



# *Minutes*

## *Ordinary Meeting of Council*

### *20<sup>th</sup> September 2018*

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 4pm

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

## 3. ATTENDANCE

|                   |  |   |
|-------------------|--|---|
| Presiding Member  | Cr O Truran  | President   |
| Members           | Cr B Close<br>Cr G Guerini<br>Cr P Nolan<br>Cr D Pasini<br>Cr S Shaw   |   |
| Council Officers  | P Clarke<br>C Watson<br>R Bosenberg<br>N Warren<br>J Gemund<br>L Della Bosca   | Chief Executive Officer<br>Executive Manager Corporate Services<br>Executive Manager Infrastructure<br>Manager Regulator Services<br>Manager Community Services<br>Minute Taker |
| Apologies:        | Cr Della Bosca   |   |
| Observers:        | Mrs. Kay Crafter, Mrs. Kerry Fairless, Mr. Ken Fairless,<br>Mr. Martin Haugg, Mr. Luke Sibon, Mr. Clinton Kuehnafel,<br>Miss Sarah Easton and Mr. Dean Bavich<br><br>Mr. Des Hockley and Mr. Brendan Hockley (at 4.32pm) |   |
| Leave of Absence: | Nil  |   |

## 4. DECLARATION OF INTEREST

Nil

## 5. PUBLIC QUESTION TIME

Nil

## 6 CONFIRMATION OF MINUTES

### 6.1 Ordinary Meeting of Council, Thursday 16<sup>th</sup> August 2018

**118/2018**

***Moved Cr Shaw/Seconded Cr Nolan***

***That the minutes from the Ordinary Council Meeting held on the 16<sup>th</sup> August 2018 be confirmed as a true record of proceedings.***

**CARRIED (6/0)**

### 6.2 Central East Aged Care Alliance (CEACA), Executive Committee Meeting-Thursday, 5<sup>th</sup> July 2018

Central East Aged Care Alliance (CEACA), Committee Meeting-Thursday, 25<sup>th</sup> July 2018

Wheatbelt Community Inc Meeting, Wednesday, 22<sup>nd</sup> August 2018

Wheatbelt East Regional Organisations of Councils (WE-ROC) Meeting, Wednesday 22<sup>nd</sup> August 2018

**119/2018**

***Moved Cr Guerini/Seconded Cr Pasini***

***That the minutes from the CEACA Executive Committee meeting, CEACA Committee meeting, Wheatbelt Communities Inc meeting and the WE-ROC meeting be received.***

**CARRIED (6/0)**

## 7. PRESENTATIONS, PETITIONS, DEPUTATIONS

At 4.05pm Cr Truran welcomed Mr. Dean Bavich from Rural Financial Counselling Service. Mr. Bavich introduced himself as the recently appointed Rural Financial Counsellor with the Rural Financial Counselling Service and provided a brief rundown of the services that the Counselling Service provides to the residents of the district. Mr Bavich thanked Council for their time. The presentation ended at 4.15pm.

Cr Truran thanked Mr. Dean Bavich for attending the Council meeting.

Cr Truran then welcomed Mr. Martin Haugg, (General Manager) Mr. Luke Sibon (Environmental Manager), Mr. Clinton Kuehnepfel (Exploration Manager), and Miss. Sarah Easton (Environmental Manager) from Minjar Gold who were in attendance to provide Council with an update of Minjar's mining activities in the Yilgarn.

Mr Haugg thanked Council for the opportunity to update and provide information on current and proposed mining activities at Nevoria, Marvel Loch processing plant, Aquarius, Cornishman and Transval mines.

Mr Haugg gave an assurance to Council and those members in the gallery that Minjar would conduct a public meeting in the near future to discuss the dewatering proposal from Aquarius to Frasers Open Cut and indicated that he would liaise with Cr Nolan to arrange a suitable date and time in which to conduct the public meeting.

At the conclusion of the presentation Cr Truran thanked Martin and his associates for providing the update to council.

4.32pm Mr. Des Hockley and Mr. Brendan Hockley joined the meeting to observe.

The presentation ended at 4.35pm

## **8. DELEGATES' REPORTS**

Cr Truran announced the following:

- On the 21<sup>st</sup> August attended the LEMC Risk Project Workshop.
- On the 22<sup>nd</sup> August attended the Wheatbelt Communities and WE-ROC meetings with the CEO.
- On the 23<sup>rd</sup> August attended the GECZ meeting along with Cr Della Bosca.
- On the 29<sup>th</sup> August attended the DHAC Chairs Executive meeting via video conference and attended "A Boy Named Cash" show.
- Attended the YSSSA Sports Carnival to award the Winner Medals on the 31<sup>st</sup> August.
- Attended the CEACA meeting on the 5<sup>th</sup> September.
- On the 13<sup>th</sup> September attended the WA Country Health Service strategic planning meeting in Northam.
- On the 19<sup>th</sup> September attended the Country Community Health Advisory Council.

Cr Pasini announced the following:

- Attended the Men's Health evening on the 14<sup>th</sup> September.

Cr Nolan announced the following:

- Attended the Ag Care meeting in Nungarin on the 28<sup>th</sup> August.
- Attended the Men's Health evening on the 14<sup>th</sup> September.

Cr Shaw announced the following:

- Attended the "A Boy Named Cash" show on the 29<sup>th</sup> August.

## 9.1 Officers Report – Chief Executive Officer

### 9.1.1 Review of Shire of Yilgarn's Organisational Structure

|                               |                                 |
|-------------------------------|---------------------------------|
| <b>File Reference</b>         | <b>1.1.11.1</b>                 |
| <b>Disclosure of Interest</b> | <b>None</b>                     |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>          |
| <b>Attachments Revised</b>    | <b>Organisational Structure</b> |

#### Purpose of Report

To advise Council of the review undertaken by the CEO of Council's Organisational Structure.

#### Background

The CEO considered that a review was required of Council's Organisational Structure to ensure that it is meeting the current hierarchical arrangement relating to lines of authority, communications, the rights and duties associated within the organisation and to delineate how information flows between the different levels of management and staff.

#### Comment

The major changes to the structure area the inclusion of Departmental responsibilities and the elevation of the Manager of Regulatory Services to Executive status. Mr Warren's elevation to Executive status is based on the level of responsibilities that he has within the Town Planning, Health and Building areas under his control.

#### Statutory Environment

Section 5.37 of the *Local Government Act 1995*.

#### 5.37. Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.
- (3) Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.

- (4A) Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (4) For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

#### **Strategic Implications**

Shire of Yilgarn Strategic Community Plan 2016-2026 – Civic Leadership – A trustworthy and cohesive Council that functions efficiently and effectively to meet the needs of our community.

#### **Policy Implications**

Staff Policy Manual 7.3 – Senior Staff

#### **Financial Implications**

Nil

#### **Officer Recommendation and Council Decision**

**120/2018**

***Moved Cr Close/Seconded Cr Guerini***

***That Council endorses the revised Shire of Yilgarn Organisational Structure undertaken by the CEO and in particular, the elevation of the Manager Regulatory Services to Executive Manager status and the inclusion of the Executive Manager Regulatory Services as a Designated Senior Officer in accordance with Section 5.37(1) of the Local Government Act 1995.***

**CARRIED (6/0)**



## 9.1 Reporting Officer – Chief Executive Officer

### 9.1.2 Annual Policy Manual Review

|                               |   |
|-------------------------------|---|
| <b>File Reference</b>         | <b>2.3.3.2</b>                          |
| <b>Disclosure of Interest</b> | <b>Nil</b>                              |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>                  |
| <b>Attachments</b>            | <b>Council and Staff Policy Manuals</b> |

#### Purpose of Report

To inform Council of the Annual Review in relation to Council and Staff Policy Manuals.

#### Background

Council previously undertook a substantial review of Council Policies at its Ordinary Council meeting held on Thursday 21 September 2017.

#### Comment

Following a review of the Council Policies by the executive staff, the following amendments are recommended for Council consideration:

#### Council Policy Manual

Policy 3.8 – Benchmark Percentages or Value for Reporting of Material Variances in the Statement of Financial Activity

**Delete Policy** as provision for such variances is provided in the Annual Financial Statements.

Policy 3.12 - Timely Payment of Supplies

**Add Policy** as recommended by Office of Auditor General.

Policy 5.11 Housing Policy

**Add Policy** to require staff to pay Bonds on commencement of occupancy

All other Policies to be retained with minor wording changes as indicated in the attached Draft.

## **Staff Policy Manual**

### Policy 7.2 - Employee Benefits

Under the Superannuation Contributions delete existing wording and add more relevant up to date information pertaining to staff and Council contributions.

### Policy 7.3 - Senior Staff

Following the CEO undertaking an Organisational Review, the Manager Regulatory Services has been elevated to Executive Manager status with this being recognised in the Policy.

### Policy 7.12 – Motor Vehicle Use – Private Use of Vehicle

WALGA's Employee Relations Division recently advised the 2018 vehicle value assessment for Contracted employees associated with their remuneration package and the new values have been included in this Policy.

All other Policies to be retained with minor wording changes as indicated in the attached Draft.

## **Statutory Environment**

### 2.7. Section 2.7 of the *Local Government Act 1995*

#### Role of council

##### (1) The council —

- (a) governs the local government's affairs; and
- (b) is responsible for the performance of the local government's functions.

##### (2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

## **Strategic Implications**

Nil

### Policy Implications

Recommended changes to Policy

### Financial Implications

Nil

### Officer Recommendation

*That Council notes the Annual Review of Council's Policies undertaken by Council's Executive Managers and endorses the inclusion, deletion and amendments of the Policy's indicated above and for same to be included in the 2018 Council and Staff Policy Manuals.*

### Council Decision

**121/2018**

**Moved Cr Close/Seconded Cr Pasini**

*That Council notes the Annual Review of Council's Policies undertaken by Council's Executive Managers and endorses the inclusion, deletion and amendments of the Policy's indicated above and for same to be included in the 2018 Council and Staff Policy Manuals. Council also recommends that a wording change to Policy 1.9 from Councillor iPad Policy to Councillor iPad/Tablet Policy (with iPad to be changed to iPad/Tablet throughout the policy) be included.*

**CARRIED (6/0)**

### **REASON FOR ALTERATION TO RECOMMENDATION**

It was considered that as the forms of electronic devices had changed to accommodate updated and improved access to material, Policy 1.9 wording should be changed to reflect same.

## 9.1 Officers Report – Chief Executive Officer

### 9.1.3 Draft Staff Code of Conduct

|                               |                                    |
|-------------------------------|------------------------------------|
| <b>File Reference</b>         | <b>2.3.3.1</b>                     |
| <b>Disclosure of Interest</b> | <b>None</b>                        |
| <b>Voting Requirements</b>    | <b>Absolute Majority</b>           |
| <b>Attachments</b>            | <b>Draft Staff Code of Conduct</b> |

#### Purpose of Report

To present to Council a Draft "Staff Code of Conduct" for adoption that will apply to all employees and to be included in induction material presented to newly appointed employees.

#### Background

Section 5.103 of the *Local Government Act 1995* requires every local government to prepare a Code of Conduct to be observed by Councillors, Committee Members and employees.

Whilst Council has a Code of Conduct contained with the Shire of Yilgarn's Council Policy Manual (Policy No.1.7), it specifically relates to Elected Members and therefore it was considered appropriate that a dedicated "Staff Code of Conduct" should be adopted by Council.

#### Comment

One of the main purposes in having a dedicated Staff Code of Conduct is that it is relevant to all employees and can be included in induction material upon the commencement of new employees into the organisation in order that they are aware of their obligations to adhere to the Code of Conduct.

#### Statutory Environment

Section 5.103 of the *Local Government Act 1995*

##### 5.103. Codes of conduct

- (1) Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

[(2) *deleted*]

- (3) Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.

### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2018-2028 – Civic Leadership – A trustworthy and cohesive Council that functions efficiently and effectively to meet the needs of our community.

### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

**122/2018**

***Moved Cr Guerini/Seconded Cr Shaw***

***That Council adopts the "Staff Code of Conduct" as presented and acknowledges that this document will be an integral component in the induction process for newly appointed employees to ensure that all employees are aware of their obligations in meeting the standards expected of them as an employee of the Shire of Yilgarn.***

**CARRIED BY ABSOLUTE MAJORITY (6/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.4 Wheatbelt East Regional Organisation of Councils (WEROC) Memorandum of Understanding (MOU) – Use of Common Seal

|                               |                                |
|-------------------------------|--------------------------------|
| <b>File Reference</b>         | <b>1.1.12.1 &amp; 10.3.3.2</b> |
| <b>Disclosure of Interest</b> | <b>None</b>                    |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>         |
| <b>Attachments</b>            | <b>WEROC MOU</b>               |

#### Purpose of Report

To advise Council of the Shire of Yilgarn Common Seal being affixed to the Memorandum of Understanding (MOU) between the participating the Local Governments associated with WEROC.

#### Background

The Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn have been actively participating as a Regional Organisation of Councils for many years and to ensure that the Organisation has appropriate rules and obligations of the Member Councils involved, an MOU assists in defining these roles.

As indicated in the MOU, the participating Councils have resolved not to form a regional local government or regional subsidiary as defined under the *Local Government Act 1995* at this time, but alternatively have agreed to enter into an MOU to recognise the cooperation and shared goals of the Member Councils.

#### Comment

At the WEROC Meeting held on Wednesday, 22 August 2018 at the Shire of Westonia all participating Shires resolved to commit to the MOU for a further 12 months (1 July 2018 to 30 June 2019) and signed and sealed the MOU documentation.

#### Statutory Environment

Nil

#### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2018-2028 – Civic Leadership – Positive and Productive Regional Partnerships – Actively participate in regional forums including GECZ of WALGA, WEROC, Wheatbelt Communities and CEACA.

### Policy Implications

*Council Policy 1.4 states the following:-*

**OBJECTIVE:**

The policy sets out the wording to apply to the use of the Common Seal.

**POLICY:**

The President and CEO have delegated authority to execute and affix the Common Seal to documents (Delegation LGA13)

**PROCESS:**

1. For official documents which require the common seal of the Shire to be affixed, the seal shall be accompanied by the following wording:-

“The Common Seal of the Shire of Yilgarn was hereto affixed by authority of Council.”

Shire President

Chief Executive Officer

(Noting that the Deputy Shire President and Executive Manager Corporate Services can proxy in the absence of the respective principal person)

2. For use on ceremonial occasions (i.e.: Certificates of Appreciation, etc.) or where there is no legal requirement to affix the seal to a document, the Shire President and Chief Executive Officer are authorised to decide how best to affix the seal and (if need be) sign the document on the Shire’s behalf.

### Financial Implications

Financial commitment to WEROC provided in 2018/2019 Budget.

### Officer Recommendation and Council Decision

**123/2018**

***Moved Cr Pasini/Seconded Cr Guerini***

***That Council notes and endorses the signing and affixing of the Shire of Yilgarn’s Common Seal by the Shire President and CEO on the Memorandum of Understanding to indicate Councils continued commitment to the Wheatbelt East Regional Organisation of Councils for the period 1 July 2018 to 30 June 2019.***

**CARRIED (6/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.5 Chief Executive Officer's Contract of Employment – Use of Common Seal

|                               |                        |
|-------------------------------|------------------------|
| <b>File Reference</b>         | <b>1.1.12.1</b>        |
| <b>Disclosure of Interest</b> | <b>None</b>            |
| <b>Voting Requirements</b>    | <b>Simple Majority</b> |
| <b>Attachments</b>            | <b>Nil</b>             |

#### Purpose of Report

To advise Council of the Shire of Yilgarn Common Seal being affixed to Chief Executive Officer's Contract of Employment.

#### Background

At the Ordinary Meeting of Council held on Thursday, 16 August 2018 Council resolved the following in respect to the appointment of Mr Peter Clarke to the position of Chief Executive Officer of the Shire of Yilgarn:-

**116/2018**

***Moved Cr Della Bosca/Seconded Cr Shaw***

***That Council appoints Mr Peter Clarke as Chief Executive Officer of the Shire of Yilgarn on a 3 year Contract, commencing on Monday, 20 August 2018 and, in accordance with Section 5.36(2) of the Local Government Act 1995:-***

- 1. Council believes that Mr Clarke is suitably qualified for the position, having held the position of CEO at a number of Councils and with the Shire of Yilgarn previously; and***
- 2. Council is satisfied with the provisions of the proposed employment contract as presented to Council.***

**CARRIED BY ABSOLUTE MAJORITY (6/0)**

#### Comment

In endorsing the above appointment and Council being satisfied with the Contract of Employment as presented to Council at the above meeting, the Shire President and CEO, together with appropriate witnesses, signed and placed the Common Seal on the Contract on Monday, 20 August 2018 .

#### Statutory Environment

Nil



### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2018-2028 – Civic Leadership – A trustworthy and cohesive Council that functions efficiently and effectively to meet the needs of our community.

### Policy Implications

*Council Policy 1.4 states the following:-*

**OBJECTIVE:**

The policy sets out the wording to apply to the use of the Common Seal.

**POLICY:**

The President and CEO have delegated authority to execute and affix the Common Seal to documents (Delegation LGA13)

**PROCESS:**

1. For official documents which require the common seal of the Shire to be affixed, the seal shall be accompanied by the following wording:-

“The Common Seal of the Shire of Yilgarn was hereto affixed by authority of Council.”

Shire President

Chief Executive Officer

(Noting that the Deputy Shire President and Executive Manager Corporate Services can proxy in the absence of the respective principal person)

2. For use on ceremonial occasions (i.e.: Certificates of Appreciation, etc.) or where there is no legal requirement to affix the seal to a document, the Shire President and Chief Executive Officer are authorised to decide how best to affix the seal and (if need be) sign the document on the Shire’s behalf.

### Financial Implications

Nil

**Officer Recommendation and Council Decision**

**124/2018**

***Moved Cr Shaw/Seconded Cr Nolan***

***That Council notes and endorses the signing and affixing of the Shire of Yilgarn's Common Seal by the Shire President on the Chief Executive Officer's Contract of Employment which came into effect on Monday, 20 August 2018.***

**CARRIED (6/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.1 Financial Reports

|                               |                          |
|-------------------------------|--------------------------|
| <b>File Reference</b>         | <b>8.2.3.2</b>           |
| <b>Disclosure of Interest</b> | <b>Nil</b>               |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>   |
| <b>Attachments</b>            | <b>Financial Reports</b> |

#### Purpose of Report

To consider the Financial Reports

#### Background

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

The following reports are attached and have been prepared as at the 31<sup>st</sup> August 2018.

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

Councillors will be aware that it is normal practice for all financial reports to be indicative of Council's current Financial Position as at the end of each month.

#### Comment

Nil

#### Statutory Environment

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

#### Strategic Implications

Nil

#### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

*125/2018*

*Moved Cr Pasini/Seconded Cr Guerini*

*That Council endorse the various Financial Reports as presented for the period ending 31<sup>st</sup> August 2018*

**CARRIED (6/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.2 Accounts for Payment

|                               |                            |
|-------------------------------|----------------------------|
| <b>File Reference</b>         | <b>8.2.1.2</b>             |
| <b>Disclosure of Interest</b> | <b>Nil</b>                 |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>     |
| <b>Attachments</b>            | <b>Account for Payment</b> |

#### Purpose of Report

To consider the Accounts for Payment

#### Background

Municipal Fund – Cheque Numbers 40665 to 40674 totalling \$8,301.55, Municipal Fund-EFT Numbers 7854 to 7967 totalling \$618,887.12, Municipal Fund – Cheque Numbers 1432 to 1442 totalling \$252,391.30, Municipal Fund Direct Debit Numbers 12893.1 to 12994.12 totalling \$60,518.62, Trust Fund 402363 to 402387 totalling \$42,627.21 and Trust Fund – Cheque Numbers 6134 to 6137 (DPI Licensing), totalling \$38,005.04 are presented for endorsement as per the submitted list.

#### Comment

Nil

#### Statutory Environment

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

#### Strategic Implications

Nil

#### Policy Implications

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

#### Financial Implications

Drawdown of Bank funds

**Officer Recommendation and Council Decision**

**126/2018**

***Moved Cr Shaw/Seconded Cr Close***

***Municipal Fund – Cheque Numbers 40665 to 40674 totalling \$8,301.55, Municipal Fund-EFT Numbers 7854 to 7967 totalling \$618,887.12, Municipal Fund – Cheque Numbers 1432 to 1442 totalling \$252,391.30, Municipal Fund Direct Debit Numbers 12893.1 to 12994.12 totalling \$60,518.62, Trust Fund 402363 to 402387 totalling \$42,627.21 and Trust Fund – Cheque Numbers 6134 to 6137 (DPI Licensing), totalling \$38,005.04 are presented for endorsement as per the submitted list.***

**CARRIED (6/0)**

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.1 Supply and Spray Bitumen for 2018/2019 Financial Year

|                               |                               |
|-------------------------------|-------------------------------|
| <b>File Reference</b>         | <b>6.6.2.10 &amp; 6.6.8.7</b> |
| <b>Disclosure of Interest</b> | <b>Nil</b>                    |
| <b>Voting Requirements</b>    | <b>Simple Majority</b>        |
| <b>Attachments</b>            | <b>Nil</b>                    |

#### Purpose of Report

Supply and Spray Hot Bitumen for 2018/2019 Financial Year Road Construction Program

#### Background

Quotations were invited through WALGA Preferred Supply Contract for the supply and spraying of hot bitumen for the 2018/2019 Financial Year Road Construction Program. Bitumen required for the 2018/2019 Road Construction Program is for, Cramphorne Road, Bodallin South Road, Moorine South Road, Koorda Bullfinch Road (M40) and Koolyanobbing Road.

It is estimated 336,500 litres of bitumen is required for 2018/2019 of which 304,500 litres will be sprayed in lots of above 25,000 litres and the remaining 32,000 litres will be sprayed in lots off between 10,000 to 25,000 litres.

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

The following companies were invited to submit quotations to supply and spray bitumen and pre-coating; Bitumen Surfacing, Fulton Hogan and Bitutek

#### Comment

Off the three companies that were invited one submitted quotations to supply and spray bitumen for 2018-2019 Financial Year, (Bitutek). Bitumen Surfacing advised that they will not be submitting quotation due to prior commitments and Fulton Hogan did not submit .

#### 1. Bitutek (GST exclusive)

| <u>Hot Sprayed Bitumen</u> | <u>95/5-Primer Seal</u> | <u>98/2-Seal</u>  |
|----------------------------|-------------------------|-------------------|
| up to 10,000               | \$ 1.50 per litre       | \$ 1.50 per litre |
| 10,000 25,000              | \$ 1.15 per litre       | \$ 1.15 per litre |
| over 25,000                | \$ 1.10 per litre       | \$ 1.10 per litre |

*Adhesive Agent - \$ 0.028 per litre*

*Pre-coating Aggregate \$ 2.25 per tonne*

#### Expected total cost to Council's Construction Program

|   |            |
|---|------------|
| 32,000 litres in job lots of 10,000 to 25,000 litres of 95/5: | \$ 36,800  |
| 304,500 litres in job lots above 25,000 litres of 98/2:       | \$ 334,950 |
| 336,500 litres x \$0.028 per litre adhesive agent             | \$ 9,420   |
| 3000 tonnes aggregate x \$2.25 per tonne                      | \$ 6,750   |

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Total \$ 387,920

Rates for pre-coating are based on the following:

Shire of Yilgarn to supply at no cost to Bitutek:

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

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Bitutek was the company that supplied and sprayed bitumen for Council in the 2017/2018 Financial Year. The service and quality of goods supplied was to a very good standard.

When setting the 2018/2019 Financial Year Construction Budget an estimated monetary allocation of \$397,000 has been allowed for in councils construction program for the supply and spray of hot bitumen and pre-coating of aggregate.

### Strategic Implications

2018/2019 Construction Program

### Policy Implications

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

### Financial Implications

Monetary costs associated for the supply, and spraying of hot bitumen has been allowed for in Council's 2018/2019 Construction Program Budget

### Officer Recommendation and Council Decision

**127/2018**

***Moved Cr Guerini/Seconded Cr Close***

***That Council accepts the Quotation submitted by Bitutek for the supply and spraying of hot bitumen and pre-coating of aggregate for the 2018/2019 Financial Year.***

**CARRIED (6/0)**



## 9.4 Officers Report – Manager Regulatory Services

### 9.4.1 Landfill Management Plan

|                               |                                 |
|-------------------------------|---------------------------------|
| <b>File Reference</b>         | <b>4.1.9.12</b>                 |
| <b>Disclosure of Interest</b> | <b>Nil</b>                      |
| <b>Voting Requirements</b>    | <b>Simple majority</b>          |
| <b>Attachments</b>            | <b>Landfill Management Plan</b> |

#### Purpose of Report

For Council to endorse the Landfill Management Plan.

#### Background

In June 2018, the Shire transitioned from the Southern Cross transfer station to the staffed landfill facility. Due to the major changes to the way residents could deposit their refuse, a trial period for the first three months was undertaken with residents requested to submit their comments along with their preferred operating hours. The Shire received 15 submissions.

Residents and patrons were advised of their ability to provide comments via the Crosswords and onsite by the attendant who handed out submissions slips to those interested residents.

The trial period has now ceased, and the attached Landfill Management Plan (the Plan) has been developed after consideration of the submissions.

#### Comment

The decision-making process was guided by the following information. Table 1 shows the spread of preferred times submitted and Table 2 shows the spread of attendances/day for the current opening times over the first three months.

**Table 1**

|        | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|--------|--------|---------|-----------|----------|--------|----------|--------|
| AM     | 2      | 1       | 0         | 2        | 1      | 6        | 6      |
| MIDDAY | 3      | 3       | 3         | 2        | 2      | 5        | 5      |
| PM     | 3      | 2       | 3         | 2        | 1      | 6        | 6      |

**Table 2**

|               | Tuesday |    | Friday |    | Saturday |    | Sunday |    |
|---------------|---------|----|--------|----|----------|----|--------|----|
|               | C       | D  | C      | D  | C        | D  | C      | D  |
| Daily Average | 2       | 5  | 2      | 6  | 0        | 4  | 1      | 5  |
| Total         | 23      | 65 | 30     | 90 | 4        | 58 | 11     | 67 |

*C: Commercial, D: Domestic*

## Opening Days and Times

The majority of submissions received requested additional opening days and longer hours on weekends. Given the transition from an unrestricted ability to deposit refuse to restricted times, this was expected to be a subject of ire for residents. However, an expansion in days and hours has been accommodated as a result of submissions with the proposed operating hours being:

|            |                   |
|------------|-------------------|
| Monday:    | 1:00pm to 4:00pm  |
| Tuesday:   | 1:00pm to 4:00pm  |
| Wednesday: | Closed            |
| Thursday:  | Closed            |
| Friday:    | 1:00pm to 4:00pm  |
| Saturday:  | 10:00am to 4:00pm |
| Sunday:    | 10:00am to 4:00pm |

These changes are able to be accommodated in the existing 2018/2019 budget and will not require additional funding.

## Fees and Charges

A few submissions and some verbal and unofficial feedback indicated some discontent with the fees and charges. The following is provided in response to these concerns:

- The fees do not apply to residential refuse, deposited by a Yilgarn resident within the designated operating hours;
- The fees and charges apply to all commercially generated waste. This includes waste generated from the cleaning/clearing of residential properties for reward;
- In comparison to other similar landfill facilities in the eastern wheatbelt, the commercial rates are on the lower end of the scale and are set to assist in covering costs. These will be reviewed annually as part of the annual adoption of the fees and charges;
- The commercial fees do not apply to:
  - Non-profit organisations; and
  - Recyclable materials, sorted and placed in provided bulk bins or designated areas.
- The fees are per cubic metre and are measured onsite by the attendant. Commercial customers are required to sign the acceptance form confirming they agree with the measured amount to be invoiced.
- Commercial refuse fees are not new, as has been inferred by some individuals. There have always been commercial fees and charges, however with the transfer station being unstaffed, applying the fees was not able to be undertaken.
- Up until 2016/2017 refuse fees applied to both commercial and residential refuse, however this was changed to only commercial in the 2016/2017 budget and the rates for general commercial rubbish were reduced.

If Council endorse the Plan, an ongoing advertising program through the Crosswords, website and other avenues will be undertaken to advise residents and patrons of the changes

to the opening times and advising of the fees and charges applicable and how they are applied.

### **Recycling Operations**

The Shire already has bulk cardboard and comingled recycling bins and St Fire Ball scrap metal bins available at the facility.

It is the intention over the coming months to establish a drumMUSTER and e-waste collection facility.

In addition to the above, the Manager Regulatory Services proposes a "Tip Shop" recycling centre, whereby items deposited at the facility, which are still of good quality will be displayed for sale. The operation of the tip shop, including sales will be the responsibility of the landfill attendant. The sales will be cash only and it will be the responsibility of the attendant to handle the money, including change, that may be required. Profits from the tip shop will be split 50/50 between the Shire and the attendant, with the Shire's share proposed to be donated to local non-profit organisations via the Shires Community Funding Program.

### **Landfill Attendant**

The landfill attendant position is proposed to be advertised as a contract, with the successful contractor responsible for all day to day operations of the landfill. The Plan details the responsibilities of the attendant.

The contract is proposed to be for a three-year period with an option to extend for a further three years upon mutual agreement.

### **Implementation**

To enable sufficient time to advertise and award the contract for landfill attendant, the relevant changes to current operations are planned to be implemented from the 1<sup>st</sup> November 2018.

## **Statutory Environment**

Nil

## **Strategic Implications**

GOAL: Protecting, utilising and enhancing our beautiful natural heritage.

OUTCOME: Satisfaction with waste management services and recycling processes.

STRATEGY: Establish and maintain environmentally sound regional waste facilities to cater for the Shires long term waste disposal requirements; and  
Continue to provide & promote recycling services, including fortnightly household pick up and e-waste collection.

### Policy Implications

6.9 Community Funding Program

### Financial Implications

Landfill attendant position, budgeted for in 2018/2019 budget.

### Officer Recommendation and Council Decision

128/2018

*Moved Cr Nolan/Seconded Cr Shaw*

#### **RECOMMENDATION 1:**

*That Council endorse the Southern Cross Landfill Management Plan as presented.*

#### **RECOMMENDATION 2:**

*That Council endorse the implementation from the 1<sup>st</sup> November 2018 of the new operating hours for the Southern Cross Landfill Facility, being:*

|                   |                          |
|-------------------|--------------------------|
| <i>Monday:</i>    | <i>1:00pm to 4:00pm</i>  |
| <i>Tuesday:</i>   | <i>1:00pm to 4:00pm</i>  |
| <i>Wednesday:</i> | <i>Closed</i>            |
| <i>Thursday:</i>  | <i>Closed</i>            |
| <i>Friday:</i>    | <i>1:00pm to 4:00pm</i>  |
| <i>Saturday:</i>  | <i>10:00am to 4:00pm</i> |
| <i>Sunday:</i>    | <i>10:00am to 4:00pm</i> |

#### **RECOMMENDATION 3:**

*That Council endorse the advertising of requests for tender submissions for the Landfill Attendant position, with the agreement being a three-year contract with the option of a three-year extension upon mutual agreement.*

#### **RECOMMENDATION 4:**

*That Council endorse the proposed "Tip Shop" recycling centre at the Southern Cross Landfill Facility, to be operated by the contracted landfill attendant, with the profits split, with 50% to the landfill attendant and 50% to the Shire. Councils profits to be donated to local non-profit organisations in accordance with the Community Funding program.*

**CARRIED (6/0)**

## 9.4 Officers Report – Manager Regulatory Services

### 9.4.2 Disposal of Property – Various Items

|                               |                        |
|-------------------------------|------------------------|
| <b>File Reference</b>         | <b>6.8.11</b>          |
| <b>Disclosure of Interest</b> | <b>Nil</b>             |
| <b>Voting Requirements</b>    | <b>Simple majority</b> |
| <b>Attachments</b>            | <b>Nil</b>             |

#### Purpose of Report

For Council to endorse the disposal of various household items via public auction.

#### Background

The Shire has a number of second-hand household furniture items in storage which no longer have a use and therefore is looking to dispose of.

Under Section 3.58 of the Local Government Act 1995, it states a local government can dispose of property to the highest bidder at public auction.

The items proposed to be disposed are:

1. Scotsman MV456 Ice Machine;
2. Electric Oil-filled Column Heater - 7 Column Heller;
3. Electric Oil-filled Column Heater - 11 Column Heller (x 6);
4. Electric Oil-filled Column Heater - 11 Column DeLonghi (x 2);
5. Microwave – Abode 1400w 25 Litre;
6. Timber & Metal bedside table with drawer - 4 units;
7. Metal file cabinet – Elite Built 2 drawers;
8. Metal file cabinet – BrownBuilt 2 drawers; and
9. Black Mirrored Dressing Table & Mirror - 4 large & 4 small drawers.

#### Comment

The “Public Auction” will be via written expressions of interest, where the interested person/s will submit a price in writing for individual items.

Expressions of interest will be accepted in writing up until 12:00pm 5<sup>th</sup> October 2018. After the acceptance period has ended, submissions will be assessed with the highest bidder for each item being notified and requested to pay the submitted amount and collect their goods.

Should an individual fail to pay for their submission within 48 hours after notification, the Shire reserves the right to offer the item to the next highest bidder.

### Statutory Environment

Local Government Act 1995

### Strategic Implications

Nil

### Policy Implications

Council Policy Manual – Policy 3.1 – Financial Treatment of Assets

### Financial Implications

Income received for items into general revenue.

### Officer Recommendation and Council Decision

**129/2018**

**Moved Cr Guerini/Seconded Cr Shaw**

#### **THAT COUNCIL:**

- 1. Endorse the disposal of items listed below, to the highest bidder at public auction, being via written expressions of interest, with notice of the public auction given via the Shire's Crosswords publication.**

#### **Items listed for disposal include:**

- 1. Scotsman MV456 Ice Machine;**
- 2. Electric Oil-filled Column Heater - 7 Column Heller;**
- 3. Electric Oil-filled Column Heater - 11 Column Heller (x 6);**
- 4. Electric Oil-filled Column Heater - 11 Column DeLonghi (x 2);**
- 5. Microwave – Abode 1400w 25 Litre;**
- 6. Timber & Metal bedside table with drawer - 4 units;**
- 7. Metal file cabinet – Elite Built 2 drawers;**
- 8. Metal file cabinet – BrownBuilt 2 drawers; and**
- 9. Black Mirrored Dressing Table & Mirror - 4 large & 4 small drawers.**

**CARRIED (6/0)**

## 9.5 Reporting Officer – Manager Community Services

### 9.5.1 Community Sporting and Recreation Facilities Fund (CSRFF) application Southern Cross Swimming Pool

|                               |                        |
|-------------------------------|------------------------|
| <b>File Reference</b>         | <b>4.1.7.12</b>        |
| <b>Disclosure of Interest</b> | <b>Nil</b>             |
| <b>Voting Requirements</b>    | <b>Simple Majority</b> |
| <b>Attachments</b>            | <b>Nil</b>             |

#### Purpose of Report

To endorse the application to the Department of Local Government, Sport and Cultural Industries "Community Sporting and Recreation Facilities Fund" (CSRFF) for the replacement of the Southern Cross swimming pool.

#### Background

The purpose of the CSRFF is to provide Western Australian Government financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation.

All projects are assessed by Department of Sports and Recreation (DSR) on the following principles:

- Project justification.
- Planned approach.
- Community consultation.
- Management planning.
- Access and opportunity.
- Design.
- Financial viability.
- Coordination.
- Potential to increase physical activity.
- Sustainability.

DSR requests that Council place a priority and rating on all applications within its municipality. The ratings are to be assessed on the following criteria:

- A Well planned and needed by municipality
- B Well planned and needed by applicant
- C Needed by municipality, more planning required
- D Needed by applicant, more planning required
- E Idea has merit, more planning work needed
- F Not recommended

### Comment

The CSRFF program has been advertised to the community and no other application has been received by the Shire of Yilgarn.

The project will be managed and all funds administered by the Shire of Yilgarn.  
Tenders will have to be called as the total project total cost is over \$150,000.

### Statutory Environment

Nil

### Strategic Implications

Strategic Community Plan 2018-2028

Aligns with Strategic Community Plan to *"continue to provide and maintain high quality community infrastructure (recreation centre, oval, lawn bowls, tennis facilities, swimming pool, library, community centre, public halls).*

Corporate Business Plan 2018/19 to 2022/23

*"10 Year Strategic Priorities - New Public Swimming Pool"*

Schedule 11 – Recreation and Culture – Swimming Pool – Service Level - *"We will improve the Service Level by: Working towards a complete refurbishment of the pool and new built infrastructure"*

### Policy Implications

Council Policy Manual, Policy 3.5 Purchasing and tendering

### Financial Implications

As of 30 June 2018, the Swimming Pool Reserve account contains \$1.96 million, an interest accrual of \$40,000 and reserve transfer of \$500,000 is anticipated by 30 June 2019. With another anticipated reserve transfer of \$500,000 and interest accruals by 30 June 2020 the account should contain about \$3.05 million which would give sufficient funds for the project.

Council might also want to consider the option / need to take out a loan, should the CSRFF application be unsuccessful, less than the applied amount or the total project cost higher than anticipated.



**Officer Recommendation and Council Decision**

**130/2018**

***Moved Cr Nolan/Seconded Cr Guerini***

***That Council:***

- ***Endorse the CSRFF application of \$850,000 for the Southern Cross swimming pool project and it being ranked as the number one project and be rated as "A" (Well planned and needed by the municipality).***
- ***Confirm that the Shire of Yilgarn will contribute \$2,967,314.28 in cash towards the costs of the project in 2019/20.***

**CARRIED (6/0)**

**10 APPLICATION FOR LEAVE OF ABSENCE**

Nil

**11 INFORMATION BOOK ITEMS**

Nil

**12 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

Nil

**14 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS**

Nil

**15 CLOSURE**

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, 20<sup>th</sup> September 2018, are confirmed on Thursday, 18<sup>th</sup> October 2018 as a true and correct record of the September Ordinary Meeting of Council.

**Cr Onida T Truran**  
**SHIRE PRESIDENT**