

7. Reporting Officer – Chief Executive Officer

7.1 Local Government Election – Postal Election

File Reference	2.2.1.7
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Attachments	Correspondence from WA Electoral Commission

Purpose of Report

To consider declaring the Electoral Commissioner to be responsible for the 2017 ordinary local government election and to hold the election as a postal election

Background

At the ordinary Council meeting held on Thursday 18 June 2015 Council agreed to conduct the 2015 local government election as a postal election by passing the following resolution:

That Council:

1. *Declare that in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2015 ordinary elections together with any other elections or polls which may be required;*
2. *Determine in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.*

Comment

The change in method to a postal election proved popular with the electors with a voter participation percentage in 2015 of 48.1%.

The WA Electoral Commissioner has provided a written agreement to be responsible for the conduct of the 2017 ordinary elections, as required by section 4.20(4) of the local government act.

Statutory Environment

4.20. CEO to be returning officer unless other arrangements made

(1) Subject to this section the CEO is the returning officer of a local government for each election.

(2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —

(a) an election; or

(b) all elections held while the appointment of the person subsists. * Absolute majority required.

(3) An appointment under subsection (2) —

(a) is to specify the term of the person's appointment; and

(b) has no effect if it is made after the 80th day before an election day.

(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election,

or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

** Absolute majority required*

4.61. Choice of methods of conducting election

(1) The election can be conducted as a — postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) The local government may decide to conduct the election as a postal election.*

** Absolute majority required.*

(3) A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.

(4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

The WA Electoral Commission has provided an estimate of \$13,000 inc GST to conduct the 2017 election as a postal ballot.

Recommendation

That Council:

1. Declare that in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2017 ordinary elections together with any other elections or polls which may be required;
2. Determine in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the 2017 election will be as a postal election.

Resolution

6/2017

Moved Cr J Della Bosca/Seconded Cr W Della Bosca

That Council:

- 3. Declare that in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2017 ordinary elections together with any other elections or polls which may be required;*
- 4. Determine in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the 2017 election will be as a postal election.*

Carried (5/0)

7. Reporting Officer – Chief Executive Officer

7.2 Development Assessment Panels

File Reference	1.6.26.8
Disclosure of Interest	Nil
Voting Requirements	Simple
Attachments	Nil

Purpose of Report

To consider the nomination of Council representatives to Development Assessment Panel

Background

At the ordinary Council meeting held on Thursday 19 November 2015 Council passed the following resolution:

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

Council is again 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.

Comment

Nil

Statutory Environment

Planning and Development (Development Assessment Panels) Regulations 2011.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

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

Resolution

7/2017

Moved Cr J Della Bosca/Seconded Cr W Della Bosca

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

Carried (5/0)

7. Reporting Officer – Chief Executive Officer

7.3 Airservices Australia – Surrender of Lease

File Reference	2.4.1.1& 6.3.2.8
Disclosure of Interest	Nil
Voting Requirements	Simple
Attachments	Deed of Surrender Document

Purpose of Report

To endorse the surrender of lease between the Shire of Yilgarn and Airservices Australia.

Background

The Shire of Yilgarn and the Civil Aviation Authority (now Airservices Australia) entered into a peppercorn lease agreement in June 1995 whereby the Shire of Yilgarn agreed to lease 5.7 hectares of the Southern Cross Airport land for the purposes of installing air route and air way facilities.

The original lease expired 30 June 2008 with an option of renewal for a further term of 20 years, expiring on 30 June 2028, being exercised by the parties.

Due to advances in technology the equipment is no longer required and Airservices Australia has requested the lease agreement be surrendered.

Comment

The Shire has liaised with Airservices Australia regarding the clearing of the site, which has been completed to the Shires satisfaction.

Statutory Environment

See Deed of Surrender and Transfer document attached.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil. Is a peppercorn lease.

Recommendation

That Council endorse the Deed of Surrender of the lease agreement between the Shire of Yilgarn and Airservices Australia for approx. 5.7 ha of land at the Southern Cross Airport.

Resolution

8/2017

Moved Cr Pasini Seconded Cr W Della Bosca

That Council endorse the Deed of Surrender of the lease agreement between the Shire of Yilgarn and Airservices Australia for approx. 5.7 ha of land at the Southern Cross Airport.

Carried (5/0)

7. Reporting Officer – Chief Executive Officer

7.4 Great Eastern Highway Upgrade

File Reference	1.6.14.4
Disclosure of Interest	Nil
Voting Requirements	Simple
Attachments	Plans attached

The Presiding Officer, Cr O Truran, declared a proximity interest in this item as she has an interest in a property located on Great Eastern Highway.

Cr Truran requested approval to continue as Chair and participate in the meeting in accordance with section 5.68(1)(b) of the local government act as her interest is so trivial or insignificant as to be unlikely to influence her conduct in relation to the matter.

Cr Truran left the room at 4.14pm

9/2017

Moved Cr W Della Bosca/Seconded Cr Pasini

That Cr Truran be present and participate as Presiding Officer and Councillor for Agenda Item 7.4

Carried (4/0)

Cr Truran re-joined the meeting 4.15pm

Purpose of Report

To endorse the proposed improvements and amendments to Great Eastern Highway and Lot 9 Antares Street.

Background

The Shire has been in communication with Main Roads WA regarding the need to reconstruct portions of the Great Eastern Highway that traverses the Southern Cross townsite due to pavement failures and the opportunity this provides to improve the amenity and townscape of this part of the townsite.

The Shire has proposed a partnership approach whereby the work required to be undertaken by Main Roads WA and the improvements desired by the Shire can be completed as one project and costs shared according to area of responsibility. Main Roads WA is responsible for the actual roadway with any verge and townscape improvements being the responsibility of the Shire.

The Shire commissioned WML Consultants to prepare concept designs for the Great Eastern Highway, ensuring they meet Main Roads standards and specifications and to provide

concept plans for the upgrade of the corner of Antares and Great Eastern Highway (lot 9 Antares Street).

Concept plans have now been completed and a copy is attached. Council endorsement is required prior to the Plans being forwarded to Main Roads WA for their endorsement.

Comment

The concept plans are based on consultation with the Shire CEO and Executive Manager Infrastructure and take into account relevant Australian Standards.

Following endorsement by Main Roads WA the works will be costed for inclusion in next years Budget.

In regards to the development of lot 9 Antares Street the concept Plans have been based on ensuring traffic is required to enter into the Main Street (Antares Street). Council is aware that many passing motorists are of the view that Great Eastern Highway is the main street of Southern Cross and these plans ensure they at least turn into Antares Street to gain a visual of what Southern Cross has to offer.

If endorsed by Council then this lot will be developed accordingly with appropriate street furniture and signage.

Statutory Environment

Nil

Strategic Implications

Meets the following outcomes as contained in our Strategic Community Plan:

- ✓ Businesses in the Shire remain competitive and viable
- ✓ Tourism opportunities are maximised

Policy Implications

Nil

Financial Implications

Costings will be developed following endorsement by Council

Recommendation

That Council:

1. Endorse the concept and design plans for the portion of Great Eastern Highway that passes through the Southern Cross townsite, as presented
2. Endorse the concept development plans for the corner of Antares and Great Eastern Highway, as presented

Resolution

10/2017

Moved Cr W Della Bosca/Seconded Cr Pasini

That Council:

- 3. Endorse the concept and design plans for the portion of Great Eastern Highway that passes through the Southern Cross townsite, as presented*
- 4. Endorse the concept development plans for the corner of Antares and Great Eastern Highway, as presented*

Carried (5/0)

7. Chief Executive Officer

7.5 Budget Review 2016/17

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

Purpose of Report

To consider the 2016/17 Budget Review

Background

A review of actual and estimated expenditure and revenue compared to the adopted budget has been undertaken by the Shires Executive Management Team. The outcome of that review is provided below.

Comment

Budget Review 2016/17

Estimated material variances of actual to budget for 2016/17 are listed below. Blue denotes a savings to the Budget and Red denotes a cost to the budget.

Consultancy expenses (rating)	Additional expenditure of approx \$20,000 for the costs of employing outside assistance to assist with the Shires rating responsibilities.
Support to Community Groups	Reduction in actual expenditure of approx. \$5,000 due to King of the Cross not proceeding in 2016.
Local Laws Review	Reduction in actual expenditure of approx. \$6,000 due to review being conducted in-house rather than engage consultants
Law Order and Public Safety <ul style="list-style-type: none"> o Grant Revenue 	<p>Increase of \$57,360 for Bodallin Fire Shed the costs of which were incurred in 2015/16;</p> <p>Decrease of \$15,375 for ESL Operating Grant as the 1st Quarter Grant was received in a prior period;</p>
Mosquito Control	Reduction in actual expenditure of approx. \$15,000 due to using baiting rather than fogging to control Mosquitos
Independent Living Units	<p>Increase of \$13,454 for carry over costs from 15/16 for completion.</p> <p>Decrease in rental income of approx. \$10,000 to Budget provision</p>

CRC stationery & printing	Reduction in actual expenditure of approx. \$8,000 due to Crosswords being available on-line and other savings.
Sewerage Rates	Reduction to income of \$27,000 due to Council endorsed rates concession;
Museum	Additional expenditure of approx. \$6,000 cost overruns for the Museum refurbishment
Commercial refuse site fees	Additional income of approx. \$8,000
Pool Admission	Reduction of income of \$6,000 due to Council's decision to remove entry fees.
Tax Credit income	Increase of \$10,000 for Energy Credits Grant Scheme to adjust to actual
New Depot Building	Increase of \$50,290 for construction of the new Depot which was budgeted for in 2015/16. Should have been carried over and included in 16/17 Budget

The net impact of the above items to the Budget is a loss of \$38,759.

The 2016/17 adopted Budget included an opening surplus at 1 July 2016 of \$202,155 whereas the actual surplus as per the audited financial statements is \$308,590. The reason for the difference was the provision for carry over items that were unknown at the time of adopting the Budget.

The Budget review identifies that the Shire should complete the 2016/17 financial year with a small surplus.

Statutory Environment

Local government (financial management) regulations

33A. Review of budget

(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must —

(a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and

(b) consider the local government's financial position as at the date of the review; and

(c) review the outcomes for the end of that financial year that are forecast in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

(3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Contained within the report

Recommendation

That Council adopts the 2016-17 Budget Review as presented

Resolution

11/2017

Moved Cr Pasini/Seconded Cr W Della Bosca

That Council adopts the 2016-17 Budget Review as presented.

Carried (4/1)

Cr Nolan is recorded as being against the resolution.

8. Reporting Officer– Deputy Chief Executive Officer

8.1 Financial Reports

File Reference	8.2.3.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	See attachment 8.1

Purpose of Report

To consider the Financial Reports

Background

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

The following reports are attached and have been prepared as at the 31st January, 2017:

- 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.

Comment

Nil

Statutory Environment

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

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorse the various Financial Reports as presented for the periods ending 31st December and 31st January, 2017.

Resolution

12/2017

Moved Cr W Della Bosca/Seconded Cr Pasini

That Council endorse the various Financial Reports as presented for the periods ending 31st December and 31st January, 2017.

Carried (5/0)

8. Reporting Officer– Deputy Chief Executive Officer

8.2 Accounts for Payment

File Reference	8.2.1.2
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	See attachment 8.2

Purpose of Report

To consider the Accounts for Payment

Background

Municipal Fund – Cheque Numbers 40293 to 40374 totalling \$120,003.01, Municipal Fund-EFT Numbers 5617 to 5965 totalling \$426,840.24, Municipal Fund – Cheque Numbers 1311 to 1321 totalling \$334,738.60, Municipal Fund Direct Debit Numbers 11356.1 to 11430.12 totalling \$82,246.55, Trust Fund 402234 to 402240 totalling \$3,933.57 and Trust Fund – Cheque Numbers 6041 to 6048 (DPI Licensing), totalling \$ 134,365.95 are presented for endorsement as per the submitted list.

Comment

Statutory Environment

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

Strategic Implications

Nil

Policy Implications

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

Financial Implications

Drawdown of Bank funds

Recommendation

Municipal Fund – Cheque Numbers 40293 to 40374 totalling \$120,003.01, Municipal Fund-EFT Numbers 5617 to 5965 totalling \$426,840.24, Municipal Fund – Cheque Numbers 1311 to 1321 totalling \$334,738.60, Municipal Fund Direct Debit Numbers 11356.1 to 11430.12 totalling \$82,246.55, Trust Fund 402234 to 402240 totalling \$3,933.57 and Trust Fund – Cheque Numbers 6041 to 6048 (DPI Licensing), totalling \$ 134,365.95 are presented for endorsement as per the submitted list.

Resolution

13/2017

Moved Cr Pasini/Seconded Cr Nolan

Municipal Fund – Cheque Numbers 40293 to 40374 totalling \$120,003.01, Municipal Fund- EFT Numbers 5617 to 5965 totalling \$426,840.24, Municipal Fund – Cheque Numbers 1311 to 1321 totalling \$334,738.60, Municipal Fund Direct Debit Numbers 11356.1 to 11430.12 totalling \$82,246.55, Trust Fund 402234 to 402240 totalling \$3,933.57 and Trust Fund – Cheque Numbers 6041 to 6048 (DPI Licensing), totalling \$ 134,365.95 are presented for endorsement as per the submitted list.

Carried (5/0)

9. Officers Report – Executive Manager for Infrastructure

9.1 2016/2017 Plant Replacement Program

File Reference:	6.6.8.2
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Attachments:	Nil

Purpose of Report

To consider the trade Councils existing Iveco 6x4 Primemover and to a purchase new replacement Primemover

Background

In accordance with Councils 2016/2017 Plant Replacement Program quotations were invited through WALGA'S Preferred Supply Contract – VP67040 to supply and deliver one only 6x4 Primemover and to trade Councils current Iveco Powerstar ADN500 Primemover.

Invitations to trade councils existing primemover and to supply a replacement primemover were forward to Daimler Trucks Perth (Freightliner Australia), Mack Trucks, PACCAR Kenworth and AV Truck Services (WesternStar Trucks Australia).

The Iveco Powerstar ADN500 Primemover was also advertised in the weekend Western Australian on 21st January for outright purchase with closing date being 6th February 2017

A net change over cost of \$240,000 (*\$290,000 less estimate trade value of \$50,000 = \$240,000*) has been allowed for in the 2016/2017 Financial Year Budget for the changeover of this vehicle.

The trade vehicle (Iveco Powerstar ADN500) was purchased in the 2009/2010 Financial Year under councils Plant Replacement Program. At the time of this report the proposed trade vehicle had a speedometer reading of 217,000 kilometres. This vehicle is currently being utilised by council staff for gravel carting when coupled to roadtrain trailers, as well as a Primemover/Float transporting council's road building plant to road construction programs been carried out during the course of the year. The proposed replacement vehicle will be carrying out similar functions.

Applicants were also asked to submit an estimate resale value of the replacement vehicle after 8years or 200,000kms life span

Comment

Quotations were received from Daimler Trucks Perth, Mack Trucks and AV Truck Centre for the changeover of council's current Iveco Primemover. Council also received one tender for the outright purchase of the Iveco Powerstar ADN500 Primemover from Pobke Farm Trust.

Pobke Farm Trust

Outright purchase of councils current Iveco Powerstar ADN500 Primemover

\$45,000 (including GST)

Daimler Trucks Perth

2017 Freightliner Coronado 114 (GST inclusive)	\$273,372.00
<i>less trade-in</i> -	\$ 70,400.00
<i>Net changeover</i>	\$202,972.00

Specification Freightliner Coronado 114

Engine – Detroit Diesel DD15

Displacement 15 litre

Net power output 500hp

GCM 90,000kg

Transmission Eaton FO-20E318B-MXP 18 speed ultra-shift automated

Warranty

Basic Vehicle 3 years/800,000km

Extended Drivetrain is a further 2 years/800,000km (total of 5 years/800,000kms on drivetrain)

Estimate resale value after 8years or 200,000kms life span

Resale of the Freightliner Coronado 114 subject to condition and market demand estimated at \$80,000

Mack Trucks

Mack Granite MP8 500 (GST inclusive)	\$238,150.00
<i>less trade-in</i> -	\$ 44,000.00
<i>Net changeover</i>	\$ 194,150.00

Specification for Mack Granite MP8 500

Engine – Mack MP8 SCR

Displacement 13 litre

Net power output (variable) 500hp

GCM 90,000kg

Transmission 12 speed Automated MDrive

Warranty

Standard Warranty 2 years 400,000kms

Extended Warranty 4 years 800,000kms

Estimate resale value after 8years or 200,000kms life span

No resale value submitted

AV Trucks Services

2017 Western Star Constellation

Series II 48FS2 (*GST inclusive*) \$295,900.00

less trade-in - \$ no trade offered

Net **\$ 295,900.00**

Specification for Western Star Constellation Series II 48FS2

Engine – Cummins ISXe5 ADR 80/03 (Euro 5)

Net power output (variable) 550hp

GCM 106,000kg

Transmission Eaton Fuller RTLO 20918B 18 speed
overdrive

Warranty

Standard Warranty 2 years 402,000kms

Extended Warranty 5 years 800,000kms – additional \$3218.60

Estimate resale value after 8years or 200,000kms life span

No monetary figure stated but indicated that resale value are subject to the economy at the time of change over

AV Truck Services have submitted a quote for a Western Star 48FS2 (\$295,000), but have chosen not to offer a trade for the Iveco Primemover. Standard Warranty for Western Star is 2 years 402,000kms and for additional \$3218.60 you can get an extended warranty (drivetrain) for 5 years

The quotations submitted by Daimler Trucks Perth (\$202,972) for the Freightliner Coronado 114, and the quotation submitted by Mack Trucks (\$194,150) for Mack Granite MP8 500 are both within the net change over cost allowed for in Councils 2016/2017 Plant Replacement Program.

Although the changeover cost for the Mack Granite MP8 500 is \$8,822 less than the Freightliner Coronado 114, the warranty offered for the Freightliner Coronado is slightly superior to that of the Mack Granite MP8 500.

Companies were asked to submit estimated resale value following an eight year life period on their vehicles been quoted on.

Daimler Trucks have estimated the resale for the Freightliner Coronado 114 to be \$80,000 subject to condition of the vehicle and market demand. AV Truck Centre did not submit a

monetary value for the Western Star but did indicate the resale value would be subject to the economy at the time of change over. Mack Trucks made no comment.

With the outright purchase price of the Mack Granite MP8 been considerably lower than the Western Star and Freightliner Coronado vehicles it would be safe to presume the resale value would fetch far less than the resale value of both the Western Star and Freightliner.

Statutory Environment

In accordance to WALGA's Preferred Contract Supplies and Councils "Finance Policy 3.5 Purchasing and Tendering and local Government Act 1995 Section 3.58 Disposing of Property (3)

Strategic Implications

Councils Ten Year, Plant Replacement Program

Policy Implications

"Finance Policy 3.5 Purchasing and Tendering

Financial Implications

A monetary allocation of \$240,000 (\$290,000 less estimate trade value of \$50,000 = \$240,000 excluding GST) has been allowed in the 2016/2017 Plant Replacement Program for the changeover of this vehicle

Recommendation

That council accepts the quote submitted by Daimler Trucks Perth to purchase the Freightliner Coronado 114 for the quoted purchase cost of \$273,372.00 (GST inclusive) and trade its current Iveco Powerstar ADN500 Primemover for the quoted trade price of \$70,400.00 (GST inclusive) resulting in a changeover cost of \$202,972.00 (GST inclusive)

Resolution

14/2017

Moved Cr W Della Bosca/Seconded Cr J Della Bosca

That council accepts the quote submitted by Daimler Trucks Perth to purchase the Freightliner Coronado 114 for the quoted purchase cost of \$273,372.00 (GST inclusive) and trade its current Iveco Powerstar ADN500 Primemover for the quoted trade price of \$70,400.00 (GST inclusive) resulting in a changeover cost of \$202,972.00 (GST inclusive)

Carried (5/0)

10 Officers Report – Manager Regulatory Services

10.1 Closure and Re-alignment of Marvel Loch Road

File Reference	6.1.2.9
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	- 10.1 Attachment 1 - Plan of Proposed Closure and Re-alignment - J2016021 - 10.1 Attachment 2 - Overview of proposed area

Purpose of Report

To consider a closure and re-alignment of a section of Marvel Loch/Southern Cross Road.

Background

Total Project Consultants (TPC) has approached the Shire of Yilgarn to seek support for a closure and realignment of a section of Marvel Loch/Southern Cross Road, as shown on the attachments.

Scoping studies undertaken on behalf of Hanking Gold have indicated that the new open pit mine at Frasers South will encroach into a portion of Marvel Loch Road.

Preliminary designs have confirmed that an approximate 1.5 km diversion of the road is required.

TPC have in principal support from Main Roads Western Australia (MRWA), subject to consent being obtained from affected landholders, relevant state agencies and the Shire of Yilgarn.

To progress with final approval, TPC require a council resolution supporting the closure and re-alignment, of which they will forward to MRWA in addition to other relevant written consents. MRWA will then make application to the Minister for Lands.

Comment

This road closure will require land to be acquired from private land holders; and the Shire should have no role in this process and should only support the closure if all affected landholders are fully consenting to the proposal and are sufficed with compensation offered.

Statutory Environment

Land Administration Act 1997

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

THAT COUNCIL: Determines that the Shire does not object to the closure of the designated section of Marvel Loch/Southern Cross Road as per 10.1 Attachment 1 - Plan of Proposed Closure and Re-alignment - J2016021 subject to the following:

1. Written consent of affected landholders to be obtained, confirming consent to proposal and accepting of compensation offered; and
2. The Shire of Yilgarn has no further responsibilities in seeking approval for the closure and re-alignment.

Resolution

15/2017

Moved Cr Pasini/Seconded Cr J Della Bosca

THAT COUNCIL: Determines that the Shire does not object to the closure of the designated section of Marvel Loch/Southern Cross Road as per 10.1 Attachment 1 - Plan of Proposed Closure and Re-alignment - J2016021 subject to the following:

- 3. Written consent of affected landholders to be obtained, confirming consent to proposal and accepting of compensation offered; and*
- 4. The Shire of Yilgarn has no further responsibilities in seeking approval for the closure and re-alignment.*

Carried (5/0)

10.2 Tenders for the Provision of Waste Services

File Reference	10.2.5.3
Disclosure of Interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

To consider tenders for the provision of kerbside general waste and recycling collections and bulk recycling collections within the Shire of Yilgarn.

Background

At the November 2016 general meeting, Council agreed to call for tenders for the provision of waste and recycling services within the Shire of Yilgarn for a five year period with an optional five year extension.

Tenders were advertised on the 21st January 2017 in the Weekend West Australian newspaper and closed on the 7th February 2017. The Shire received submissions from two tenderers, being Stondon Pty Ltd trading as Avon Waste (current provider) and Cleanaway Pty Ltd.

The tender document advised the following would be taken into consideration when assessing each submission:

- a) Overall value of the tendered offer;
- b) Previous contracts held by the company or individual;
- c) Reliability of service and coverage in the event of driver illness, vehicle breakdown or other event;
- d) Age and type of collection vehicle(s) used in this service;
- e) Provision of new or second-hand 240 litre yellow top bins for the recycling collection;
- f) Variety of recyclable materials accepted in both the kerb-side collection and the bulk depot service; and
- g) Commencement date of new service – if the current contractor is unsuccessful in this tender, then the new contractor must be able to commence the new rubbish collection by the date specified in the tender specification document.

Comment

TENDER EVALUATION

Both Tenderers have relevant experience in servicing rural local governments, both have adequate supply of reliable vehicles and backup staff, are able to provide the required recycling bins prior to July 2017 and will be able to start in the first week of July 2017.

An estimated annual cost, based on the tender collection timetable and bin numbers, for Avon Waste's quotation would cost approximately \$148,110 per annum, and Cleanaway would cost approximately \$174,730.

Cleanaway have also offered an alternative to the kerbside collection days which would see all general rubbish collected on Thursdays, then Southern Cross recycling collected on the 1st and 3rd Friday of each month and Bodallin, Moorine Rock and Marvel Loch recycling collected on the 2nd and 4th Friday of each month. The approximate cost for this method would be \$143,042 per annum.

Whilst both tenderers are able to collect the usual recyclables, Avon Waste is also able to collect empty plastic bags, whereas Cleanaway are unable to. This would continue to divert a large amount of plastic bags from landfill which can be a source of windblown waste at the Shires landfill facilities.

Whilst Cleanaway is a reputable national waste operator and would be able to meet the needs of the Shire to a high level, the relatively minor estimated saving of \$5,000 per annum for their second option, which would require changes to the collection days, in my opinion does not outweigh the benefits of using Avon Waste, a company that has provided these services to the Shire for over 23 years without major issue, who are able to recycle plastic bags and are familiar with the Shire routes.

FINANCIAL EVALUATION OF SERVICES

Whilst the kerbside bin collection numbers have been better evaluated through a bin audit undertaken in 2016 and significantly reduced and the supply of Bulk Recycling Bins to commercial premises is ceasing, the estimated annual expenditure is not expected to be significantly reduced based on the pricing provided by Avon Waste and Cleanaway.

The table below indicates the change in pricing for each service:

Service	Avon Waste Current Charges			Avon Waste Tendered Charges		
	16/17 Units	Unit Cost	Est Annual Cost	17/18 Units	Unit Cost	Est Annual Cost
General Kerbside & Street Bins	871	\$1.96	\$88,772	701	\$1.95	\$71,081
Recycling Kerbside Bins	810	\$1.49	\$28,966	672	\$3.66	\$59,028
Bulk Recycling Hire	15	\$10.00	\$7,800	0*	-	\$0
Bulk Recycling Servicing	21	\$35.74	\$9,006	6**	\$110.00	\$7,920
Sorting Per Tonne	36***	\$117.43	\$4,227	36***	\$120.00	\$4,320
Travel Per Month	1	\$490.13	\$5,882	1	\$480.00	\$5,760
		Total	\$144,653		Total	\$148,110

Service	Cleanaway Option 1 Tender Charges			Cleanaway Option 2 Tendered Charges		
	16/17 Units	Unit Cost	Est Annual Cost	17/18 Units	Unit Cost	Est Annual Cost
General Kerbside & Street Bins	701	\$2.9293	\$106,779	701	\$2.1237	\$77,413
Recycling Kerbside Bins	672	\$3.232	\$52,126	672	\$3.0880	\$49,803
Bulk Recycling Hire	0*	-	\$0	0*	-	\$0
Bulk Recycling Servicing	6**	\$187.3015	\$13,486	6**	\$187.3015	\$13,486
Sorting Per Tonne	36***	\$65.00	\$2,340	36***	\$65.00	\$2,340
Travel Per Month	1	\$0	\$0	1	\$0	\$0
		Total	\$174,730		Total	\$143,042

* Bulk Recycling Hire costs will cease as we are only utilising Shire owned bins.

**The reduction in bins is a result of the hired bins being removed from commercial properties.

***Average recycling requiring sorted from 2016/2017.

As seen above, the cost per bin for kerbside recycling from preferred Tenderer Avon Waste has increased from \$1.49 to \$3.66, which is a cost increase of \$30,062 per annum to a total of \$59,028 despite a decrease in bin numbers from 810 to 672.

The tender included kerbside recycling due to the Strategic Community Plan requiring the Shire to "Continue to provide & promote recycling services, including fortnightly household pick up and e-waste collection". However with the increased cost of recycling reflected in both tenders submitted, Council may want to consider its options in ceasing to provide kerbside recycling should it be determined the increased costs now outweigh the benefits of a kerbside recycling service.

Statutory Environment

Waste Avoidance and Resource Recovery Act 2007

Local Government Act 1995

- Local Government (Functions and General) Regulations 1996

Strategic Implications

Environment - Protecting, utilising and enhancing our beautiful natural heritage.

- Satisfaction with waste management services and recycling processes
 - Continue to provide & promote recycling services, including fortnightly household pick up and e-waste collection

Policy Implications

3.5 Purchasing and Tendering Policy

Financial Implications

Expenditure on Kerbside Collection and Bulk Recycling to the value of approximately \$150,000 per annum plus Perth CPI increases per annum.

Recommendation

That Council:

Award the contract for the provision of kerbside general waste and recycling collections and bulk recycling collections within the Shire of Yilgarn to Stondon Pty Ltd trading as Avon Waste for a period of five years with an optional five year extension.

Resolution

16/2017

Moved Cr Pasini/Seconded Cr J Della Bosca

That Council:

Award the contract for the provision of kerbside general waste and recycling collections and bulk recycling collections within the Shire of Yilgarn to Stondon Pty Ltd trading as Avon Waste for a period of five years with an optional five year extension.

Carried (5/0)

12 INFORMATION BOOK ITEMS

Cr W Della Bosca informed council the DFES is reviewing the burning permit system and it seems that the responsibility for supplying permit books is going to fall onto the Shire instead of DFES as it has previously been. However the Shire of Yilgarns bush fire officers only issue on average 5 permits a year each so the cost will not be too extensive.

In regards to the letter received from the Department of Transport regarding the withdrawal of the Local Government Licensing Concession a letter of dissatisfaction had been sent to the department by the CEO and Cr Truran

13 NOTICE FOR MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

Nil

14 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

Nil

15 CONFIDENTIAL ITEMS

Nil

16 CLOSURE OF MEETING

As there was no further business to discuss, the Shire President declared the meeting closed at **4.26pm**

I, Onida T Truran confirm the above Minutes of the Meeting held on Thursday, 16th February 2017, are confirmed on Thursday, 16st March 2017 as a true and correct record of the February Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT