ordinary Council meeting held on Friday 20 June 2014 Council passed the following resolution:

That Council advises the Yilgarn Men’s Shed that it has no objections to the proposal to enclose half of the southern lean-to attached to the main workshop shed for the purpose of constructing a new meeting room where members can socialise away from activities carried out in the workshop.

Correspondence has been received from the Yilgarn Men’s Shed advising that they are now in a financial position to go ahead with the planned enclosure of part of the veranda to create a sitting/meeting room with access from the kitchen.

Comment:

As there is currently no formal agreement in place regarding the use of the Shire premises by the Yilgarn Men’s Shed they are requesting the Shire enter into an

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agreement to confirm their continued use of the premises prior to commencing any works.

The Shire of Yilgarn has no other use for the premises and there is no reason why the request should not be supported. Rather than incur costs in engaging lawyers to prepare a formal lease agreement it is recommended that the CEO be authorised to prepare correspondence advising that the Yilgarn Men's Shed are guaranteed use of the premises for the next fifteen years, free of charge, at which time the arrangement can be reviewed.

If the Yilgarn Men's Shed require a formal legal agreement then it should be at their cost.

The Yilgarn Men's Shed have also requested the Shire set aside funds for maintenance of the premises and this will be listed for consideration as part of the budget process.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council agree to provide the Yilgarn Men's Shed Incorporated with use of the Old Depot site situated on Archenar Street, at zero rental, for the 15 year period 1 January 2016 to 31 December 2031 and that the CEO be authorised to prepare correspondence confirming this decision and advising that if the Yilgarn Men's Shed require a formal legal agreement it be prepared at the cost of the Yilgarn Men's Shed Incorporated.

229/2015

Moved Cr Pasini/Seconded Cr Nolan

That Council agree to provide the Yilgarn Men's Shed Incorporated with use of the Old Depot site situated on Archenar Street, at zero rental, for the 15 year period 1 January 2016 to 31 December 2031 and that the CEO be authorised to prepare correspondence confirming this decision and advising that if the Yilgarn Men's Shed require a formal legal agreement it be prepared at the cost of the Yilgarn Men's Shed Incorporated.

Voting Requirement: **Simple Majority**

Carried(7/0)

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DEPUTY CHIEF EXECUTIVE OFFICERS REPORT

8

Submission to:	Ordinary Meeting of Council – Thurs. 17 th December 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:	Friday, 11 December 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 30th November 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 November 2015.

230/2015

Moved Cr Crisp/Seconded Cr W Della Bosca

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

Voting Requirement: **Simple Majority**

Carried(7/0)

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Submission to:	Ordinary Meeting of Council – Thurs. 17 th December 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:	Friday, 11 December 2015

Background:

Municipal Fund – Cheque Numbers 39927 to 39963 totalling \$55,217.54, Municipal Fund- EFT numbers 4322 to 4433 totalling \$1,641,853.86, Municipal Fund – Cheque Numbers 1244 to 1246 totalling \$180,449.30, Municipal Fund Direct Debit numbers 10176.1 to 10233.11 totalling \$41,490.72, Trust Fund 402161 to 402166 totalling \$2,246.25 and Trust Fund – Cheque Numbers 5983 to 5985 (DPI Licensing), totalling \$30,869.00 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 39927 to 39963 totalling \$55,217.54, Municipal Fund EFT numbers 4322 to 4433 totalling \$1,641,853.86, Municipal Fund – Cheque Numbers 1244 to 1246 totalling \$180,449.30, Municipal Fund Direct Debit numbers 10176.1 to 10233.11 totalling \$41,490.72, Trust Fund 402161 to 402166 totalling \$2,246.25 and Trust Fund – Cheque Numbers 5983 to 5985 (DPI Licensing), totaling \$30,869.00 are presented for endorsement as per the submitted list.

231/2015

Moved Cr Chrisp/Seconded Cr Nolan

Municipal Fund – Cheque Numbers 39927 to 39963 totalling \$55,217.54, Municipal Fund EFT numbers 4322 to 4433 totalling \$1,641,853.86, Municipal Fund – Cheque Numbers 1244 to 1246 totalling \$180,449.30, Municipal Fund Direct Debit numbers 10176.1 to 10233.11 totalling \$41,490.72, Trust Fund 402161 to 402166 totalling \$2,246.25 and Trust Fund – Cheque Numbers 5983 to 5985 (DPI Licensing), totaling \$30,869.00 are presented for endorsement as per the submitted list.

Voting Requirement: **Simple Majority**

Carried(7/0)

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Submission to:	Ordinary Meeting of Council – Thurs. 17 th December 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:	Friday, 11 December 2015

Background:

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

Comment:



COORDINATOR'S REPORT NOVEMBER 2015

Prepared by: Monica Fairless 01.11.2015 – 30.11.2015

Southern Cross Community Resource Centre

Monthly Statistics

Seniors Activities	\$219.90
Items for Resale	\$75.95
Secretarial Services	\$1362.80
Library Fees	\$1.00
Crosswords	\$605.15
Room Hire	\$210.00
Activities & Events	\$538.20
Advertising	\$1725.00
Internet/Computer	\$105.00
Donations	\$280.00

STAFF MOVEMENTS

Monica is away on leave from 20 November and will return to work on 15 December. Jenna was away on 27 November, and the CRC was closed for this day due to no staff to cover.

Both leave was approved prior to Ronice's resignation.

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ACTIVITIES & EVENTS

Senior's Exercises. The twice weekly exercise sessions continue to be popular, with numbers remaining steady. There were two major activities/events that were held at the Senior's Centre this month, with carpet bowls being scheduled for Friday 6 November and Feet with Flair holding a pop-up shop in the foyer, and Seniors Week being celebrated on Friday 13 November. We received 10% of sales from Feet with Flair and Monica and Jenna catered with sandwiches for the carpet bowls participants and Denise Sturgess (Feet with Flair). Seniors Week 2015 "A musical stroll down memory lane" went well, and the food which was catered by Fay Guerini was delicious. We received a grant from COTA WA for \$880 to cover costs of entertainment and catering, and Cliffs Asia Pacific Iron Ore gave \$135.00 to go towards a special dessert treat for all of the Seniors Week guests.

First Monday Craft Group & Third Monday Knitting Group: Numbers are remaining steady for this group, and we feel it is successful enough to continue this on throughout the year as a regular activity. Promotion prior to the Show next year might also encourage some members to enter in some of their work they have completed.

Walking Group: Walking group started on 4 November, with both staff from the CRC and several members of the community attending the walk to the train station and back. Kylie Hockley along with staff at the CRC are able to be contacted for further information. The group meets at 5.30pm out the front of SXDHS.

Singing Group

No update as yet regarding interest in the singing group. If no interest has been made by Monica's return on 15 December, the commencement of singing may be postponed until the New Year when further advertising can be done.

CRC MEETINGS & REQUIREMENTS

CRC Annual Report

CRC Annual Report was submitted prior to the 20 November deadline, and once the audited financials are available, will be resubmitted to DRD.

CRC Cluster Meeting – Merredin

Monica attended the cluster meeting in Merredin on 5 November and had an opportunity to network and share ideas with CRCs from Merredin, Kellerberrin and Nungarin as well as speaking to Anna Dixon and Celia Loot from DRD. The CRC Network produced a performance report recently which overall was quite positive. Most CRCs are meeting or exceeding the expected requirements from DRD for their service level, and have been asked to forward any ideas about the current contract/tender model they are using to Anna or Celia so that we can have our voices heard about what is working and what isn't prior to a new budget. They are unsure what amount CRCs will be able to receive from the Government past 2017, however we have a good chance to put forward our case about why CRCs are valuable in the community and why we deserve continued support from the Government. Attached is an infographic for 2014-2015 about Growing Connected and Capable People within the CRC Network.

Looking forward into 2016

Monica and Jenna have sat down to work out events and activities for 2016/2017 action planning purposes, and have scheduled in both regular and special events and activities up until December 2016. These can and might change depending on circumstances, but is

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able to provide guidance in what the CRC are providing for at least next year. As Jenna's traineeship will finish up during next year, we have started to investigate what is required in our DRD contract regarding the number and length of traineeships we are required to have before the funding period ends. So far the activities and events we have planned will cover all of our targets up until Q2 2016, and if given the opportunity, will be able to provide further activities which can be scheduled around those already penciled into our calendar. Q3 and Q4 (in 2017) will be planned next year prior to Business Plan and Action Plan submissions which happens between April and June.

Statutory Environment

Nil

Policy Implications

Nil

<p>Recommendation</p>

<p>That the Coordinators report for the month of November 2015 be received.</p>

232/2015

Moved Cr Pasini/Seconded Cr Chrisp

That the Coordinators report for the month of November 2015 be received.

Voting Requirement: **Simple Majority**

Carried(7/0)

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Submission to:	Ordinary Meeting of Council – Thurs. 17 th December
Agenda Reference:	8.4
Subject:	Independent Auditor’s Report – 2014/2015 Financial Statements
File Reference:	8.2.3.1
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 11 December 2015

Background

Mr. James Arthur, appointed representative of Council’s Auditor firm, Moore Stephens Chartered Accountants, was in Southern Cross on the 5th and 6th November 2015 to carry out Council’s Final Audit.

Comment

In concluding the Final Audit, Mr Gilles Chan at Moore Stephens signed off on the Financial Statements and Independent Auditor’s Report on the 10th December 2015, in preparation for adoption of the Annual Report at the Ordinary Meeting of Council held on the 17th December 2015.

An Audit Committee meeting has been organised for 2.30pm on the 17th December 2015 preceding the Ordinary Council meeting, in which Mr Chan will be attending via teleconference.

The CEO has signed the 2015 Financial Report on the 10th December 2015, indicating that the Financial Statements are a complete audited record of the Shire of Yilgarn’s financial position. In addition, the Management Representation Letter has been signed, stating to the best of the CEO’S knowledge the financial report gives a true and fair representation of the Shire of Yilgarn’s financial position in accordance with Australian Accounting Standards, Local Government Act 1995 and LG Financial Management Regulations.

Statutory Environment

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

Policy Implications

None

Financial Implications

This document will form part of the Annual Report.

Strategic Implications

None

Recommendation

That Council receives the ‘Independent Auditor’s Report to the Electors of the Shire of Yilgarn’ and the Management Report for the year ended 30th June 2015, as prepared by Mr Gilles Chan of Moore Stephens Chartered Accounts, and be adopted by Council.

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233/2015

Moved Cr W Della Bosca/Seconded Cr Chrisp

That Council receives the 'Independent Auditor's Report to the Electors of the Shire of Yilgarn' and the Management Report for the year ended 30th June 2015, as prepared by Mr Gilles Chan of Moore Stephens Chartered Accounts, and be adopted by Council.

Voting Requirement: **Simple Majority**

Carried(7/0)

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Submission to:	Ordinary Meeting of Council – Thurs. 17 th December
Agenda Reference:	8.5
Subject:	Acceptance of the 2014/2015 Annual Report
File Reference:	8.2.3.1
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 11 December 2015

Background

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

The 2014/2015 Annual Report including the Financial Report is attached for Council's acceptance.

It is then necessary to advertise that the Annual Report is ready for the community to view for a period of 14 days and then an Annual Electors Meeting can be held. It is recommended the Annual Electors meeting be held on Thursday 28th January 2016 commencing at 2.30pm at which time the Annual Report will be formally presented to the community.

Statutory Environment

Local Government Act 1995 Section 6.4 Financial Report

Policy Implications

None

Financial Implications

2016/17 Budget

Strategic Implications

None

Recommendation

That Council adopts the Shire of Yilgarn Annual Report for the year ended 30th June 2015, and forward a copy to the Department of Local Government. In addition, the DCEO to advertise the availability of the Annual Report for viewing for 14 days prior to the electors meeting scheduled to be held on Thursday 28th January 2016.

234/2015

Moved Cr Pasini/Seconded Cr W Della Bosca

That Council adopts the Shire of Yilgarn Annual Report for the year ended 30th June 2015, and forward a copy to the Department of Local Government. In addition, the DCEO to advertise the availability of the Annual Report for viewing for 14 days prior to the electors meeting scheduled to be held on Thursday 28th January 2016 at 6.30pm, after the Ordinary Council Meeting.

Voting Requirement: **Simple Majority**

Carried(7/0)

Minutes
Ordinary Council Meeting, 17th December 2015

Submission to:	Ordinary Meeting of Council – Thurs. 17 th December
Agenda Reference:	8.6
Subject:	Department of Transport-Reduction of hours
File Reference:	8.2.3.1
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 11 December 2015

Background

Currently the Shire of Yilgarn acts as licensing agent for the Department of Transport. Members of public access the service at the Administration Office between the hours of 8.30am to 4.30pm. This service requires several trained staff to attend the front desk at any given time - incurring both a significant cost as well as diverting resources away from other Shire related tasks that staff could be engaged in.

The Department of Transport does pay the Shire a commission for acting as agent – in 2014/15 this was \$29,944. It is calculated that this commission is insufficient to recover costs based on labour hours x labour unit cost.

Therefore it is recommended that staff reduce the available hours for licensing to between 8.30am and 3.00pm – a reduction of 1.5 hours per day. Subsequently this measure will retain for the community a reasonable window of opportunity to access licensing services whilst at the same time assist the Shire’s aim in reducing cost and increasing efficiency.

Statutory Environment

Local Government Act 1995 Section 6.4 Financial Report

Policy Implications

None

Financial Implications

2015/16 Budget

Strategic Implications

None

Recommendation

That Council endorse a reduction in licensing hours from 8.30am-4.30pm to 8.30am - 3.00pm.

235/2015

Moved Cr Pasini/Seconded Cr W Della Bosca

That Council endorse a reduction in licensing hours from 8.30am-4.30pm to 8.30am - 3.00pm.

Voting Requirement: **Simple Majority**

Carried(5/2)

Minutes
Ordinary Council Meeting, 17th December 2015

10. MANAGER OF ENVIRONMENTAL HEALTH & BUILDING SERVICES REPORT

Submission to:	Ordinary Meeting of Council – Thursday 17 th December, 2015
Agenda Reference:	10.1
Subject:	Liquor License Application – Extension of Liquor Licensed Area at the Marvel Loch Hotel
Location/Address:	Lots 56 & 54 Lenneberg Street, Marvel Loch
File Reference:	4.1.5.5 & 1.6.26.10
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th December, 2015

Background

The owner of the Marvel Loch Hotel has recently become aware that the partly enclosed verandah area along the east side of the Hotel is not included as the “licensed area” of the Hotel and would like to rectify this situation along with adding the former swimming pool area which is now garden area and a 4 bedroom transportable accommodation unit onto the Hotel’s licensed area. See attached site plan showing the existing licensed areas outlined in red and the proposed additional licensed areas outlined in yellow.

The Department of Racing, Gaming & Liquor has requested a letter of support from Council be provided along with the application to extend the licensed area on the Hotel’s Liquor License.

Comment

Town Planning Issues

The Marvel Loch Hotel is situated over Lots 56, 55, & 54 Lenneberg Street (corner Aurum Street), Marvel Loch. These lots are zoned “Townsite” under the Shire of Yilgarn Town Planning Scheme No 2 which means that all proposed developments require Council approval except for a single residential dwelling development. The Hotel has been on this land for many years so the land use as a Hotel is not in question.

The current licensed area, that is where alcohol can legally be consumed, is within the Hotel building and the beer garden directly west of the Hotel, the accommodation and office building north of the Hotel, the sea container storeroom west of the accommodation and office building, and 3 separate transportable accommodation units consisting of 3 and 4 rooms in each unit located west of the beer garden.

Smokers currently only have the beer garden area to use if they want to consume alcohol and smoke. An alternative to this area would be to license the verandah area on the east side of the Hotel including the area that butts up to the accommodation and office building, plus the garden area where the private swimming pool use to be between the verandah and the eastern lot boundary on Aurum Street. The front entrance to the Hotel is not included as entrances are not approved to be licensed to ensure that they are kept clear at all times in case of an emergency.

Minutes

ORDINARY COUNCIL MEETING – Thursday 17th December 2015

As 3 transportable accommodation units are already licensed it seems reasonable to add the fourth transportable accommodation unit to the licensed area. None of the verandahs attached to the accommodation units/buildings are proposed to be included in the licensed area to reduce the likelihood of disruptive or abusive behavior affecting those people staying in the accommodation.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2, the Liquor Control Act 1988, and the Liquor Licensing Regulations 1989.

Strategic Implications

Community Business Plan – 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”

Theme -

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council approves the proposed extension of the Marvel Loch Hotel’s liquor licensing area to include the verandah on the east side of the Hotel and the new garden area between this verandah and the eastern boundary of Lot 56, plus the rooms of the transportable accommodation unit adjoining the west side of the beer garden on Lot 54 Lenneberg Street, Marvel Loch, as per the submitted plan.

236/2015

Moved Cr Chrisp/Seconded Cr Close

That Council approves the proposed extension of the Marvel Loch Hotel’s liquor licensing area to include the verandah on the east side of the Hotel and the new garden area between this verandah and the eastern boundary of Lot 56, plus the rooms of the transportable accommodation unit adjoining the west side of the beer garden on Lot 54 Lenneberg Street, Marvel Loch, as per the submitted plan.

Voting Requirement: **Simple Majority**

Carried(4/3)

Minutes

ORDINARY COUNCIL MEETING – Thursday 17th December 2015

Submission to:	Ordinary Meeting of Council – Thursday 17 th December, 2015
Agenda Reference:	10.2
Subject:	Planning Application – Install Second-hand Transportable Building for Unisex Toilet for Southern Cross Anglican Church
Location/Address:	Lot 607 Antares Street, Southern Cross
Name of Applicant:	Southern Cross – Westonia Anglican Church Committee
File Reference:	3.1.3.4 & 1.3.3.1
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th December, 2015

Background

The Southern Cross – Westonia Anglican Church Committee has submitted an application to install a second-hand transportable building behind the Southern Cross Anglican Church and fit it out to be a unisex disabled toilet block for the parishioners attending church services. The building is a single room that is 2.3m x 3.3m x 2.8m high (7.59m²), and is constructed of timber floor, steel frame and Sandwich panel walls and a flat roof/ceiling with a single door and window, plus an exhaust hood on an exterior wall. The Church Committee would have local tradespeople fit out the room to meet the requirements for a unisex disabled toilet. It is proposed to position the toilet 14m from the rear of the Church and 1.8m from the rear fence. See attached map of the lot showing the proposed location of the toilet, photographs of the building, and an aerial photograph of the lot.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 Lot 607 is zoned “Special Use – Place of Worship”. The proposed toilet is being provided for the comfort of parishioners attending church services and is an ancillary building to the Church. Under Clause 5.3 of the Town Planning Scheme approval is required for the use of all second-hand buildings.

The proposed setback from the rear fence of 1.8m is greater than the minimum setback of 0.75m for outbuildings. While it will be a short walk from the Church, it is proposed to be this distance from the fence to be close to the deep sewer connection point for the Church.

Aesthetically the building is not particularly appealing. A screen will need to be installed to protect the privacy of anyone inside the toilet if the door suddenly blew open. Mr Gethin has indicated that the Church Committee would be willing to install some lattice or similar screening for this purpose and to help beautify the building.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No2.

Strategic Implications

Community Business Plan

Minutes

ORDINARY COUNCIL MEETING – Thursday 17th December 2015

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”

Theme -

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants planning approval to the Southern Cross – Westonia Anglican Church Committee to relocate the abovementioned second-hand transportable building to the rear of the Anglican Church situated on Lot 607 Antares Street, Southern Cross with a setback from the rear fence of 1.8m to be fitted out to be a unisex disabled toilet for the Church.

237/2015

Moved Cr Nolan/Seconded Cr Pasini

That Council grants planning approval to the Southern Cross – Westonia Anglican Church Committee to relocate the abovementioned second-hand transportable building to the rear of the Anglican Church situated on Lot 607 Antares Street, Southern Cross with a setback from the rear fence of 1.8m to be fitted out to be a unisex disabled toilet for the Church.

Voting Requirement: **Simple Majority**

Carried(7/0)

Minutes

ORDINARY COUNCIL MEETING – Thursday 17th December 2015

Submission to:	Ordinary Meeting of Council – Thursday 17 th December, 2015
Agenda Reference:	10.3
Subject:	Application to Clear Native Vegetation – Western Areas Nickel Pty Ltd – Northern Estates Exploration Project – CPS 6833/1
Location/Address:	respecting Licenses P77/3836 - 77/3840, P77/3846, & P77/4067 east of the Marvel Loch Forrestania Road, north of Bounty Gold Mine, Mt Holland Area
Name of Applicant:	Department of Mines and Petroleum – Ms Tricia Hudgell, Administrative Coordinator – Native Vegetation
File Reference:	7.2.1.21
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th December, 2015

Background

The Department of Mines and Petroleum (DMP) has received an application from Western Areas Nickel Pty Ltd – Northern Estates Exploration Project for permission to clear 10Ha of native vegetation under the Environmental Protection Act 1986 for the purpose of mineral exploration on Prospecting Licenses P77/3836 – 77/3840, P77/3846, & P77/4067. The Department is seeking comments from the Shire on this application.

See attached letter, map of the site, and an aerial view of the area.

Comment

The area to be cleared is situated east of the Marvel Loch Forrestania Road, and north of the Bounty Gold Mine. It is evident from aerial photographs of the land within these Licenses that exploration has been conducted throughout the area in the past.

Statutory Environment

Compliance with the Environmental Protection Act 1986 and the Shire of Yilgarn Town Planning Scheme No 2.

Strategic Implications

Community Business Plan – Our Shire -

Agricultural production and a continual increase in mining activities are the main primary industries for the Shire.

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”

Minutes

ORDINARY COUNCIL MEETING – Thursday 17th December 2015

Theme -

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise the Department of Mines and Petroleum that while it does have objections to the general clearing of native vegetation, in this instance Council has no objections to Western Areas Nickel Pty Ltd – Northern Estates Exploration Project being granted permission to clear 10Ha of native vegetation within it's Prospecting Licenses P77/3836 – 77/3840, P77/3846, & P77/4067 for the purpose of mineral exploration.

238/2015

Moved Cr Nolan/Seconded Cr Chrisp

That Council advise the Department of Mines and Petroleum that while it does have objections to the general clearing of native vegetation, in this instance Council has no objections to Western Areas Nickel Pty Ltd – Northern Estates Exploration Project being granted permission to clear 10Ha of native vegetation within it's Prospecting Licenses P77/3836 – 77/3840, P77/3846, & P77/4067 for the purpose of mineral exploration.

Voting Requirement: **Simple Majority**

Carried(6/1)

As there was no further business to discuss, the Shire President declared the meeting closed at **4.45pm**

I, Onida T Truran confirm the above Minutes of the Meeting held on Thursday, 17th December 2015, are confirmed on Thursday, 28th January 2016 as a true and correct record of the December 2015 Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT