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SHIRE OF YILGARN
MINUTES - ORDINARY MEETING OF COUNCIL
FRIDAY, 15th January 2010

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 15th January 2010.

PRESENT

Cr P R Patroni, Shire President

Cr D G Auld, Deputy Shire President

Crs G V Kenward, J A Della Bosca, W A Della Bosca, D J Pasini

Council Officers: P R Clarke, Chief Executive Officer
V Murty, Deputy Chief Executive Officer
R J Bosenberg, Manager for Works
W J Dallywater, Manager Environmental Health & Building

The meeting was declared open for business at 2.07pm.

SGT. GRAEME PORTEOUS - OFFICER IN CHARGE SOUTHERN CROSS POLICE STATION

Sgt. Porteous and Mrs Porteous, at the invitation of the Shire President, joined Council for lunch as Sgt. Porteous was leaving the OIC position in Southern Cross to take up a position with the WA Police Service in Perth. The Shire President thanked Sgt. Porteous for the work he had undertaken in the district in his two years of service as OIC and wished both he and Mrs Porteous the very best in the move to Perth.

Sgt. Porteous responded to the Shire President's comments indicating that he had enjoyed his time as OIC of the Southern Cross Police Station and thanked Councillors and staff for their cooperation during his term of office.

PUBLIC QUESTION TIME

There were no members of the public were in attendance for Public Question Time.

DISCLOSURE OF FINANCIAL INTEREST

Nil.

APOLOGIES & LEAVE OF ABSENCE

Cr Truran tendered her apologies for this meeting of Council.

CONFIRMATION OF PREVIOUS MINUTES

1/2010

Moved Cr Kenward Seconded Cr J Della Bosca that the Minutes of the previous Meeting of Council held on Friday 18th December 2009, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

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ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

The Shire President advised the following:-

- Together with other Councillors and staff had attended the Outside Workers Christmas function on the 24th December.
- Advised that the Eastern District Group of Agricultural Societies had been awarded second place at the Perth Royal Show for the District Display and paid particular attention to the Yilgarn Agricultural Society for preparing the display on behalf of the Eastern Group.
- Outlined the actions that had taken place in respect to a number of articles that had appeared in newspapers regarding the Local Government Structural Reform process and the State Wide Forum that will be held on 9 February to discuss the Reform process with the Minister, WALGA and local governments throughout the State.
- Together with Crs W Della Bosca and Auld and the CEO, attended a meeting in Narembeen to discuss the future of the Skeleton Weed program with representatives of the Narembeen Shire. This meeting had identified strategies that could be undertaken by the LAG's at both Yilgarn and Narembeen for the future of the Program.

Cr W Della Bosca advised that over the Christmas/New Year period 4 fires had occurred throughout the district with 2 requiring the hire of machinery to deal with the fires being extinguished.

CHIEF EXECUTIVE OFFICERS REPORT

Submission to:	Ordinary Meeting of Council - Friday, 15 January 2010
Agenda Reference:	7.1
Subject:	CEO Annual Performance Appraisal
File Reference:	Personal
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	5 January 2010

Background:

In accordance with the CEO's Employment Contract, an Annual Performance Appraisal is required to be undertaken following the completion of the 1st year of service of the current 5 year Contract of Employment with Council.

Comment

Council can either appoint a Committee to undertake the Review or, full Council can be involved in this process.

The CEO will prepare a report to Council in line with Schedule 3 of the Contract which details Key Performance Indicators (KPI's) that are required to be met

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within the 12 month period. This report will be distributed to Councillors prior to the review to assist Councillors to assess the comments and allocate a rating in accordance with the categories and actions contained within the Schedule.

The previous review was conducted prior to the February 2009 Council meeting.

Statutory Environment

Local Government Act 1995 and the Chief Executive Officer's Employment Contract

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council conducts the CEO's Annual Performance Appraisal prior to the February 2010 Ordinary meeting of Council.

Voting Requirements

Simple Majority

2/2010

Moved Cr Kenward Seconded Cr J Della Bosca that Council conducts the CEO's Annual Performance Appraisal prior to the February 2010 Ordinary meeting of Council between 11.30am and 12.30pm

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday, 15 January 2010
Agenda Reference:	7.2
Subject:	Local Government Managers Association - 2010 National Congress
File Reference:	4134
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	5 January 2010

Background

The Local Government Managers Association will be conducting its National Congress in Adelaide between 16 May and 20 May 2010. The National Congress is an opportunity for leaders in Local Government from around Australia to network and to attend informative sessions on topics that are current and relevant to the Local Government industry.

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Comment:

The CEO has attended the past 4 National Congress' and has found them to be an excellent opportunity to meet with CEO's from around Australia and learn what is happening on the national front rather than just being aware of our local issues. The National Congress is becoming a major event on the LGMA calendar with a significant representation of CEO's from Western Australia attending past Conferences.

As part of the CEO's salary package, an allocation is provided for ongoing professional development and therefore, it would be appropriate for such expenses for the Conference to be allocated from this allowance.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

As per the CEO's Annual Salary Package relating to ongoing professional development.

Recommendation

That Council approves of the CEO attending the 2010 LGMA National Congress to be held in Adelaide between 16 May and 20 May 2010 and that expenses with such attendance be authorised for payment.

Voting Requirements

Simple Majority

3/2010

Moved Cr Pasini Seconded Cr Auld that Council approves of the CEO attending the 2010 LGMA National Congress to be held in Adelaide between 16 May and 20 May 2010 and that expenses with such attendance be authorised for payment.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday, 15 January 2010
Agenda Reference:	7.3
Subject:	Deputy Chief Executive Officer Contract of Employment - Signing & Sealing
File Reference:	
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	6 January 2010

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Background:

With the appointment and commencement of Ms Vivienne Murty as Council's Deputy Chief Executive Officer, a 3 Year Contract of Employment was negotiated and signed and sealed by the Shire President, DCEO and witnessed by the CEO.

Comment:

In accordance with Council's Policy No.1.8 endorsement of the use of Council's Common Seal is required.

Statutory Environment

Nil

Policy Implications

Council Policy No.1.8 Relating to the "Use of Council's Common Seal".

Financial Implications

Nil

Recommendation

That Council endorses the Shire President signing and placing Council's Common Seal on the newly appointed Deputy Chief Executive Officer's (Ms Vivienne Murty) 3 Year Contract of Employment from 4 January 2010 to 4 January 2013.

Voting Requirements

Simple Majority

4/2010

Moved Cr Kenward Seconded Cr J Della Bosca that Council endorses the Shire President signing and placing Council's Common Seal on the newly appointed Deputy Chief Executive Officer's (Ms Vivienne Murty) 3 Year Contract of Employment from 4 January 2010 to 4 January 2013.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday, 15 January 2010
Agenda Reference:	7.4
Subject:	Mr Warren McDonald - Application to Keep 3 Dogs
File Reference:	5101
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	6 January 2010

Background

Mr Warren McDonald has written to Council seeking approval to keep 3 dogs at his premises located at 126 Antares Street, Southern Cross.

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Mr McDonald advises that his family has obtained a third dog as one of their current dogs is 20 years of age and nearing the end of its life. All 3 dogs are currently licensed.

Comment

Section 12 of Council's Local Laws Relating to Dogs states the following:-

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

Section 26(3) of the Dog Act states:-

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

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
- (b) shall not operate to authorise the keeping of more than 5 dogs on those premises; and
- (c) may be revoked or varied at any time.

The CEO contacted Council's Dog Ranger, Ms Michelle Day, to request that she inspect the property to ensure that it has suitable fencing is still in place to keep the animals within the confines of the property.

Following the inspection Ms Day advised that she has no objections to the request.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants approval to Mr Warren Mc Donald to keep the 3 dogs that are currently registered and housed at 126 Antares Street, Southern Cross.

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Voting Requirements

Simple Majority

5/2010

Moved Cr Auld Seconded Cr Kenward that Council grants approval to Mr Warren Mc Donald to keep the 3 dogs that are currently registered and housed at 126 Antares Street, Southern Cross.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday, 15 January 2010
Agenda Reference:	7.5
Subject:	Mr Gary & Mrs Josie Kent - Offer to Purchase Lots 5 & 6 Leo Street, Southern Cross
File Reference:	12196
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	6 January 2010

Background

Mr & Mrs Kent have written to Council advising that they are interested in purchasing Lots 5 and 6 Leo Street, Southern Cross from the Shire of Yilgarn.

Mr & Mrs Kent advise that they are prepared to offer \$50,000 for the purchase of both lots subject to Council supporting their application to the Western Australian Planning Commission for the lots to be amalgamated. Mr & Mrs Kent advise that if successful in their offer, they intend putting 4 x 2 transportable home and barn style shed on the property.

Mr & Mrs Kent advise that they are keen to move into Southern Cross but consider that the current lot sizes are too small to accommodate their home and shed. Mr & Mrs Kent indicate that they are aware of the need to engage a surveyor to re-survey the lots and be liable for associated costs if Council is supportive of their proposal.

Comment:

The CEO met with Mr & Mrs Kent to discuss possible properties in and around Southern Cross that would suit their needs. Whilst some had been identified, their location and process for release from Landgate (eg. Native Title extinguishment etc.) did not meet Mr & Mrs Kent's timeframe.

Council has tried on a number of occasions to sell the 6 lots between Libra Place and Leo Street with no interest shown. The offer by the Kent's is the first real interest shown and even though they wish to amalgamate lots 5 and 6, Council should support their application and offer.

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At the April 2009 Ordinary meeting of Council the following was resolved the following in respect to the 6 lot subdivision in view of the lack of interest shown in the calling of tenders twice for the sale of the lots:-

81/2009

Moved Cr Auld Seconded Cr Pasini that to expedite future sales of residential land in Southern Cross, Council grants delegated approval to the CEO to negotiate with prospective purchasers the sale of lots on the proviso that the minimum amount be not lower than \$20,000 per lot.

The offer submitted by Mr & Mrs Kent is above the \$20,000 minimum.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advises Mr & Mrs Kent that it would support an application to the Western Australian Planning Commission for the amalgamation of Lots 5 and 6 Leo Street and accepts the offer of \$50,000 for the purchase of the two lots in question on the proviso that the amalgamation proceeds.

Voting Requirements

Simple Majority

6/2010

Moved Cr Kenward Seconded Cr W Della Bosca that Council advises Mr & Mrs Kent that it would support an application to the Western Australian Planning Commission for the amalgamation of Lots 5 and 6 Leo Street and accepts the offer of \$50,000 for the purchase of the two lots in question on the proviso that the amalgamation proceeds.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday, 15 January 2010
Agenda Reference:	7.6
Subject:	Draft MOU between Local Governments, Department of Environment and Conservation for Cooperative Multi Agency Fire Operations Operating Principles
File Reference:	
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	6 January 2010

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Background

At the December 2009 Ordinary meeting of Council, Cr W Della Bosca as the Shire of Yilgarn's Chief Bush Fire Control Officer, presented a Draft Memorandum of Understanding between Local Governments in Western Australia and the Department of Environment and Conservation for Cooperative Multi Agency Fire Operations Operating Principles.

The above MOU was circulated to all Councillors and it was agreed at the December Council meeting that the MOU should be listed on the January 2010 Council Agenda to allow Councillors the opportunity to provide comments and relay these to DEC for consideration before the principles are officially adopted.

Comment:

The MOU is again attached to this report for consideration. Cr Della Bosca has made some notations on the Draft document.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council considers the Draft MOU for Cooperative Multi Agency Fire Operations Operating Principles for appropriate comment to DEC.

Voting Requirements

Simple Majority

7/2010

Moved Cr W Della Bosca Seconded Cr Kenward that Council advises the Department of Conservation (DEC) that the content of the Draft MOU for Cooperative Multi Agency Fire Operations Operating Principles requires further consideration for Fire and Emergency Services (FESA) to be a major party within the Plan and that Council will not be a signatory to the Plan unless DEC recognises FESA appropriately.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Friday, 15 January 2010
Agenda Reference:	7.7
Subject:	Southern Cross Motor Cycle Club Inc. – Proposal to Source Self Supporting Loan through Council
File Reference:	11204
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 January 2010

Background

At the November 2009 Ordinary meeting of Council the CEO advised that he had identified funding through the Wheatbelt Development Commission's Royalties for Regions Grants Scheme that would be appropriate for the project proposed by the Southern Cross Motorcycle Club for the lighting of a section of their Motocross Track for Night Arena Cross racing.

At the above meeting Council resolved the following:-

266/2009

Moved Cr Kenward Seconded Cr W Della Bosca that Council supports an application being submitted to the Wheatbelt Development Commission under the Royalties for Regions Regional Grants Scheme for lighting a section of the Southern Cross Motor Cycle Club's motocross track for future arena cross events.

Comment:

The total project cost to light a section of the track is \$145,000. The guidelines encourage organisations to contribute financially to the project and therefore, the CEO met with representatives of the Club to ascertain whether they could contribute at least a third of the project costs to give the project a real chance of being funded. The representatives of the Club indicated that they did not have the immediate funds to commit to the project.

The CEO advised the members that there were other ways in which the Club could finance the project, one being the Club seeking the approval of Council to take out a Self Supporting Loan.

Since the meeting with Club representatives, the CEO received the following correspondence from the Southern Cross Motorcycle Club:-

"After a Special Meeting of the Southern Cross Motorcycle Club it was decided that the Club would like to apply for the Wheatbelt Development Commission's Royalties for Regions Grants Scheme to install permanent lighting at the Richie Kings Memorial Park for night Arena Cross events.

To assist fund the above project, the Club seeks Council approval to take out a Self Supporting Loan for \$50,000 and for the term of Loan to be 10 years."

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Statutory Environment

Section 6.20(2) of the *Local Government Act 1995* relating to “**Power to Borrow**” states:-

Where , in any financial year, a local government proposes to exercise a power under subsection (1) (“**power to borrow**”) and details of that proposal have not been included in the annual budget for that financial year -

- (a) unless the proposal is of a prescribed kind, the local government must give one month’s local public notice of the proposal; and
- (b) the resolution to exercise that power is to be **by absolute majority**.

The advertisement would advise that the intended Loan would be a Self Supporting Loan repayable in two annual instalments by the Southern Cross Motorcycle Club over a period of 10 years. The Loan would only be taken out if Council and the Southern Cross Motor Cycle Club were successful in the grant application.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That in the event that Council and the Southern Cross Motor Cycle Club are successful in the Wheatbelt Development Commission’s Royalties for Regions Grant Scheme funding application for the Arena Cross Lighting Project, Council on behalf of the Motor Cycle Club commences advertising in accordance with Section 6.20(2) of the *Local Government Act 1995* that it intends raising a Self Supporting Loan for \$50,000 over a 10 year period on behalf of the Southern Cross Motor Cycle Club.

Voting Requirements

Absolute Majority

8/2010

Moved Cr Pasini Seconded Cr Kenward that in the event that Council and the Southern Cross Motor Cycle Club are successful in the Wheatbelt Development Commission’s Royalties for Regions Grant Scheme funding application for the Arena Cross Lighting Project, Council on behalf of the Motor Cycle Club commences advertising in accordance with Section 6.20(2) of the Local Government Act 1995 that it intends raising a Self Supporting Loan for \$50,000 over a 10 year period on behalf of the Southern Cross Motor Cycle Club.

CARRIED BY ABSOLUTE MAJORITY (6/0)

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Submission to:	Ordinary Meeting of Council – Friday, 15 January 2010
Agenda Reference:	7.8
Subject:	Hospital Charity Ball Committee – Request for Funding
File Reference:	7011
Author:	PR Clarke - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 January 2010

Background

Mrs Kelly Watts, Organiser/Secretary of the Hospital Charity Ball Committee, has written to Council advising that a group of people have established a Committee to organise a Charity Ball to be held on Saturday, 13 March 2010 to raise funds for the Southern Cross Hospital Auxiliary for the purchase of medical equipment at the Southern Cross District Hospital.

Mrs Watts advises that the Organising Committee are offering the following opportunity to those businesses/organisations that contribute financially to the event:-

- Acknowledgement of the Shire of Yilgarn at the event;
- All promotional products produced for the event will be embellished with the Shire of Yilgarn logo;
- A discounted ticket or table price will be established for major sponsors of the event.

Mrs Watts advises that in return, the Organising Committee is asking whether the Shire of Yilgarn would consider supporting the event by:-

- A monetary donation;
- Consider a \$ for \$ matching amount ie. The Shire agreeing to match the total amount raised by the Charity Ball;
- Provide prizes/gift vouchers for spot/door prizes;
- Donation of goods for a silent auction.

Comment:

Council contributed significantly to the Healthy Lifestyle Market Day fundraiser for the Hospital which included the taking out of special Public Liability insurance cover for the event, providing manpower for setting-up and providing free venue hire for the event.

Obviously this is also another worthy event and Council's contribution on this occasion could be the waiving of Hall hire fees and associated Bonds.

Statutory Environment

Nil

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Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advises the Hospital Charity Ball Organising Committee that Council will waive all Hall Hire fees associated with the Charity Ball to be held on Saturday, 13 March 2010 as its contribution towards this fundraising event.

Voting Requirements

Simple Majority

9/2010

Moved Cr Kenward Seconded Cr W Della Bosca that Council advises the Hospital Charity Ball Organising Committee that Council will waive all Hall Hire fees associated with the Charity Ball to be held on Saturday, 13 March 2010 as its contribution towards this fundraising event.

CARRIED (6/0)

DEPUTY CHIEF EXECUTIVE OFFICERS REPORT

Submission to:	Ordinary Meeting of Council - Friday 15 th January 2010
Agenda Reference:	8.1
Subject:	Accounts for Payment
File Reference:	4132
Author:	Vivienne Murty - Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 th January 2010

Background

Municipal Fund – Cheque Numbers 34437 to 34539, totalling \$327,493.38, Municipal Fund – Cheque Numbers 918 to 923, totalling \$104,460.30, Trust Fund – Cheque Numbers 401849 to 401849, totalling \$900.00 and Trust Fund – Cheque Numbers 5651 to 5653 (DoT Licensing), totalling \$80,919.60 are presented for endorsement as per the submitted list.

Statutory Environment

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

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Policy Implications / Delegation Register

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

Financial Implications

Reduction to Bank Accounts balances.

Strategic Implications

Nil.

Voting Requirements

Simple majority.

Recommendation

That Council endorse the accounts covered by Municipal Fund - Cheque Numbers 34437 to 34539 totalling \$327,493.38, Municipal Fund - Cheque Numbers 918 to 923, totalling \$104,460.30, Trust Fund - Cheque Numbers 401849 to 401849, totalling \$900.00 and Trust Fund - Cheque Numbers 5651 to 5653 (DoT Licensing), totalling, \$80,919.60 as per the submitted list.

10/2010

Moved Cr Auld Seconded Cr Pasini that Council endorse the accounts covered by Municipal Fund - Cheque Numbers 34437 to 34539 totalling \$327,493.38, Municipal Fund - Cheque Numbers 918 to 923, totalling \$104,460.30, Trust Fund - Cheque Numbers 401849 to 401849, totalling \$900.00 and Trust Fund - Cheque Numbers 5651 to 5653 (DoT Licensing), totalling, \$80,919.60 as per the submitted list.

CARRIED (6/0)

MANAGER OF WORKS REPORTS

Submission to:	Ordinary Meeting of Council January 15 th 2010
Agenda Reference:	Works 9:1
Subject:	Driver Reviver Caravan
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	12818
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	7th January 2010

Comment

A successful Driver Reviver campaign was once again run in Southern Cross over the 2009 Christmas Period. The Driver Reviver campaign was run in conjunction

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with the Health Agencies of the Yilgarn (HAY committee), Road Wise committee and Shire of Yilgarn on Wednesday 23rd, Thursday 24th, Monday 28th, Thursday 31st December and 3rd January. The Driver Reviver Van was manned for 42 hours over this period.

The Driver Reviver caravan was located on the premises of Bernie's Mobile Mechanic Services. Mr. Bernie Dorazio, the proprietor of Bernie's Mobile Mechanic Services also made available at no cost, power to run the fridge/hot water urn and amenity rooms for travelers taking advantage of the Driver Reviver campaign.

The Health Agencies of the Yilgarn (HAY committee) through Mrs. Pat Dal Busco organized volunteers and rosters for the running of the Driver Reviver campaign. Eighteen members of the Yilgarn district generously gave up their valuable time to assist with the running of this campaign: Margaret Harrison, Olwen Beaton, Bev Guerini, Faye Guerini, Lance Dixon, Pauline Eiffler, Jane and Romolo Patroni, Jillian Smylie, Blair Rochford, Rolly Blair, Del Van Mielo, Pat Dal Busco, Dianne Della Bosca, Malcolm Teale, Carla Della Bosca, Lynne Guerini and James Dorazio.

Over the 42 hour period the Driver Reviver campaign was running, a total of 98 vehicles stopped with drivers and passengers taking advantage of refreshments and hospitality offered by volunteers manning the van and the amenity rooms made available by Mr. Bernie Dorazio.

Correspondence has been forward to Mr. Bernie Dorazio (Bernie's Mobile Mechanic Services) and Mrs. Pat Dal Busco (Health Agencies of the Yilgarn) thanking them for their much appreciated involvement in the Driver Reviver campaign both through the organizing of volunteers and the use of amenity rooms and area for the set up of the Driver Reviver Van.

RECEIVED

MANAGER OF ENVIRONMENTAL HEALTH AND BUILDING REPORTS

Submission to:	Ordinary Meeting of Council - Friday 15 th January, 2010
Agenda Reference:	10.1
Subject:	Planning Application - Install New Telecommunication Tower and Associated Equipment
Location/Address:	Location 638 Liddell Road, Moorine Rock
Name of Applicant:	Daly International - Maria Engelbrecht
File Reference:	4124
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th January, 2010

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Background

Council has recently received a planning application from Daly International on behalf of Optus Mobile Pty Ltd (Optus) to install a new 80 metre high guyed lattice mast tower and antennas, plus a new 7.5 square metre equipment shelter with associated equipment within an 11m x 6m fenced compound on Location 638 Liddell Road, Moorine Rock. There will be 3 panel antennas (each 2.7m long), 1 x 1.2mm parabolic antenna, and 1 x 1.8 parabolic antenna installed on the tower initially, with another 6 panel antennas to be installed sometime in the future. A new satellite dish on ground may be installed if required. This installation is to extend Optus' service area for mobile telephones.

Optus will lease the required 66 square metre area plus access track from the land owner, Mr Graham Maddock. Access will be via Liddell Road onto the Road No 15137 which is a semi-railway service road as it follows the standard gauge railway line for a section of the railway line, with the access track off this road to the new compound (approximately 65 metre long track).

See attached covering letter, plans and specifications, and location map.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 Location 638 Liddell Road is zoned "Rural". Under the Town Planning Scheme a telecommunication facility installation as a land use has an 'AA' symbol and requires Council's approval.

The proposed installation will be on farming land, setback approximately 65 metres from Road No 15137, and situated in the north-west corner of the lot in a small section of bush land that is semi-cleared of vegetation.

The site is approximately 600 metres west-south-west of the Moorine Rock Railway Station, approximately 700 metres west-south-west of the Moorine Rock CBH bins, and approximately 1350 metres west of the nearest dwelling.

From the supplied radio wave emissions report it is estimated that the cumulative EME level at 1.5m above ground level at a distance of 300-500 metres from the antennas is estimated to be 0.021% of the recommended standard public exposure limit. Thus the proposed installation is not expected pose any health risk to people working/living within the general view of the tower.

The new installation will also have no significant visual or environmental impact.

The proposal is not defined as a low impact facility pursuant to the Telecommunications (Low-impact Facilities) Determination 1997 (as amended) and therefore, is subject to the provisions of the Planning and Development Act 2005 and the provisions of the Shire of Yilgarn Town Planning Scheme No 2. Thus planning approval from Council is required for this installation to proceed.

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Policy Implications

Nil

Statutory Requirements

Compliance with the Planning and Development Act 2005 as amended, and the Shire of Yilgarn Town Planning Scheme No 2.

Financial Implications

Nil

Recommendation

That Council grants planning approval to Daly International for Optus Mobile Pty Ltd to install an 80 metre high guyed lattice tower with various antennas attached, a possible future on-ground satellite dish if required, and a 7.5 square metre transportable equipment shelter within a 66 square metre fenced compound to be situated in the north-west corner of Location 638 off Liddell Road, Moorine Rock.

Voting Requirements

Simple Majority.

11/2010

Moved Cr Pasini Seconded Cr Kenward that Council grants planning approval to Daly International for Optus Mobile Pty Ltd to install an 80 metre high guyed lattice tower with various antennas attached, a possible future on-ground satellite dish if required, and a 7.5 square metre transportable equipment shelter within a 66 square metre fenced compound to be situated in the north-west corner of Location 638 off Liddell Road, Moorine Rock.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday 15 th January, 2010
Agenda Reference:	10.2
Subject:	Proposed Council Policy - Swimming Pool Facility Usage
Location/Address:	Southern Cross Public Swimming Pool - Pt Lot 5 Corner Antares & Canopus Streets, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	4020
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th January, 2010

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Background

I refer to motion 283/2009 from the Ordinary Council Meeting held on 18th December 2009 which stated:-

“That the CEO and Manager for Environmental Health & Building develop a policy for presentation to Council at its January 2010 Ordinary meeting on the operational management of the Southern Cross Swimming Pool.”

Comment

In consultation with the two Shire Swimming Pool Managers, Mrs Sandra Ciabbarri & Mrs Margaret Pasini, the Chief Executive Officer and Manager Environmental Health & Building Services have developed a proposed policy titled “Swimming Pool Facility Usage” to cover all current usage of the Southern Cross Public Swimming Pool facility. The proposed policy has been developed for inclusion in the Council Policy Manual.

Attached is a copy of the proposed policy.

Copies of the proposed policy were given to members of the Yilgarn Amateur Swimming Club for its information and input on 6th January 2010. Due to the short space of time between receiving the proposed policy and writing this report the Swimming Club have not provided any comments at this time.

Policy Implications

If Council accepts the proposed policy and adopts it, it will be added to the Council Policy Manual.

Statutory Requirements

Nil

Financial Implications

Nil

Recommendation

That Council adopts the proposed policy titled “Swimming Pool Facility Usage” for inclusion in the Council Policy Manual.

Voting Requirements

Simple Majority.

12/2010

Moved Cr Kenward Seconded Cr W Della Bosca that Council adopts the proposed policy titled “Swimming Pool Facility Usage” for inclusion in the Council Policy Manual.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Friday 15 th January, 2010
Agenda Reference:	10.3
Subject:	Building Licenses Issued Between 10/12/09 and 7/1/10
File Reference:	13201
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th January, 2010

Background

For Council's information, below is a summary of the Building Licenses issued for the Shire of Yilgarn between 10/12/09 and 7/1/10.

Licence No	Owner	Address	Builder	Description of Building Work	Area m2
14/0910	Owner of Land: Shire of Yilgarn Occupier Facility: Yilgarn Bowling Club Inc PO Box 94, SOUTHERN CROSS	Lot Reserve 23715 Lots 49 & 50 (H/No 52) Cnr Antares & Canopus Sts, SOUTHERN CROSS	Yilgarn Bowling Club Inc Members PO Box 94, SOUTHERN CROSS	Erect a new steel frame with shade cloth material roof and wall – for bowling green shade structure	10.200
15/0910	Jason Wallis 66 Spica Street SOUTHERN CROSS	Lot 131 (H/No 66) Spica Street, SOUTHERN CROSS	Owner/Builder	A new steel and Zinalume sheeting roof and wall Shed	73.500
16/0910	JE & MAM Forrester PO Box 17, SOUTHERN CROSS	Lot 47 (H/No 10) Spica Street, SOUTHERN CROSS	Owner/Builder Manufacturer of Retaining Wall Sections: Dalwallinu Concrete Cnr Huggett Drive & Garland St,	To remove old east side boundary link mesh fence & timber log retaining wall, and install 'L Block' sections for retaining wall and erect new fence above	14.400

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			DALWALLIN U	retaining wall	
17/091 0					

No Demolition Licenses were issued during this same period.

Statutory Requirements

Compliance with the Building Regulations, Building Code of Australia as amended from time to time, and the Shire of Yilgarn Town Planning Scheme No 2.

RECEIVED

IGA SOUTHERN CROSS

Council requested the Manager for Environmental Health & Building Services to investigate IGA discharging waste water onto the footpath at the side of their premises in Achernar Street. Council also requested the MEHBS to request the owners of IGA to solve the problem of the leaking air conditioner at the entrance to the IGA Butcher Shop forthwith.

CLOSURE

There being no further business to discuss, the Shire President declared the meeting closed at 3.45pm.

I, Peter Romolo Patroni confirm the afore Minutes of the Meeting held on Friday, 15th January 2010 are confirmed as a true and correct record of that meeting on Friday, 19th February 2010.

Cr Romolo Patroni
SHIRE PRESIDENT