

SHIRE OF YILGARN
MINUTES - ORDINARY MEETING OF COUNCIL
Friday, 18th MARCH 2011

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held at Mt Hampton Hall, Mt Hampton Friday, 18th March 2011.

PRESENT

Cr P R Patroni, Shire President

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

Council Officers: J Sowiak, Chief Executive Officer
 V Murty, Deputy Chief Executive Officer
 R J Bosenberg, Manager for Works
 W J Dallywater, Manager Environmental Health & Building
 K Hastie Director Westonia Operations
 J Merrick Project Officer

The meeting was declared open for business at 2.00 pm.

PUBLIC QUESTION TIME

Several of the Mt Hampton Community stayed for the duration of the meeting and the Shire President encouraged the residence to ask questions throughout the meeting:

L Kent, D Eiffler, W Eiffler, H Harvey, T & J Pope, V Brennand, L Rose, S Rose
M Goodhill, W Steel, P Oetiker, K Kent and G Kent.

Mr Pope addressed council and explained that the Mt Hampton Progress Association had recently written to Council advising them of two issues; firstly, the money received under the Community Funding Program back in 2006/07 had not been spent as yet and if it could be used for a different purpose, in particular getting mobile coverage in the Mt Hampton area. Secondly, if Council would consider installing air-conditioning in the Mt Hampton Hall.

The CEO responded to Mr Pope's questions by saying that the funds could be re-directed to a different purpose e.g. towards the air-conditioning of the hall, as in the short-term this issue could be achieved. He requested that Mr Pope speak to Miss Dallywater to discuss air-conditioning requirements and then the project will be considered in the 2011/2012 budget deliberations.

The CEO explained that gaining mobile coverage in the area would be a bit more challenging, he expressed that he would address how Mt Hampton is a mobile black spot with Telstra's Regional Manager in Kalgoorlie and work towards rectifying the problem.

PRESENTATION - MR M REVEL, DEPT OF WATER

Mr M Revel advised Council of the funding opportunities available through the Dry Season Grants to be used towards purchasing additional water tanks, he requested that Council writes to him requesting that an application be submitted to the Agriculture Department.

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He also advised that the new facility at the Dulyalbin Bore has been completed, it is ready for landholders to use in dry seasons. He advised that Council and himself had visited the site prior to the meeting and explained the process of extractions and the use of the generator. He further advised that as there has been rain in recent months the generator will be removed and then returned prior to the next summer season.

In completing, he addressed the attending residence and advised them of additional grants available to landholders that can be used towards improvements to Dams, tanks bore and guttering. The Landholder will need to provide a payment of \$15,000 and the Department of Water will match it over a 10 year period.

APOLOGIES & LEAVE OF ABSENCE

Nil

DISCLOSURE OF INTEREST

- Cr Auld Declared an Interest in the CEO's Item 7.7 relating to the "State Barrier Fence Realignment".

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

46/2011

Moved Cr Kenward Seconded Cr J Della Bosca that the Minutes of the previous Meeting of Council held on Friday 18th February 2011, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

YILGARN YOUTH SPORT AND RECREATION ADVISORY COMMITTEE MEETING MINUTES

47/2011

Moved Cr J Della Bosca Cr W Della Bosca that the Minutes of the Yilgarn Youth Sport and Recreation Advisory Committee Meeting held Tuesday 8th March 2011 be received.

CARRIED (7/0)

WHEATBELT EAST REGIONAL ORGANISATION OF COUNCILS (WE-ROC) MINUTES

48/2011

Moved Cr Kenward Seconded Cr W Della Bosca that the Minutes of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held Wednesday 23rd February 2011 be received.

CARRIED (7/0)

BUSH FIRE OFFICERS ADVISORY COMMITTEE MEETING MINUTES

49/2011

Moved Cr W Della Bosca Seconded Cr D Pasini that the Minutes of the Bush Fire Officers Advisory Committee held on Monday 14th March 2011 be received.

CARRIED (7/0)

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TOURISM ADVISORY COMMITTEE RECOMMENDATION

(Note: Minutes to be moved at April Meeting)

50/2011

Moved Cr Pasini Seconded Cr Truran that council lists Calthrop as a declared pest plant in town sites, in an attempt to control the spread of the weed.

CARRIED (7/0)

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

The Shire President advised the following:-

- That he had met with Mr Tim Free and discussed the cost to Council every time the Doctor is called out to the Southern Cross Hospital. The Shire President explained that the shortfall was approximately \$300 for every visit. Mr Free advised that the Health Department will look at paying the shortfall, so that it is not worn by Council.
- That he had received a letter from Ms Brenda Noonan advising that she was undertaking a bicycle ride to raise funds for the Heart Foundation, her ride will bring her through Southern Cross on the 2nd April 2011. The Shire President requested that details of the ride should be publicised in Crosswords so that residents are aware of the fundraising event.
- That he and the CEO will be attending a Forum on the 12th of May 2011, which will highlight Minister Castrilli's vision of the future.
- That he had received a letter from Jennifer Collins regarding a Cricket Match being held in Bruce Rock on the 20th March 2011, where Minister Tuck Wouldron will be involved. He requested if Cr Auld could attend and be involved in the proceedings of the day.

Cr Kenward advised that he had attended the Windarling Community Reference Group meeting on the 17th March 2011.

In addition, he had attended the Hall Of Fame on the 5th March 2011 where Mr John Panizza and Violet Della Bosca were inducted into the Hall Of Fame. He explained that the day's events went off wonderfully, there was approximately 250 people who attended and Council staff were to be congratulated for their efforts as they did an excellent job in assisting with proceedings, setting up, food serving and cleaning up at the end of the day.

Cr W Della Bosca advised that he had attended a DOAC meeting in Merredin on the 14th March 2011.

In addition, he had met with Mr Terry Little from FESA and gone out to the Carina Minesite to inspect. He explained that the mine itself is in the Yilgarn

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Shire although the infrastructure is in the Shire of Coolgardie. He does not see a major fire risk at this stage, but in the event of a fire in the area the Yilgarn Bush Fire Brigade will be called on as Coolgardie have no Bush Fire equipment.

Cr Truran advised that she had attended a Southern Cross Daycare meeting on the 15th March 2011 and it appears that the centre is running well with a lot of interest from the community.

Cr Auld advised that he was not able to attend the "Hay, Grain, Sheep & Goats" meeting that was scheduled for the same day as the Council meeting.

Cr J Della Bosca advised that she had attended the Southern Cross Netball Association AGM on the 14th March 2011 and it appears that netball will be run on a Thursday evening this season on the indoor courts.

CHIEF EXECUTIVE OFFICER REPORT

Submission to:	Ordinary Meeting of Council - Friday, 18 th March 2011
Agenda Reference:	7.1
Subject:	Dry season assistance program
File Reference:	8.2.6.19
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	Friday, 16 January 2015

Background

The West Australian Government has provided funding to the Council to hold community functions that will build goodwill and encourage resilience at a time of serious drought affecting the region.

Comment

The funding of \$20,000 is being used to provide assistance to community events some of which have been specifically targeted by the Departments concerned whilst the bulk is to assist with local events. This grant has been supplemented with a grant of \$1,000 from the Lord Mayors Relief Fund and \$1,400 from the 'I swam in a Drought' project funding.

Events organised so far include pool parties and a community concert.

The first pool party was a great success with over 160 people involved funding covered the cost of a the free sausage sizzle and pool entry and these events have been identified as a good way to bring people , particularly children together.

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There are plans for a free entry to the pool in the last week of the season and on the day of the combined schools carnival to be held on March 25th.

There are also plans to hold a free breakfast on Sunday 27th March at Moorine Rock following the "Red Card for Rabbits and Foxes" weekend baiting and shoot .

There are plans for a community event at Mt Hampton to celebrate Bushfire awards presentation and meeting.

I am still waiting a response from local community groups keen to use the funds that are available to add value to their events by encouraging greater community participation.

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council receive the information.

Information received

Submission to:	Ordinary Meeting of Council – Friday, 18 th March 2011
Agenda Reference:	7.2
Subject:	Recreation Precinct Redevelopment
File Reference:	1.3.8.14
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	Friday, 16 January 2015

Background

The report details the progress that has been made to complete this project within the allocated funds that are available and within the time lines allowed. Council has authorised the CEO to call tenders for this project.

Comment

Council advertised for Tenders in the West Australian, Merredin and Kalgoorlie papers, as well as on the Council's web page and the local crosswords newsletter. Tenders Closed on Monday 28th February. The tenders

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were assessed by the CEO and MEHB in consultation with the consultant architect and discussed in detail at a meeting of Councilors and then the Recreation Committee on March 8th.

The recommended tenders have been selected so as to provide the best outcomes for the community and Council within the time frame and budget allowed.

Scope of Works:

The scope of works for the two tenders is:

01/2011: Design, supply and Construct an 8 rink artificial surface bowling green including fencing, shade, lighting and boundary works.

02/2011: Design, supply and erect a club house building for Tennis and Bowls in accordance with all aspects of the current BCA edition & overall schematic plan as available from the Architects. (Contractor must be a registered Builder) including landscaping etc.

Evaluation:

Part 1: Compliance:

The tender submissions were required to comply with the form and date for submission of tenders , any tenders that did not comply with the specification, conditions of tendering , site inspection (If required) time frame or submission of price schedule would be ruled ineligible.

Council received the following tenders:

Tender 01/2011 bowling green.

Six companies responded to the tender advertisement and in total 11 different tender submissions were received and one additional tender was submitted for both tender 01/2011 and 02/2011 as one project with two parts.

In all cases the Companies submitting alternative tenders also submitted compliant tenders.

In order of initial tender price the tenders were from :

- Evergreen WA Pty Ltd submitted two tenders.
- Robinson Build Tech
- Court Track and Field
- Surface Solutions
- Berry Bowling Solutions submitted four tenders
- Midcon Construction.

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All six companies submitted tenders that were eligible for consideration as they had met the procedural requirements and timelines and all were asked to provide explanation or additional information relative to tenders.

The selection criteria for this tender were:

Relevant Experience and Reputation	50%
Price	30%
Tenderer's resources & Availability	10%
Warranty Period and resources to remedy	5%
Contract Terms	5%

Analysis of Tenders received:

Summary:

A summary of tenders received and assessment is as follows:

Company	Rating	Price as Tendered (net GST)
Evergreen WA Pty Ltd submitted two tenders.	54%	323,421.82 332,512.73
Robinson Build Tech	44%	405,227.20
Court Track and Field	67%	409,374.54
Surface Solutions	Non Conforming	428,202.73
Berry Bowling Solutions submitted four tenders	79%	433,496.75 446,986.75 478,496.75 478,496.75
Midcon Construction.	44%	555,000.00

The only contractors that were worthy of further consideration are those with a rating of better than 50% and in this regard there were only three remaining tenders. The price differential for the three remaining tenders is \$118,000 with evergreen being the lowest and Berry Bowling Solutions being the highest.

However when considering price, Evergreen's tender did not consider the slope of the land or irrigation for watering of the green but did include 12 shelter and seat structures.

On request and after the close of tenders this Company submitted a revised tender including the retaining wall and irrigation of \$371,686. There is a question as to whether this revised tender can be considered and if the original tender complied with the specifications. The variation is not a minor variation, but a significant oversight being over 15% on price and one must

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question what else might have been missed that may lead to further variations on the tendered price.

The tender from Court Track and Field did not include a price for seating or shelters and they provided an additional cost of \$8,000 for covering pavers with synthetic grass to comply with the specification. Based on other tenders the cost of seating and shelter structure would be in the order of \$36,000. The comparable revised tender price would be in the order of \$453,374 which now makes this more expensive than the next lowest tender.

Berry Bowling systems Tender included all these matters in accordance with the tender specification. They also provided variations in terms of surfaces with prices starting at \$433,496 and up to \$478,496.75 depending on the use of Pro-master Super , Pro-master super cushion (Plus \$13k) , Dales Needle Pinched(plus \$45k) or Dales Pro-weave (plus \$45k).

The recommendation is that Berry Bowling System be selected as the successful contractor for this work based on the selection criteria identified.

Tender 01/2011 Bowling Green:

The following comments are provided in reference to the tender submissions received.

1. Evergreen (WA) Pty Ltd;

The Company submitted two tenders based on the use of Dry Max Pro 12mm Synthetic Grass. The first tender was for a 36.6m square bowling green and an alternate non-conforming tender using same surface but a slightly larger green being 38m by 38m.

Whilst the Company had submitted the lowest tender in subsequent discussion and emails with the Company it was established that the Company had not visited the site and had not allowed for the following:

- Slope of the land and the necessity to construct a retaining wall around the perimeter of the bowling green. The tender was prepared and submitted on the basis of a level cleared site.
- The alternate tender with a size of 38m would not fit within the area shown on the plan without substantial reduction in the size of the pathways etc.
- Neither tender submission included irrigation on the basis that the tendered surface treatment did not require irrigation. The tender specifications required irrigation for watering down of greens

The company subsequently submitted a revised tender to include a limestone wall retaining wall (\$28,092) and Irrigation system (\$25,000) and price of \$371,687.27 net of GST.

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Evaluation:

Relevant Experience and Reputation 30/50%

This section was rated down because whilst the company had relative experience in the area and did design and build bowling greens the failure to read the specifications, consider issues such as land slope and drainage plan size etc were detrimental to further consideration. Favourable written references were provided as well as nominated referees.

Price 10/30%

Whilst the initial tender was lowest of those received the failure to address issues in the specifications and site location were detrimental to further consideration. The subsequent revised tender taking into account matters such as slope of land etc arrived after tenders closed and only after queries were raised by the Council.

Tenderer's resources & Availability 8/10%

The tender rated high on this area as the firm was able to commit to the timelines, is based in WA and has demonstrated the capacity to undertake the project if awarded.

Warranty Period and resources to remedy 5/5%

The Company rated high on this factor because it supplied built and installed the surface and provided a seven year warranty. As with the previous rating the Company demonstrated the capacity to address issues that may arise. Council would only be dealing with one company and not a second supplier warranty.

Contract Terms 1/5%

The company did not supply a contract for evaluation. It was assumed that the contract would be based on the tender submission and an order from Council.

Total Evaluation: 54/100

Conclusion:

The tender failed to address a significant cost aspect of the tender specification prior to the close of tenders and for that reason should not be considered further.

2. Robinson Buildtech;

The Company submitted a tender for the installation of Evergreen Dry-Max Pro utilising the services of sub-contractor Evergreen Synthetic Grass. The contractor was unable to advise in the first instance the actual synthetic grass that was to be installed and it was only after further inquiry that Council was advised that the product would be Dry Max pro.

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The Company provided references for building projects and did not provide a reference site for a bowling green project other than those undertaken by the sub-contractor. On further follow up, they identified only one project where they had worked with the sub-contractor and that was on a sports oval , not a bowling green. The company had not provided for a retaining wall under the fence in their tender stating on inquiry that this was not mentioned in the specifications. The drawings did not include a cross section of the green area however there was a detailed site plan which showed elevations across the site. With a fall of approx 80cm and a bowling green with a 20-30cm bank , unless they proposed to build a bowling green on a slope a retaining wall is required.

Evaluation:

Relevant Experience and Reputation **20/50%**

This section was rated down because the principal contractor did not have relative experience in the construction of bowling greens and relied on the sub-contract Evergreen Synthetic Grass who had been rated down due to matters raised in their separate tender. The tender also did not make provision for irrigation. Council was unable to check references for similar projects where both the Company and its sub-contractors have undertaken the work.

Price **15/30%**

Whilst the initial tender was second lowest of those received it suffered from its reliance on its subcontractor Evergreen Synthetic Grass. The price did not include irrigation for the Dry Max Pro surface and an additional cost of \$35,901.20 was submitted for the construction of the retaining wall.

Tenderer's resources & Availability **5/10%**

The tender rated low on this area as the firm whilst able to commit to the timelines and is based in WA, is reliant on an unrelated company to undertake a significant part of the work.

Warranty Period and resources to remedy **3/5%**

This factor was discounted due to the reliance on the sub-contractor to provide warranty on the works not with standing that the Company provided warranty on the construction. In the event of an issue Council would be dealing with two organisations.

Contract Terms **1/5%**

The company did not supply a contact for evaluation. It was assumed that the contract would be based on the tender submission and an order from Council.

Total Evaluation: 44/100

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Conclusion:

The company did not have significant direct experience in constructing Bowling greens and relied heavily on the sub-contractors for warranty and a significant component of the construction, this detrimentally impacted on the assessment. The variation to tender also impacts on further consideration.

3. Court Track and Field

The firm is based in WA and has a well established reputation and experience with the construction of Bowling greens. Whilst there is a sub-contractor involved in laying the surface, there is a strong involvement of both the company and the sub-contractor in the undertaking of the works. The tender did not include the cost of shade and seating and provided for pavers instead of synthetic grass on the surrounds. These issues required clarification and impacted on the comparative price assessment.

Evaluation:

Relevant Experience and Reputation 40/50%

This section was rated down because of the failure to address some issues identified in reference checks as well as the use of a sub-contractor for the laying of the synthetic grass surface.

Reference checks:

This company constructed the Bruce Rock Bowling green and a reference check indicated that everyone was happy with the tender and works. A reference check of Dudley Park Bowling Club indicated that the Company had replaced four of their grass greens over a period since 2000 with the first on 2000. There were issues with drainage and hardness of their surface in the first older greens however this was addressed in the subsequent use. The green constructed last year started with a speed of 10/12sec which has been played in, rather than rolled and is now at 14/15sec. They indicated that the company is a good company to deal with as evidenced by the fact they have four separate contracts since 2000.

Price 15/30%

The tendered price did not include the provision for shade and seating or synthetic grass over the bank surrounds as per tender specifications.

Tenderer's resources & Availability 8/10%

The tender rated high on this area as the firm was able to commit to the timelines, is based in WA and whilst using a sub-contract for the installation of the synthetic turf, has a well established relationship with the sub-contract involved in a number of similar projects.

Warranty Period and resources to remedy 3/5%

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This factor was discounted due to the reliance on a third party to provide warranty on the surface and only providing a two year warranty on the base.

Contract Terms

1/5%

The company did not supply a contact for evaluation. It was assumed that the contract would be based on the tender submission and an order from Council.

Total Evaluation: 67/100

Conclusion:

The failure to provide synthetic grass over the mound is not a significant variation and whilst the company did not submit a price for seating and shelter they did not overlook this item in their tender, making a comment of their preference to discuss requirements with Council rather than submit a price for what they assumed would be required.

The company has since advised that the synthetic grass over the mound would add \$8,000 to the original price and based on comparable prices from other tenders the cost of seating and shelters would be in the order of \$36,000. If we add this to the original price, then it is variation of \$42,000 which is approximately 11%.

The company has significant direct experience in constructing Bowling greens and is worthy of further consideration.

4. Surface Solutions

The firm is based in WA and has undertaken a number of similar projects in WA. However the tender response was poorly constructed with significant issues to be resolved. In particular the tender was for a 40metre square rink when the specifications called for a 36.6m approx square rink. A 40m rink would not fit on the site without significant changes to the layout.

Similarly the tender response referred to drainage to be connected to the drainage line and the provisions of a black PVC coated 2000m high fence when the specifications called for connection to drainage and a 1.5m approximately tube pool fencing with round top.

There is also a reference in the tender proposal which suggests that there may be some confusion over location, for example a comment that "our product will cover the facing and top of old ditch wall", when none exists.

The tender did not include irrigation, seating or shelter.

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Conclusion:

The Tender submission was ruled as being non-conforming and not worthy of further consideration.

5. Berry Bowling Systems

Berry Bowling Systems is a Victorian based company with considerable experience in the design, construction and installation of Bowling greens boasting that they have designed , constructed and installed over 300 bowling greens in Australia and overseas including approximately 15 in western Australia. They are currently constructing new Bowling greens in Kalgoorlie. They offered four different surfaces for consideration with different prices relative to the type of surface required.

Evaluation:

Relevant Experience and Reputation **40/50%**

The company is based in Victoria and has a solid reputation for the construction of bowling greens.

Included with the tender submission was a test report dated 8th February 2011 from an independent organisation Sports Turf on the Pro Master Super synthetic surface at the Kew Heights Bowling club installed in May 2005. The report indicated that the surface complies with the World Bowls Performance Standard for synthetic bowling greens.

Reference Checks:

A random reference check of Golden Plains Shire in Victoria confirmed that they have used BBS three times to construct greens on three separate locations and offered a favourable reference.

The company provided four reference sites for Pro-Master Cushion and Four reference sites for Pro-Master super. All sites contacted made positive comments in relation to the company and the work undertaken and all indicated that they would use the company and the product again.

After some searching I eventually did find a couple of sites where they have had problems. One such site was in Victoria at the Dimboola Bowls Club where the company sub-contracted the base construction to a third party. This contractor is no longer working with the company as the final surface had problems with remaining level. A contributing factor was the prevalence of reactive soils.

I was advised that the company took a keen interest in rectifying the problem. They responded to the Clubs Concerns and nine months after installation they lifted the surface, made changes to the base and reapplied the surface. They have regularly returned to the club since to check levels and have worked

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with the club to ensure that the issues can be rectified. Whilst this was one example where things did not go as planned, it was a good reference in that it reflected the Companies concern for reputation and preparedness to address issues that may arise, even 18 months after installation. It was also important to note that the Club representative indicated that despite the problems they experienced, they would not hesitate to use the company again.

In terms of surface conditions and drainage, I queried all of the reference sites concerning flooding and stormwater events that had occurred across Victoria and how the new greens stood up to the deluge.

All responded with comments to the effect that even after being 10-20cm under water during storm events within an hour of the water subsiding the greens were playable. A fairly good indication that drainage is critical to the success of the construction.

Price **25/30%**

The tendered price included all aspects of the tender specification and this factor was only discounted because some inclusions could have been described in better detail and there was a minor error in the addition of the details in the tender.

Tenderer's resources & Availability **8/10%**

The tender rated high on this area as the firm was able to commit to the timelines and is undertaking all aspects of the design, construction and installation.

Warranty Period and resources to remedy **5/5%**

The firm provided a warranty in excess of the specifications.

Contract Terms **1/5%**

The company did not supply a contact for evaluation. It was assumed that the contract would be based on the tender submission and an order from Council.

Total Evaluation: 79/100

Conclusion:

The company has significant direct experience in constructing Bowling greens and is recommended as the preferred tender for this work. The Company submitted four different surface configurations with price differentials as indicated in the report. The lowest price was for Pro Master Super and this meets all the requirements of the tender. If the members of the Bowling club would prefer an alternative more expensive surface treatment and are prepared to meet the cost difference, then Council should accede to that

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request. Accordingly the lowest of the tenders submitted by Berry Bowling Systems is recommended for acceptance on that basis.

6. Midcon (Midland Constructions)

The Company submitted a tender for the installation of a product supplied and installed by Evergreen Synthetic Grass. It was assumed that the product was Dry Max Pro. The Company provided references for building projects and did not provide a reference site for a bowling green project other than those undertaken by the sub-contractor.

It was apparent that the contract did not provide for any retaining wall surrounding the Bowling Green as was the case with Evergreen Synthetic Grass however this is yet to be clarified with contractor; the tender was evaluated on assumption that this was included.

Evaluation:

Relevant Experience and Reputation **20/50%**

This section was rated down because whilst the principal contractor did not had relative experience in the construction of bowling greens and relied on the sub-contract Evergreen Synthetic Grass who had been rated down due to matters raised in their separate tender. The tender also did not make provision for irrigation. Council was unable to check references for similar projects where both the Company and its sub-contractors have undertaken the work.

Price **15/30%**

Whilst the initial tender was second lowest of those received it suffered from its reliance on its subcontractor Evergreen Synthetic Grass. The price did not include irrigation for the DRY Max Pro surface.

Tenderer's resources & Availability **5/10%**

The tender rated low on this area as the firm whilst able to commit to the timelines and is based in WA is reliant on an unrelated company to undertake a significant part of the work.

Warranty Period and resources to remedy **3/5%**

This factor was discounted due to the reliance on the sub-contractor to provide warranty on the works not with standing that the Company provided warranty on the construction. In the event of an issue Council would be dealing with two organisations.

Contract Terms **1/5%**

The company did not supply a contact for evaluation. It was assumed that the contract would be based on the tender submission and an order from Council.

Total Evaluation: 44/100

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Conclusion:

The company did not have significant direct experience in constructing Bowling greens and relied heavily on the sub-contractors for warranty and a significant component of the construction, this detrimentally impacted on the assessment.

Tender 02/2011 Tender for New Club House;

Council received four tenders for this work from three companies a summary of the tenders received in order of price is:

Building Company	Tender as submitted (Net GST)
Midcon (Midland Constructions)	1,900,000.00
Gavin Construction	2,099,630.00
Robinson Buildtech.	2,231,616.95

Included in the tender submission was \$168,400 in provisional sums in addition to the tendered price and any PC items included in their tender.

The evaluation of these tenders will be the subject of a separate late report to Council.

Statutory Environment

Local Government (Functions and General) Regulations 1996 tendering provisions.

Policy Implications

Nil

Financial Implications

This project has been the subject of considerable discussion and at the present moment the following funds are available to meet the cost of this project;

Recreation Facility Reserve	1,413,300 (this includes \$305,000 R4R 0809)
Add Royalties for region 10/11	446,300 (Approved Funds)
Add DSR funding (Payable 2011)	<u>500,000</u> (Approved Funds)
Total cash and grants available	2,359,600

Based on the tenders received it is estimated that the total cost of the project would be between \$2.4m and as high as \$2.7m. Council needs to allow for the demolition, clearing, provisional cost items, administration, supervision of the project and any contingencies. On that basis Council will need at least \$2.7 to \$3m to complete the project.

Council may be entitled to a grant from Royalties for region for 2011/2012 however the exact amount is not known; therefore Council would have to

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provide an allocation from the 2011/12 budget of \$300,000 to \$600,000 from other sources.

Staff have already identified an area of saving in relation to road works in changing from asphalt to emulsion surfacing and there maybe other similar savings which would not impact on the overall quality of the finished product. Whilst there is some room to negotiate in relation to the tender submissions, significant savings are unlikely, given the tenders received and the breakdown of the tender bid.

For example there is no one item that is several hundred thousand dollars higher than others. If anything history would suggest that projects tend to be more likely to increase in cost than to decrease.

If Council received the same allocation for Royalties as in 10/11 then there would only be a shortfall of around \$150,000 in the highest case tender scenario.

Naturally, this is on the assumption that Council will not have to fund any furniture or related fit out of the club rooms on completion. There is also no provision for any work to be done on the remaining tennis courts lighting or surface.

Council must expend the balance of the R4R grant from 08/09 before 30th June, 2011 to qualify for a grant in 2011/12 and this is only likely if Council commits to undertake contract negotiations with a successful tender at this meeting.

Council has the financial capacity to fund the project from other reserve funds, by way of internal loan, without the need to resort to external borrowings and on that basis it is recommended that Council proceed with the acceptance of tenders.

It is therefore recommended that the project proceed on the basis of the tenders submitted subject to variations as indicated in the report.

Recommendation

That Council enter into a contract with Berry Bowling Systems Pty Ltd for the construction of a synthetic turf bowling green in Southern cross.

That Council agree to vary the type of surface to be installed in accordance with the contract with Berry Bowling Systems subject to the differential cost being met by the Bowling Club.

That Council enter into a contract with (to be advised) for the construction of a New Clubhouse in Southern Cross.

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That Council authorise the CEO in consultation with the MEHB to negotiate the final terms and conditions of the contracts for the construction of the bowling green and club house and any variations as required prior to and during construction.

Voting Requirements

Absolute Majority

REASON FOR AMENDMENT TO RECOMMENDATION

The CEO tabled a report from MCG Architects concerning the evaluation of Tenders for the construction of the new clubhouse and recommended that council utilise the services of Midcon Construction for the project as the preferred contractor based on price and capability. Cr Auld reported that the Bowling Club had met and discussed the project during the week and had decided that the members were happy to accept the Pro-Master Super synthetic surface as recommended in the CEO's report.

51/2011

Moved Cr Kenward Seconded Cr Truran that Council enter into a contract with Berry Bowling Systems Pty Ltd for the construction of a synthetic turf bowling green in Southern.

CARRIED BY ABSOLUTE MAJORITY (7/0)

52/2011

Moved Cr Kenward Seconded Cr W Della Bosca that Council enter into a contract with Midcon Constructions for the construction of a new Clubhouse in Southern Cross.

CARRIED BY ABSOLUTE MAJORITY (7/0)

53/2011

Moved Cr J Della Bosca Seconded Cr Truran that Council authorises the CEO in consultation with the MEHB to negotiate the final terms and conditions of the contracts for the construction of the bowling green and club house and any variations as required prior to and during construction.

CARRIED BY ABSOLUTE MAJORITY (7/0)

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Submission to:	Ordinary Meeting of Council - Friday, 18 th March, 2011
Agenda Reference:	7.3
Subject:	STATE BARRIER FENCE
File Reference:	1.6.17.2, 1.6.2.3
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	18 th March 2011

Background

The Shire of Yilgarn has joined with the Shire of Westonia to seek funding from the royalties for regions of \$2.9m to allow for the construction of a strategically significant missing section of the State Barrier Fence (SBF) to protect pastoral and grazing industries in the region from the impacts of wild dogs, emus and kangaroos.

Comment:

The SBF currently runs from the Zuytdorp cliffs north of Kalbarri down to Jerdacuttup, east of Ravensthorpe, encompassing most of the agricultural region of Western Australia to prevent the movement of Emus and Wild Dogs from the Southern Rangelands to the agricultural regions, however there are two significant gaps in the existing fence (Yilgarn and Esperance Shires)

Currently the majority of the fence is not built to a standard that will exclude Wild Dogs, its purpose is to manage periodic migrations of Emus from the Southern Rangelands to the state's agricultural regions. Wild Dog numbers have increased dramatically in the eastern agricultural and the southern rangeland regions of Western Australia since the early 1990's.

The two Council's recognise the significant impact that wild dogs, emu's and kangaroos have on the economy of the region and together with the Department of Agriculture and Food (DAFWA), propose a solution that involves the construction of 165kkm of fencing that will generate approximately \$4.4m in annual savings to primary industries in the South West region.

The 165kkm of new emu/dog fence will also protect the biodiversity of the Great Western Woodlands by maintaining an effective, non-lethal barrier for migratory animals. Clearing for the fence construction will also provide for wild fire interception, there by preserving the natural flora and fauna of one of the world's most ecologically significant regions.

The project involves a collaborative effort between the Local Governments of the region who will undertake construction of the fence and the Department

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of Agriculture and Food, Western Australia (DAFWA) who will provide the necessary materials, design and route for the fence.

DAFWA is applying to gain clearing permission for the entire Yilgarn fence and requires Council approval to enable the fence to be constructed along road reserves before DAFWA can apply for the clearing permits from DEC.

Given the timeline for approval of this project is imminent, the CEO has written to DAFWA granting such approval and seeks endorsement of that action by Council.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorse the Action of the CEO in granting approval to DAFWA to enable the new State Barrier Fence to be constructed along road reserves within the Yilgarn Shire.

Voting Requirements

Simple Majority

54/2011

Moved Cr J Della Bosca Seconded Cr Truran that Council endorses the actions of the CEO in granting approval to DAFWA to enable the new State Barrier Fence to be constructed along road reserves within the Yilgarn Shire.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday, 18 th March 2011
Agenda Reference:	7.4
Subject:	Merger Update
File Reference:	2.5.2.3
Author:	Jeff Sowiak Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 th March 2011

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Background:

This report is to provide Council and members of the community with an overview of the current status of the merger discussions with the Shire of Westonia and the activities that have been undertaken to date.

Comment:

The Council's of Westonia and Yilgarn have been working with each other on a number of joint projects for many years and have formalised this with a memorandum of understand to share resources and projects in 2008.

Subsequently the Department of Local Government released a report concerning the sustainability of local government into the future and this prompted a range of initiatives to encourage voluntary mergers of local governments.

Council's were invited to make submissions on the future of local government and the Shires of Westonia and Yilgarn identified a proposal to merge on 1st July 2012. This merger proposal was seen to be the best outcome for the two communities in the current environment and was predicated on the understanding that local identity and sustainability is preserved by each individual community, that efficiencies are increased through economies of scale, and that the State Government meets the costs of all expenditures incurred in the process.

As a consequence the Council has been allocated funding of \$1,426,800 to facilitate the merger, undertake the preparation of a strategic plan and an asset management plan. The funding from the government is conditional on the two Council's forming a Transition Group and proceeding with the merger.

The Transition group has been established and comprises all the members of the two Councils and meets every other month to discuss the progression of the merger.

The Council's have appointed a Joint Chief Executive Officer to oversee the two Council's and the implementation of the merger.

The projects that currently have been actioned are:

- Appointment of Project Officer to assist with coordination of activities and consultancies.
- The completion of a summary of the services currently being provided by the two Council's.
- The development of a communications strategy to inform the community about the changes and the process being undertaken.

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- The completion of community and staff surveys to assess the current community and staff satisfaction with the level of services and to identify services for expansion or improvement.
- Appointment of a consultant Financial Planner to :
 - Review the current financial arrangements and obligations of the Shires of Westonia and Yilgarn on a going concern basis to establish a baseline financial position for the newly merged Council on 1st July, 2012.
 - Develop an integrated chart of accounts, management reporting and budget structure for the newly amalgamated Council.
 - Develop a forward financial plan incorporating Department of Local Government requirements for long term strategic planning.
 - Assist with the preparation of a corporate and business plan for the new Council.
- Consultants have been engaged to provide a Rating Analysis Study to
 - Assess the current rating systems of each local government
 - Assess the rating capacity of each local government
 - Make recommendations on the appropriate rating approach to achieve rating parity for the proposed newly constituted Local Government.
- Council's policies and delegations have been reviewed and a summary of proposed new policies and delegations prepared for the new Council.
- Appointment of a HR consultant to develop training and organisational change management programs for the Council staff and Councillors in consultation with the CEO.
- The appointment of an industrial officer to work with the CEO, staff and staff advocates on the harmonisation of the two different organisational industrial structures with a view to establishing a common award structure and transition plan for the new Shire

Projects that are to be actioned over the next few months include;

- The development of an organisational structure for the new Council
- Address Telecommunications shortfalls to improve electronic communications between Westonia and Southern Cross
- Prepare a business plan outlining the services to be provided and the likely costs
- Prepare a Strategic plan for the new Council addressing the outcomes from community consultation , new organisational structure, financial planning , business plan and forward capital works plan.
- The development of an integrated asset management plan.
- The development of a common financial, budgetary, and integrated reporting framework for the new Council.

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- Address the Local Government Board and community consultation in relation thereto.

The funding from the Government will enable the existing Councils to address long term strategic issues in a comprehensive fashion and is greatly appreciated.

Statutory Environment:

Local Government Act 1995 and guidelines published by the Department for Local Government.

Policy Implications:

Nil in the current environment however policy may impact on future operational aspects of the new single Shire.

Financial Implications:

Funding for the Merger has been provided by the Department of Local Government.

Recommendation:

That the report be received.

Voting Requirements

Simple Majority

55/2011

Moved Cr W Della Bosca Seconded Cr Pasini that the report be received.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday, 18 th March 2011
Agenda Reference:	7.5
Subject:	NATURAL RESOURCE MANAGEMENT PROJECT OFFICER
File Reference:	7.2.1.17
Author:	Jeff Sowiak Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	Friday, 11 March 2011

Background

Council at its meeting in February considered a report from the Director Westonia Operations concerning the future of the shared NRM functions and noted the resignation of the current NRM Co-ordinator.

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Comment

The main activities of the NRM Officer include assisting farmers with tree planting programs through the Federal Government funded Caring For Our Country program. Funding for this program expires in 2012 and there is no guarantee that recurrent funding will occur.

Council at its meeting in February resolved to establish a working party comprising Councillors and offices from both Westonia and Yilgarn Shire Councils to consider and determine if we are to employ another NRM officer and the future direction for the NRM program. This decision was communicated to the Director Westonia Operations and attempts were made to set a date and time for such a meeting.

The Director has since advised the CEO that the Shire of Westonia is proceeding with the recruitment of a replacement NRM officer. This decision was made on the understanding that Yilgarn Shire is not committed to contribute to the cost of this new officer and is free to make its own arrangements.

The cost of the NRM officer is entirely funded from the Council's Municipal fund. Both the Councils have signed a Memorandum of understanding that requires the council to provide "in-kind" support for perennial farming systems targeting wind erosion in the Wheatbelt regions of WA. This 'in-kind' support was provided by the NRM officer.

It is the view of the CEO that the role of NRM officer is not a full time position and this was evident from the discussions with the officer. This prompted a suggestion to expand the role into new areas of endeavour and to increase the funding from the Council's municipal fund to cover these activities which include:

- Environmental Management system
- Tourism promotion
- Solar Power and water efficiency
- Tidy towns

One of the issues that has arisen in the current NRM role has been the lack of funding to undertake projects and this resulted in the officer being heavily involved in community promotional activities. I note that the Shire of Westonia has identified this as an issue and whilst keen to recruit a replacement officer has not addressed the underlying issue of providing funding for projects.

One outcome from this approach is that the new NRM Officer may be underutilised because of a lack of funding to undertake activities.

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Alternatively the two Council's working together as one merged Council in the future, would have to make provision for a substantial increase in funding for projects that will occupy the officer's time.

The purpose of establishing a meeting between representatives of both Council's was to discuss the issues and establish a clear role, function and funding for any future position.

I believe that there is still an opportunity for this discussion to occur, however it will require an approach to the Shire of Westonia perhaps seeking a deferment of the recruitment until the underlying role, function and funding for this position is established.

If unsuccessful in this regard then the Shire of Yilgarn would have to consider if it wants to be involved in a joint recruitment. One option to consider is an extension of the hours of the current Skeleton Weed Program Officer to cover NRM activities. The alternative is to accept that the officer will be appointed by the Shire of Westonia and the Shire of Yilgarn maintain funding at the current level (\$15,000 per annum).

Statutory Environment

Nil

Policy Implications

Nil

Strategic Implications

The outcome of this review of the priorities and funding of the NRM function is considered to be of significance in terms of the long term sustainability of the agricultural and social base of our community.

Financial Implications

The NRM function on the current budget for the Shire of Westonia is as follows:-

Income

NRM contribution Yilgarn Shire	\$15,000
Community Nursery Sales	\$ 2,000
Tree Planter Hire	\$ 1,000
NRM Contract Work	\$ 1,500
Funding Opportunities TBA	\$10,000
TOTAL	\$29,500

Expenditure

NRM Salaries	\$50,600
NRM Superannuation	\$ 6,900
NRM Workcover	\$ 1,000

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Nursery Operating Costs	\$ 2,000
NRM Contract	\$ 1,000
Projects TBA	\$10,000
Promotional Material	\$ 500
Noxious Weed Control	\$ 1,000
Wild Dog Contribution	\$ 6,000
Admin Allocation NRM	\$37,950
TOTAL	\$116,950

Shortfall \$ 87,450

In addition to the above expenses are costs associated with the motor vehicle and housing.

Recommendation

That this Council approach the Shire of Westonia seeking deferment of the recruitment process for the NRM position pending further consultation with the Shire of Yilgarn on the role, function and funding for any future position.

REASON FOR AMENDMENT TO RECOMMENDATION

Crs Auld, W Della Bosca and Kenward who were appointed by Council to meet with Westonia Shire representatives met to discuss the matter and recommended to Council:

- That the Shire of Yilgarn appoints their own NRM Officer
- That our Skeleton Weed Program Officer be appointed to a full-time position with part of her time being used for NRM activities.

The Councillors indicated that the afore-mentioned recommendation will be more beneficial to our ratepayers and will allow for a more holistic approach to NRM activities, as we feel that Skeleton Weed activities form part of the greater role of an NRM Officer. We also believe that by offering our Skeleton Weed Program Officer a full time position, we may secure a more permanent tenure to that position.

Recommendation

That the Shire of Yilgarn appoints their own NRM Officer, by way of appointing the Skeleton Weed Program Officer to a full-time position with part of her time being dedicated to NRM activities.

Voting Requirements

Simple Majority

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56/2011

Moved Cr Kenward Seconded Cr Auld that Council agrees to appoint a NRM Officer for the Shire of Yilgarn, by way of appointing the Skeleton Weed Program Officer to a full-time position with part of her time being dedicated to NRM activities.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday, 18 th March, 2011
Agenda Reference:	7.6
Subject:	SUPPORT FOR GRANT APPLICATION - MALLEEFOWL
File Reference:	7.2.1.7
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 11 th March 2011

Background

The Council was approached by the NRM project officer on behalf of the owners of Koorra Retreat for a letter of support for a grant application for funding from DEC to locate, protect and conserve mallee fowl in the Koorarawalyee water reserve.

Comment:

The application from the Koorra Retreat Centre Inc Volunteers and the Malleefowl Preservation Group was for an Environmental Community Grant for Biodiversity Conservation.

The project will enable the group to undertake survey and conservation works relative to the preservation of this significant endangered species.

The conservation significance of the project is high because recent sightings of new malleefowl in the Water Reserve indicates this is a new habitat for this threatened species, recovering after the Boorabbin bushfires of 2008 destroyed much of its habitat and nest sites.

This Reserve natural bush land, is situated within DEC-managed reserve and park, and contains a wetland at the eastern most extent of the Avon River Catchment. It has become the site for natural diversity recovery, which needs on-ground management for protection and conservation, with educational opportunities.

The project will involve the establishment of a nature Walk that transects the area in order to locate nests of new mallee fowl population in the Koorarawalyee Water Reserve. It will also provide for on-ground

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management of feral predators in the vicinity of these located nests, through the sensitive placement and baiting of 1080 meat and 1080 oats stations and removal of carcasses of cats, foxes and feral dogs.

As the application for funding was required to be submitted prior to Council meeting day and it was supported by the NRM officer, the CEO completed and submitted a letter of support and now seeks endorsement of that action.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorse the Action of the CEO in offering a letter of support for the funding application to DEC for the protection of the malleefowl populations in the Koorarawalyee water reserve.

Voting Requirements

Simple Majority

57/2011

Moved Cr Pasini Seconded Cr Kenward that Council endorses the action of the CEO in offering a letter of support for the funding application to DEC for the protection of the malleefowl populations in the Koorarawalyee water reserve.

CARRIED (7/0)

Cr Auld Declared an interest in Item 7.7 and remained in Chambers.

Submission to:	Ordinary Meeting of Council - Friday, 18 th March, 2011
Agenda Reference:	7.7
Subject:	STATE BARRIER FENCE REALIGNMENT
File Reference:	1.6.17.2, 1.6.21.3
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Thursday, 17 March 2011

Background

The Council has received a request from the Department of Regional Development and Lands seeking comments with respect to the creation of an

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easement on Unallocated Crown Land for the construction of the State Barrier Fence.

Comment:

The SBF currently runs from the Zuytdorp cliffs north of Kalbarri down to Jerdacuttup, east of Ravensthorpe, encompassing most of the agricultural region of Western Australia to prevent the movement of Emus and Wild Dogs from the Southern Rangelands to the agricultural regions, however there are two significant gaps in the existing fence (Yilgarn and Esperance Shires)

The alignment for the new fence includes areas of unallocated Crown Land around pastoral leases to the east of the exiting Emu Fence Roads. This section approximately 45km long will require the creation of a 20 metre wide reserve and the Department is seeking comments on the proposal

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise the Department of Regional Development and Lands that it has no objections to the creation of a reserve approximately 45km long and 20 metres wide for the construction of the State Barrier Fence

Voting Requirements

Simple Majority

58/2011

Moved Cr Truran Seconded Cr Kenward that Council advises the Department of Regional Development and Lands that it has no objections to the creation of a Reserve approximately 45km's long and 20 metres wide for the construction of the State Barrier Fence.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council - Friday, 18 th March, 2011
Agenda Reference:	7.8
Subject:	COMMUNITY CAR - HIRE RATES & CONDITIONS OF USE
File Reference:	6.4.1.4, 2.3.3.2
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Thursday, 17 March 2011

Background

Council has had a vehicle (Mitsubishi Magna) available for Community use in past years, council requested that the vehicle be returned as received in regards to being clean and with a full tank of fuel. It was seen that there was a need to replace the old vehicle with a new model Toyota Aurion (see Agenda Item 9.2) as it would be a more reliable option for long distant driving to Perth and other outer areas.

Comments

It is proposed that Council consider the adoption of hire charges and conditions of use of the community car.

Hire Rates (Excluding Fuel)

	Community	Reimbursed	Commercial
Cents per Kilometre (Plus Fuel)	15cents	25cents	35cents
Cleaning Charge (If Not Cleaned)	\$30.00	\$60.00	\$80.00
Subject to a Minimum Day hire rate	\$15.00	\$30.00	\$60.00

Conditions

The minimum daily rate is applicable for each day or part thereof that the vehicle is away on hire irrespective if being used and hirers must clean and refuel the vehicle.

Community (not for profit) hire is by an individual or community group who are using the vehicle for medical appointments, sporting functions, community meetings or similar community purpose.

Reimbursed is the rate that applies where the cost of the hire is recoverable by the individual or group from sources other than community donations. For example National sports group might reimburse travel costs.

Commercial hire is for any other purpose.

The rates quoted above do not include fuel. Receipts for fuel purchased are required to be submitted on return of the vehicle.

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Examples:

- 1** Trip to Perth for five days and returned cleaned and fuelled.
Kilometres Travelled 760 Km's
Hire four Days.

	Community	Reimbursed	Commercial
Charge would be	114.00	190.00	266.00

- 2** Car travelled to Westonia five days and returned cleaned and fuelled.
Kilometres Travelled 152 Km's
Hire five Days.

	Community	Reimbursed	Commercial
Charge would be	75.00	150.00	300.00

Recommendation

That Council adopts the hire charge rates and conditions of use for the Community Car to form part of the Shire of Yilgarn's Fees and Charges schedule.

Voting Requirements

Absolute Majority

59/2011

Moved Cr Truran Seconded Cr Kenward That Council adopts the hire charge rates and conditions of use for the Community Car to form part of the Shire of Yilgarn's Fees and Charges schedule.

CARRIED BY ABSOLUTE MAJORITY (7/0)

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DEPUTY CHIEF EXECUTIVE OFFICER

Submission to:	Ordinary Meeting of Council – Friday 18 March 2011
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th March 2011

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 enclosed and have been prepared as at the 28th February 2011:

- Statement of Financial Position
- Statement of Investments,
- Statement of Surplus,
- Amalgamation Financial Summary (prepared to 28/2/2011)
- Monthly Statement of Financial Activity
- Rates Receipt Statement (prepared to 8th March 2011)

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.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

Recommendation

That the various financial reports for the period ending 28th February as presented be received.

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60/2011

Moved Cr W Della Bosca Seconded Cr J Della Bosca that the various financial reports for the period ending 28th February 2011 as presented be received.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 18 March 2011
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th March 2011

Background

Municipal Fund – Cheque Numbers 36218 to 36299 totalling \$447,972.42, Municipal Fund – Cheque Numbers 978 to 982 totalling \$134,779.25, Trust Fund – Cheque Number 401908 to 401914, totalling \$2,894.45 and Trust Fund – Cheque Numbers 5717 to 5720 (DPI Licensing), totalling \$102,571.70 are presented for endorsement as per the submitted list.

Statutory Environment

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

Policy Implications / 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 36218 to 36299 totalling \$447,972.42, Municipal Fund – Cheque Numbers 978 to 982 totalling 134,779.25, Trust Fund – Cheque Number 401908 to 401914 totalling \$2,894.45 and Trust Fund – Cheque Numbers 5717 to 5720 (DPI Licensing), totalling \$102,571.70 are presented for endorsement as per the submitted list.

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61/2011

Moved Cr Auld Seconded Cr J Della Bosca that Council endorses the accounts covered by Municipal Fund- Cheque Numbers 36218 to 36299 totalling \$447,972.42, Municipal Fund - Cheque Numbers 978 to 982 totalling 134,779.25, Trust Fund - Cheque Number 401908 to 401914 totalling \$2,894.45 and Trust Fund - Cheque Numbers 5717 to 5720 (DPI Licensing), totalling \$102,571.70 are presented for endorsement as per the submitted list.

CARRIED (7/0)

Council adjourns for afternoon tea at 3.50pm and returns at 4.08pm
Mr K Hastie and Mr J Merrick did not return to the meeting

MANAGER FOR WORKS

Submission to:	Ordinary Meeting of Council – Friday 18th March 2011
Agenda Reference:	9.1
Subject:	Plant Replacement - Side Tipper Trailers
File Reference:	6.6.3.2
Author:	Robert Bosenberg – Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	10 th March 2011

Background

In accordance with Councils Plant Replacement Program tenders were invited to supply and deliver two tandem side tipping trailers and to trade, or the out right purchase (alternative tender) of Councils two current tri-axel side tipping trailers (*Howard Porter and Roadwest*).

The proposed trade trailers were purchased under Councils Plant Replacement Program in 1998 (*Howard Porter*) and 1999 (*Roadwest*) and are currently been utilized by council staff for gravel carting on Councils road network. It is expected, the replacement trailers will be carrying out similar functions.

A combined monetary allocation of \$200,000 (*GST Inclusive*) has been allowed for in Councils 2010/2011 Financial Year Budget for the change over of these trailers.

Comment

Specifications for the replacement tandem trailers are as follows:

Tipping Body	20m ³
Top Rails	Steel Rectangular (<i>hollow section</i>)
Body Front	5mm Hardox
Body Rear	5mm Hardox
Body Floor	5mm Hardox
Fixed Side	5mm Hardox
Door	5mm Hardox with Ribs

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Tipping Rams	two (2) only single stage double acting hydraulic rams externally mounted of suitable capacity
Tipping Door	double acting hydraulic rams to each end externally mounted
Rims and Tyres 9 per trailer (inclusive of one spare per trailer)	Bridgestone R187 11 R 22.5 tubeless
Hydraulics	all necessary lines and couplings to suite and to rear of each trailer for road train operations (hydraulic tipping and electric system must be compatible to councils existing prime mover)
King Pin	90mm removable type
Tow Hitch	Ringfeeder 50 mm rear mounted one per trailer
Spare Tyre Carrier	Dual swing
Landing Legs	JOST A400-T19 two speed manual winch
Suspension	BPW D36 heavy duty tandem airbag modules
Axles (two per trailer)	KH UNITISED disc brake, axles 10 stud
Water Tank	60 litre plastic type with tap one per trailer mounted
Toolbox	one per trailer (approx size 1000x500x400) mounted
Mudguard	spring tension type over tandem wheels
Lights	LED combination rear lights, LED side lights
Finish (finish)	Sandblasted, prime and painted in two pack finish colour white)

The following tenders were received (GST inclusive)

Bruce Rock Engineering (as per specification)

Supply and deliver and registration of two tandem axel side tipping trailers with tarps	\$212,150.00
trade of councils existing trailers	<u>-\$ 85,000.00</u>
Net change over	<u>\$127,150.00</u>

Howard Porter (as per specification)

Supply and deliver and registration of two tandem axel side tipping trailers	\$205,150.00
trade of councils existing trailers	<u>-\$ 59,000.00</u>
Net change over	<u>\$146,150.00</u>

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HamelexWhite *(as per specification)*

Supply and deliver and registration of two tandem axel side tipping trailers	\$229,941.02
trade of councils existing trailers	<u>-\$ 55,000.00</u>
Net change over	<u>\$179,941.02</u>

Durraquip *(as per specification)*

Supply and deliver and registration of two tandem axel side tipping trailers with tarps	\$212,300.00
trade of councils existing trailers	<u>-\$110,000.00</u>
Net change over	<u>\$102,300.00</u>

Coastal Transport Engineering *(as per specification)*

Supply and deliver and registration of two tandem axel side tipping trailers with tarps	\$196,130.00
no trade price offered	<u>\$</u>
Net change over	<u>\$196,130.00</u>

Park Motor Body Builders *(as per specification)*

Supply and deliver and registration of two tandem axel side tipping trailers with tarps	\$218,000.00
no trade price offered	<u>\$</u>
Net change over	<u>\$218,000.00</u>

Two Alternative Tenders *(outright purchase)* were also received:

P&D Guerini and Sons *(for one trailer only)*

Outright purchase Road-West Tri-Axel 350	\$27,500.00
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Country Nostalgia

Outright purchase Road-West Tri-Axel 350	\$15,000.00
Outright purchase Howard Porter Tri-Axel	\$15,000.00
Total for both trailers	<u>\$30,000.00</u>

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The net change over cost of the quotes submitted by both Bruce Rock Engineering (\$127,150) and Durraquip (\$102,300) is by far the better quotations received, with Durraquip's quotation been \$24,850 less than the quotation submitted by Bruce Rock Engineering, this is as a result of the high trade price been offered by Durraquip for the trade of councils existing trailers. Council staff has made enquiries about the reliability of the products produced by both Bruce Rock Engineering and Durraquip with favorable comments been received.

Through the enquiries made by council staff the high trade price offered by tendering companies for councils existing side tipping trailers is resulting from the high market demand for second hand trailers required for the increased iron ore mining activity currently occurring in the Pilbara area.

All trailers tendered are to specification and warranties offered by tendering companies are of similar nature.

Statutory Environment: *Tender Regulations*

Financial Implications: *A monetary allocation of \$200,000 (GST Inclusive) has been allowed for in Councils 2010/2011 Plant Replacement Program for the change over of councils two side tipping trailers.*

Strategic Implications: *Ten Year, Plant Replacement Program*

Recommendation

That Council accepts the tender submitted by Durraquip and trade its two current side tipping trailers for the tendered trade price of \$110,000 (*GST inclusive*), and purchase the two side tipping trailers as per the tendered specification submitted by Durraquip, for the change over cost of \$102,300 (*GST inclusive*)

Voting Requirements

Simple Majority

62/2011

Moved Cr W Della Bosca Seconded Cr Kenward that Council accepts the tender submitted by Durraquip and trade the two current side tipping trailers for the tendered trade price of \$110,000 (GST inclusive), and purchase the two side tipping trailers as per the tendered specification submitted by Durraquip, for the change over cost of \$102,300 (GST inclusive).

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 18 th March 2011
Agenda Reference:	9.2
Subject:	Replacement of the Community Vehicle – YL-152
File Reference:	6.4.1.4,
Author:	Robert Bosenberg – Manager for Works
Disclosure of Interest:	Not Applicable
Date of Report:	10 th March 2011

Background

Included in the 2010-2011 Revised Budget adopted at Councils February Meeting a monetary allocation of \$30,000 was included to allow for the change over of the Community Vehicle a 1999 Mitsubishi Magna Sedan.

The community vehicle was introduced some years ago by Council for the purpose of community groups, schools and council's representatives to have access to a vehicle to assist with traveling when attending meetings and functions outside of the Shire of Yilgarn area. The community vehicle is housed at council's depot.

Comment

Quotations were sought for the replacement of the Mitsubishi Magna Sedan with a similar type of motor vehicle from Donovan Ford, Merredin Toyota and Lewis Motors Merredin.

Donovan Ford (GST inclusive)

FG XT 4.0L Falcon Sedan, at a cost of \$30,527.20, with a trade price on the Mitsubishi Magna Sedan of \$1,500 resulting in a change-over cost of \$29,027.20

Merredin Toyota (GST inclusive)

Toyota Aurion ATX V6 Sedan, at a cost of \$29,800, with a trade price on the Mitsubishi Magna Sedan of \$1,800 resulting in a change-over cost of \$28,000

Lewis Motors - Merredin:

Holden VEB Omega 3.0L Sedan, at a cost of \$33,678.86, (*no trade*)

Summary:

As can be seen from the above quotes submitted, Merredin Toyota are the cheapest with the Toyota Aurion ATX V6 Sedan, at a change over cost of \$28,000 (*GST inclusive*).

Policy Implications

In accordance to Councils "Policy N^o 4.5 Purchasing-Quotes and Tenders" a purchase order has been issued to Merredin Toyota to purchase the Toyota Aurion ATX V6 Sedan.

Financial Implications

A Monetary allocation of \$30,000 has been allowed for in Councils 2010-2011 Financial Year Revised Budget adopted at Councils February 2011 meeting for the change over of the Mitsubishi Magna utilised by Council for a community vehicle

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Recommendation

That Council endorse the actions taken to replace the community car in accordance with Council Policy.

63/2011

Moved Cr Pasini Seconded Cr Truran that Council endorses the actions taken to replace the community car in accordance with Council Policy.

CARRIED (7/0)

MANAGER OF ENVIRONMENTAL HEALTH AND BUILDING REPORTS

Submission to:	Ordinary Meeting of Council - Friday 18 th March, 2011
Agenda Reference:	10.1
Subject:	Planning Application - Proposed New Extra Large Garage/Shed - Residential
Location/Address:	Lot 10 (H/No 12) Leo Street, Southern Cross
Name of Applicant:	Mr & Mrs G & J Kent
File Reference:	4.2.1.1
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	9 th March, 2011

Background

Mr & Mrs Gary & Josie Kent have applied for permission to erect a new 150 square metres (15.0m long x 10.0m wide x 3.5m wall height) garage/shed on the east side of the dwelling situated on Lot 10 Leo Street, Southern Cross. The proposed garage/shed will be setback approximately 11.2 metres from the front boundary, 11.5 metres from the rear boundary, and 750mm from the eastern boundary. Construction will steel frame, Colorbond sheeting walls and roof, and concrete floor. The purpose of the garage/shed is to house 2 personal cars, one vintage car, and a boat. See attached letter, proposed site plan, and location map.

Comment

Lot 10 Leo Street is zoned "residential" with a density rating of R12.5. A domestic garage or shed is a suitable land use for this zoning. However, the standard size for a garage, shed, carport, or patio is 60 m² with a tolerance of up to 64m² in area.

At the April 2009 Ordinary Council Meeting item 10.1 was "Planning Application - Proposed New Double Garage/Shed - Oversized" application by Mr & Mrs Phillip & Lorraine Smith for a 67.5 m² double garage or shed. While considering this application Council agreed to increase the tolerance to

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10m² above the standard in recognition that vehicles have increased in size and people have more possessions requiring storage.

Even with this increase in tolerance to 70m² in area, this application far exceeds this area by more than twice - 80m².

At the October 2008 Ordinary Council Meeting item 10.4 Council granted approval to Mr Phil Rafferty to erect a second-hand extra large shed of 145.140 m² in area (17.7m long x 8.2m wide x 3.3m wall height) at the rear of duplex units situated on his property of Lot 183 Spica Street, Southern Cross. This shed is required for the storage of building material and equipment as Mr Rafferty is a local builder.

The Kent's application is for a new garage/shed of 150.0 m² (15.0m long x 10.0m wide x 3.5m wall height).

Under clause 2.3.4 of the Residential Design Codes of Western Australia 2002 (R Codes) Council may exercise its discretion in considering an application that does not comply with the R Codes while stating the reason for approving the application.

Officer's Comments

I appreciate the Kent's position in that they have recently moved from a farm property where they had a lot of space into town and that they have a double lot of 1494 m² in area. The lot size is just under one and a half quarter acres. The majority of residential lots in Southern Cross are a quarter acre (1012 m²). I have concern with the total size of the building which is an "outbuilding" and should be minor in size compared to the dwelling which is the main building on a residential lot. In this instance the dwelling is 13m wide x 18m long (not including verandahs) and the proposed garage/shed will be 10m wide x 15m long. Allowing that a standard single garage is 3.6m x 3.6m (12.96m²), and allow that for a caravan or a boat you would need 3.6m x 5.0m (18.0m²) - then 3 vehicles x 12.96m² = 38.88 m² plus 1 boat x 18.0m² = 56.88 m². Allow some space for a workshop or additional storage of around 20m² then a shed of 80 m² would be an adequate size shed. Maybe up to 90 m² as a maximum could be approved, but not 150 m².

I also have concern with the positioning of the proposed garage/shed being only 11.2m setback from the front boundary and 750mm setback from the eastern boundary. Due to the size of the proposed garage/shed it will impact on any prospective development on the neighbouring property Lot 4 Leo Street.

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I would recommend that:-

- 1) the size of the building should be reduced to a size more appropriate to a residential lot, for example 10.0m long by 8.0m wide = 80.0 m² in area; and
- 2) the garage/shed is setback at least 1.0m from the eastern boundary, a minimum of 3.0m from the rear (northern) boundary, and at least 18.0m from the front (southern) boundary.

By moving the building further north it will allow someone to build a dwelling on Lot 4 where the majority of the dwelling is forward of this garage/shed and will allow for a better view from any windows on the west side of the dwelling. It is possible that the future owner of Lot 4 may wish to erect a garage/shed or carport on the west side of the dwelling and therefore the visual impact will be further reduce, however, we do not know the thoughts and plans of the future land owner. Council also wants to preserve the potential saleability of the lot.

If Council grants approval for this size garage/shed it needs to state the reasons for granting the approval and maybe place restrictions on the approval. The reason for granting this approval is that the shed will only be used for the storage of motor vehicles, and a boat, plus having an area to store surplus household items or to have a small workbench area.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2, and the Residential Design Codes of Western Australia 2002.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants planning approval to Mr & Mrs Gary & Josie Kent to erect a new Colorbond wall and roof clad garage/shed of up to 90 square metres in area on Lot 10 Leo Street, Southern Cross for the purpose of storing motor vehicles and a boat, plus having an area to store surplus household items or to have a small workbench area, on the condition that:-

- 1) the building is positioned on the lot having a minimum setback from the front (southern) boundary of 18.0m, minimum setback from the eastern side boundary of 1.0m, and a minimum setback from the rear (northern) boundary of 3.0m;
- 2) no commercial or industrial activity/business will be carried out from this building; and

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that this approval is given on the merits of the application and any similar application in the future will be assessed on its merits but not necessarily approved.

Voting Requirements

Simple Majority.

64/2011

Moved Cr Pasini Seconded Cr Auld that council grants planning approval to Mr & Mrs Gary & Josie Kent to erect a new Colorbond wall and roof clad garage/shed of up to 90 square metres in area on Lot 10 Leo Street, Southern Cross for the purpose of storing motor vehicles and a boat, plus having an area to store surplus household items or to have a small workbench area, on the condition that :-

- 1) the building is positioned on the lot having a minimum setback from the front (southern) boundary of 18.0m, minimum setback from the eastern side boundary of 1.0m, and a minimum setback from the rear (northern) boundary of 3.0m;*
- 2) no commercial or industrial activity/business will be carried out from this building; and*

that this approval is given on the merits of the application and any similar application in the future will be assessed on its merits but not necessarily approved.

CARRIED (6/1)

Submission to:	Ordinary Meeting of Council - Friday 18 th March, 2011
Agenda Reference:	10.2
Subject:	Planning Application - Proposed New Second-hand Extra Large Shed - Residential
Location/Address:	Lot 468 Altair Street, Southern Cross
Name of Applicant:	Mr John A Jealous
File Reference:	4.2.1.1
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	9 th March, 2011

Background

Mr John A Jealous has applied for permission to erect a second-hand 84.375 square metres (11.25m long x 7.5m wide x 3.3m wall height) shed in the rear yard of Lot 468 Altair Street, Southern Cross. The proposed shed will be setback 750mm from the side (southern) boundary and 15.75m from the rear (western) boundary. Construction of the proposed shed will be steel frame,

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Zincalume sheet walls and roof, and concrete floor, with one sliding door. The shed will be used for the storage of personal vehicles and surplus household items. The existing small shed at the rear of the lot will remain on-site. See attached site plan and location map.

Comment

Lot 468 Altair Street is zoned 'Residential' with a density rating of R10. A domestic garage or shed is a suitable land use for this zoning, however, the standard size for a garage, shed, carport, or patio is 60m² with a tolerance of up to 64m² in area.

At the April 2009 Ordinary Council Meeting item 10.1 was "Planning Application - Proposed New Double Garage/Shed - Oversized" application by Mr & Mrs Phillip & Lorraine Smith for a 67.5 m² double garage or shed. While considering this application Council agreed to increase the tolerance to 10m² above the standard in recognition that vehicles have increased in size and people have more possessions requiring storage.

Even with this increase in tolerance to 70m² in area, this application is a little larger being 84.375 m² in area.

At the October 2008 Ordinary Council Meeting item 10.4 Council granted approval to Mr Phil Rafferty to erect a second-hand extra large shed of 145.140 m² in area (17.7m long x 8.2m wide x 3.3m wall height) at the rear of duplex units situated on his property of Lot 183 Spica Street, Southern Cross. This shed is required for the storage of building material and equipment as Mr Rafferty is a local builder.

Under clause 2.3.4 of the Residential Design Codes of Western Australia 2002 (R Codes) Council may exercise its discretion in considering an application that does not comply with the R Codes while stating the reason for approving the application.

Officer's Comments

This is an existing shed built in 2000 to be relocated from Perth to Southern Cross. The shed is 14.375 m² larger than the tolerance of 70 m². The wall and roof cladding is Zincalume sheeting. The proposed positioning of the shed on the block in the rear yard is satisfactory.

My concerns would be in regards to possible reflected glare off the Zincalume sheeting to neighbouring dwellings and the fact that the shed size increases this likelihood.

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Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2, and the Residential Design Codes of Western Australia 2002.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants planning approval to Mr John A Jealous to construct a second-hand Zincalume clad shed in the rear yard of Lot 468 Altair Street, Southern Cross for the purpose of storing personal vehicles and surplus household items, with the proviso that the Manager for Environment, Health and Building give a visual approval of the structure once erected and any aesthetic improvements to be done as soon as practically possible. This approval is given on the merits of the application and any similar application in the future will be assessed on its merits but not necessarily approved.

Voting Requirements

Simple Majority.

65/2011

Moved Cr Pasini Seconded Cr W Della Bosca that Council grants planning approval to Mr John A Jealous to construct a second-hand Zincalume clad shed in the rear yard of Lot 468 Altair Street, Southern Cross for the purpose of storing personal vehicles and surplus household items, With the proviso that the Manager for Environment, Health and Building give a visual approval of the structure once erected and any aesthetic improvements to be done as soon as practically possible. This approval is given on the merits of the application and any similar application in the future will be assessed on its merits but not necessarily approved.

CARRIED (6/1)

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Submission to:	Ordinary Meeting of Council - Friday 18 th March, 2011
Agenda Reference:	10.3
Subject:	Proposed Excision of Mount Hampton Dam from Mount Hampton Nature Reserve
Location/Address:	Reserve 20536 and A32995 Moorine South Road, Mount Hampton
Name of Applicant:	Department of Environment and Conservation - Mr Keiran McNamara & Mr Bok Ho
File Reference:	7.2.1.4, 1.6.26.3
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	9 th March, 2011

Background

The Department of Environment and Conservation (DEC) has written advising that it proposes to excise Mount Hampton dam located on Reserve 20536 from the Mount Hampton Nature Reserve (Reserve A32995). The Department of Water (DoW) wrote to the DEC in June 2010 requesting to assume management of the Mount Hampton dam. The DEC has no objection to the DoW assuming management of the dam but has indicated that any discussion of this proposal will need to include future access to the dam, its use in wildfire emergencies or drought relief, and funding for maintenance of the dam and associated rock catchment. Given the Shire's role in the management of the dam, the DEC is seeking Council's comments on this proposal. See attached letter and map.

Comment

Prior to the October 2008 Council Meeting Mr David Hillier, Manager Rural Water Planning with the Department of Water gave a short presentation to Council on the then proposed drilling program to be undertaken at the Dulyalbin and Mt Hampton which was being funded via a grant from the Department of Water.

Mr Hillier advised that the Department had instigated a drilling program in the dry land areas of the State to identify water supplies and engaged Ground Water Consulting Services to undertake the work. Mr Hillier advised that an excellent ground water supply had been located at the Dulyalbin Reserve with results at 90Kl per day of water suitable for stock purposes only. The bore had been capped and would be preserved for emergency purposes. Mr Hillier indicated that if the water supply was required, then it would be equipped with tanks etc. to store the water. Mr Hillier further advised that because of the success of the latest drilling program, the Department will be seeking funding to extend the drilling program within the Yilgarn District.

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At the March 2009 Council Meeting Council agreed to sign and place the Shire's Common Seal on the Letter of Agreement with the Department of Water for exploration groundwater drilling to be undertaken in the Mt Bayly, Mt Hampton, and Jilbadji Rock areas. This agreement was in respect to a second lot of grant funding received for the groundwater drilling program.

At the September 2009 Council Meeting Council considered a letter from Mr Hillier advising that the Department of Water had produced an addendum to the Shire's Emergency Farmland Water Response Plan which describes the bore and tank at Dulyalbin. Mr Hillier advised that the Water Corporation had agreed to a request to transfer the care, control and management of Dulyalbin Rock Reserve 20212 to the Department of Water, and that the Department would be applying to have the vesting changed. The transfer of the Reserve to the Department of Water would ensure that the water assets are protected as a strategic source of emergency farmland water for use by the local landholders and Shire. At this Meeting Council acknowledged the addendum documentation for the Emergency Farmland Water Response Plan and for this information to be distributed to the Mt Hampton Progress Association members for their information. Council also agreed to develop in consultation with landholders a Management Agreement for the appropriate and sustainable use of the Dulyalbin Tank and Bore Water in the event of on-farm water shortages.

Presumably this current request from the Department of Water to assume management of the Mt Hampton dam will be on a similar basis as that for the Dulyalbin Tank and Bore.

Council would want to discuss:-

- o the need for future access of the dam;
- o its use in wildfire emergencies or drought relief;
- o any charge for taking water from the dam;
- o funding for maintenance of the dam and associated rock catchment;
- o management and responsibility of controlling bushfires;
- o preservation and Management of camping area;
- o management and responsibility of vermin within the Reserve; and
- o Mt Hampton dam and rock catchment is listed on Shire tourism information as a place of interest and therefore access by tourist and local residents needs to also be preserved.

Provided agreed can be achieved on the abovementioned points between Council, the Department of Environment and Conservation, and the Department of Water, then Council would have no objection to the Department of Water assuming management of the dam and Reserve 20536.

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Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise the Department of Environment and Conservation that upon agreement between Council, the Department of Environment and Conservation, and the Department of Water on the following points:-

- o the need for future access of the dam;
 - o its use in wildfire emergencies or drought relief;
 - o any charge for taking water from the dam;
 - o funding for maintenance of the dam and associated rock catchment;
 - o management and responsibility of controlling bushfires;
 - o preservation and management of camping area;
 - o management and responsibility of vermin within the Reserve; and
 - o Mt Hampton dam and rock catchment is listed on Shire tourism information as a place of interest and therefore access by tourist and local residents needs to also be preserved;
- then it would not object to the Department of Water assuming management of the Mt Hampton Dam and Reserve 20536.

Voting Requirements

Simple Majority.

66/2011

Moved Cr Truran Seconded Cr J Della Bosca that Council advises the Department of Environment and Conservation that upon agreement between Council, the Department of Environment and Conservation, and the Department of Water on the following points:-

- o the need for future access of the dam;*
 - o its use in wildfire emergencies or drought relief;*
 - o any charge for taking water from the dam;*
 - o funding for maintenance of the dam and associated rock catchment;*
 - o management and responsibility of controlling bushfires;*
 - o preservation and management of camping area;*
 - o management and responsibility of vermin within the Reserve; and*
 - o Mt Hampton dam and rock catchment is listed on Shire tourism information as a place of interest and therefore access by tourist and local residents needs to also be preserved;*
- then it would not object to the Department of Water assuming management of the Mt Hampton Dam and Reserve 20536.*

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council - Friday 18 th March, 2011
Agenda Reference:	10.4
Subject:	Historical Reserve 2390 "Boring Purposes"
Location/Address:	Reserve 2390 Part of Reserve 8849 "Common" Canopus Street, Southern Cross
Name of Applicant:	Department of Regional Development and Lands - Ms Kerrie Bridger
File Reference:	9.1.1.1, 1.6.17.2
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	10 th March, 2011

Background

The Department of Regional Development and Lands (DRDL) has written advising that it has discovered that Reserve 2390 for the purpose of "Boring Purposes" which was created in 1893 no longer appears on Landgate's 'Smartplan' system and was identified in its back capture program for the generation of Deposited Plans to support reservations previously created by description. The Department of Mines and Petroleum has provided the DRDL with coordinates for the boundaries of historic Gold Mine Lease No 26 which includes the Phoenix abandoned shaft. The Gazetted area of Reserve 2390 is one acre or 0.4046 hectares.

The DRDL is seeking Council's comments on the retention (reinstatement) of Reserve 2390, whether the site has any historical significance, or whether there is any evidence of the Phoenix abandoned shaft.

Comment

Mrs Carla Della Bosca of the Yilgarn Historical Society has been contacted regarding this matter. Mrs Della Bosca believes that the old Phoenix shaft was where the first gold was found by Tom Risely, Mick Toomey, and their Aboriginal guide named Wheelbarrow in 1888. For this reason it has historical significance to the Yilgarn Shire and Southern Cross townsite.

Unfortunately there are a number of old mine shafts located within the area identified within the dark pink rectangle on the 'Smartplan' attached, but which one is the Phoenix shaft we do not know and some more investigation work would need to be done to try and identify it.

The fact that Gold Mine Lease No 26 which was issued in 1893 is one of the first group of mine leases created and issued from the Southern Cross Mine Registrar Office (opened in 1892) is within Reserve 2390 also has historical significance and therefore Reserve 2390 should be retained.

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Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise the Department of Regional Development and Lands that due to the historical significance of the old Phoenix mine shaft probably being where gold was first found, and that Gold Mining Lease No 26 was one of the first group of mining leases created and issued from the Southern Cross Mining Registrar Office, that Reserve 2390 should be retained (reinstated) and shown on maps, and identified in other documentation.

Voting Requirements

Simple Majority.

67/2011

Moved Cr Truran Seconded Cr Pasini that Council advises the Department of Regional Development and Lands that due to the historical significance of the old Phoenix mine shaft probably being where gold was first found, and that Gold Mining Lease No 26 was one of the first group of mining leases created and issued from the Southern Cross Mining Registrar Office, that Reserve 2390 should be retained (reinstated) and shown on maps, and identified in other documentation.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 18 th March, 2011
Agenda Reference:	10.5
Subject:	Proposed Re-roofing of Staff House
Location/Address:	Lot 127 (H/No 71) Antares Street, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	2.4.1.13
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	10 th March, 2011

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Comments

71 Antares Street, Southern Cross is a double brick and tile roof house with timber and concrete floors. It looks like it was built in the late 1960s/early 1970s. The current tenant is Mr Gilbert Foster.

At the beginning of 2008 I was advised of a water leak through the roof and coming through the ceiling in the laundry. A local builder was engaged to inspect and repair the damage and to stop the water leak through the roof. At the time it was believed that the problem was related to the valley gutter over this section of the house. Unfortunately when it next rained water again damaged the repaired ceiling in the laundry and pooled on the floor. Since this time I have had the roof/valley gutter inspected again, the ceiling repaired and been advised that the problem was fixed. Again this has not been the case.

Recently I asked Mr Peter Eldridge of Top Gun Roofing, who has carried out the re-roofing of the house occupied by the Chief Executive Officer (No 37 Taurus Street), to inspect the roof at 71 Antares Street in regards to resolving this water leak over the laundry. I was with Mr Eldridge at the time of his inspection and noted that the hip roof on the bedroom extension to the house on the east side has twisted and looks like it is being pulled back towards the main ridge on the house. This is the first time I have noticed this. Mr Eldridge has advised that the roof tiles on the house are in poor condition with the top glaze wearing, and the grout on all the ridge and hip capping needs replacing.

Mr Eldridge has recommended that the house is re-roofed in sheet iron to reduce the weight on the roof structure and thereby take the opportunity to fix any faults with the roof structure as what appears to have occurred on the rear addition. Attached is a quote for \$16,375.00 (excludes GST) to remove the existing roof tiles, level roof where necessary, fix steel battens, install new Colorbond sheeting, install new slotted Colorbond guttering, flashings and capping to suit, plus installing R2.5 Anticon insulation under the roof sheeting, and 5 new downpipes.

While the guttering and downpipes are not in bad condition they are probably galvanised material, and if the roof is replaced then it makes sense to replace the guttering and downpipes so they are all in the same material and compatible with the roof material.

In 2010 we replaced plasterboard ceilings in 2 of the bedrooms as the plaster loops over the ceiling battens had given way, nails were loose, and the material was cracking with age. The only plaster board ceiling is in the lounge room which will need to be inspected to determine its soundness.

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I am asking Council for permission to carry out the re-roofing of the house as per the abovementioned quote in the 2010/2011 financial year, and if necessary to replace the ceiling in the lounge room at the same time. This is un-budgeted work but can be funded from the Building Reserve which currently has a balance of \$106,672.93.

A second quote has not been obtained as the availability of the other local builders in Southern Cross to look at this job over the last 12 months has been extremely limited and I am aware that they are virtually working full time for one of the mining companies in the District.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

This is an un-budgeted expense but funds are available in the Building Reserve account.

Recommendation

That Council accept the quote from Top Gun Roofing, agrees to the work being carried out within the 2010/2011 financial year, and that it is funded from the Building Reserve account.

Voting Requirements

Simple Majority.

68/2011

Moved Cr Truran Seconded Cr J Della Bosca that Council accepts the quote from Top Gun Roofing, agrees to the work being carried out within the 2010/2011 financial year, and that it is funded from the Building Reserve account.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council - Friday 18 th March, 2011
Agenda Reference:	Late Item 10.6
Subject:	Planning Application - Proposed New Infrastructure - Weighbridge Pit and Deck Extension plus Hut Office
Location/Address:	Location 51 Lot 1 Bodallin Bin Road, Bodallin
Name of Applicant:	Co-Operative Bulk Handling - Mr Tim Dolling, Planning Coordinator
File Reference:	3.1.3.2
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	16 th March, 2011

Background

A Planning Application has been received from the Co-operative Bulk Handling (CBH) to install a new weighbridge pit and deck extension, plus a hut office on the north part of Location 51 Lot 1 Bodallin Bin Road, Bodallin. See attached Planning Application form, site plan, and detail plans.

Comment

This is a second weighbridge pit, deck extension and office being installed to comply with Commonwealth legislation for weighbridge end to end measurement and improve weighing facilities at the receival point. This is a similar development that occurred at the Dulyalbin CBH Grain Bin site in 2007.

The Manager of Works, Mr Robert Bosenberg, has advised that there are still issues with regards to the traffic management onto and off the Bodallin Bin Road. The Shire has previously requested that a suitable traffic management plan that complies with the Roads Traffic Act be prepared by CBH and forwarded to the Shire, but nothing has been received to date. During the harvest period there are regularly problems with trucks turning onto and off this road in an uncontrolled manner, and trucks parking wherever they can, sometimes dangerously. This needs to be addressed and should be a condition of approval in this application.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2, the Environmental Protection Regulations 1987, the Environmental Protection (Noise) Regulations 1997, and the Health Act 1911 and associated regulations.

Policy Implications

Nil

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Financial Implications

CBH, while it does not pay rates on its various bin sites, it does make an ex gratia payment to the Shire.

Recommendation

That Council grants Co-operative Bulk Handling planning approval to construct/install a new steel and Colorbond "sandwich Panelling" weighbridge and office on Location 51 Lot 1 Bodallin Bin Road, Bodallin for the purpose of grain handling at its Bodallin Grain Bin site on the condition that CBH must forward to the Manager of Works for his approval a suitable traffic management plan that complies with the Roads Traffic Act.

Voting Requirements

Simple Majority.

69/2011

Moved Cr J Della Bosca Seconded Cr Pasini hat Council grants Co-operative Bulk Handling planning approval to construct/install a new steel and Colorbond "sandwich Panelling" weighbridge and office on Location 51 Lot 1 Bodallin Bin Road, Bodallin for the purpose of grain handling at its Bodallin Grain Bin site on the condition that CBH must forward to the Manager of Works for his approval a suitable traffic management plan that complies with the Roads Traffic Act.

CARRIED (7/0)

There being no further business to discuss, the Shire President declared the meeting closed at 5.22pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 18th March 2011, are confirmed on Friday the 15th April 2011 as a true and correct record of the March Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT