

**MINUTES**  
**ORDINARY COUNCIL MEETING**  
Friday 16<sup>th</sup> March 2012

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Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 16<sup>th</sup> March 2012.

**PRESENT**

Cr P R Patroni, Shire President  
Crs W A Della Bosca, D Auld, J Della Bosca, G Guerini

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

The meeting was declared open for business at 2.30pm.

**PUBLIC QUESTION TIME**

Nil

**APOLOGIES AND LEAVE OF ABSENCE**

Cr Truran, Cr Pasini

**DISCLOSURES OF INTEREST**

None

**CONFIRMATION OF PREVIOUS COUNCIL MINUTES**

**43/2012**

*Moved Cr Guerini Seconded Cr Auld that the Minutes of the previous Meeting of Council held on Friday 17<sup>th</sup> February 2012, be confirmed as a true and correct record of that meeting.*

**CARRIED (5/0)**

**AUDIT COMMITTEE MEETING MINUTES**

**44/2012**

*Moved Cr Auld Seconded Cr W Della Bosca that the minutes of the Audit Committee Meeting held on the 17<sup>th</sup> February 2012, be received.*

**CARRIED (5/0)**

**YILGARN YOUTH SPORT AND RECREATION MEETING MINUTES**

**45/2012**

*Moved Cr J Della Bosca Seconded Cr W Della Bosca that the minutes of the Yilgarn Youth Sport and Recreation Meeting held on the 20<sup>th</sup> February 2012 be received.*

**CARRIED (5/0)**

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**GECZ WALGA MEETING MINUTES**

**46/2012**

*Moved Cr Guerini Seconded Cr J Della Bosca that the minutes of the GECZ WALGA Meeting, held on the 1<sup>st</sup> March 2012, be received.*

**CARRIED (5/0)**

**WEROC COUNCIL MEETING MINUTES**

**47/2012**

*Moved Cr Guerini Seconded Cr J Della Bosca that the minutes of the WEROC Council Meeting, held on the 29<sup>th</sup> February 2012, be received.*

**CARRIED (5/0)**

**TOURISM ADVISORY COMMITTEE MEETING**

**48/2012**

*Moved Cr W Della Bosca Seconded Cr Guerini that the minutes of the Tourism Advisory Committee held on the 12<sup>th</sup> March 2012 be received.*

**CARRIED (5/0)**

**ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:**

The Shire President advised the following:-

- Reminded Councillors of ANZAC day celebrations and that Lance Stevens has written the address concerning the impact of war on the local community.
- He and the CEO will be attending the WEROC Council meeting on 2<sup>nd</sup> May.
- Discussed the Roads Forum on 7<sup>th</sup> May and indicated that he would not be attending.
- On 19<sup>th</sup> April he and CEO will be making a presentation to the Standing Committee of inquiry into FIFO workforce in Kalgoorlie.
- Had meeting with DAFWA on 9<sup>th</sup> March concerning State Barrier Fence and have now agreed on a framework for a proposed MOU where DAFWA will manage the contract for fence construction and will cover any over expenditure. Report in agenda.
- Received letter from Minister concerning the merger with the Shire of Westonia advising that people from Westonia had requested a poll and that this would be held on April 14<sup>th</sup>.
- Received a response from Minister in relation to Council's concerns in relation to merger and the poll provisions in which the Minister has praised the efforts of the Shire and thanking Council for its commitment to the process whilst acknowledging the work that has been done.

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Cr W Della Bosca advised:-

- Attended the District Fire Officers Meeting last week and discussed the imposition and variation of restricted fire times. FESA is considering options for standardisation across districts with local flexibility.
- Advised that there is a Fire Officer's meeting on Wednesday 21<sup>st</sup> at 7.30 pm.
- Advised that there is a LEMC meeting including a desktop exercise on Thursday 22<sup>nd</sup> March at 7.30pm.

Cr J Della Bosca advised:

- Had been talking to DAFWA about organising a local event with Glen Mitchell concerning addressing suicide prevention and will be attending a "one Life" function in Merredin on 22<sup>nd</sup> March. Will follow up with DAFWA.
- Attended the Youth Sport and Rec Committee meeting, discussion on resolution to Midcon going bust and now building project work is progressing well.

Cr D Auld:

- Advised of 22<sup>nd</sup> March is Bodallin Catchment Management Group crop up date.

<b>Submission to:</b>	Ordinary Meeting of Council - Friday, 16 <sup>th</sup> March 2012
<b>Agenda Reference:</b>	7.1
<b>Subject:</b>	<b>Dry Season Assistance Program</b>
<b>File Reference:</b>	8.2.6.19
<b>Author:</b>	Jeff Sowiak - Chief Executive Officer
<b>Disclosure of Interest:</b>	Not applicable
<b>Date of Report:</b>	8 <sup>th</sup> March 2012

### **Background**

The West Australian Government provided funding to the Council to hold community functions that would build goodwill and encourage resilience at a time of serious drought affecting the region. This report details the functions that were held and the cost.

### **Comment**

The Grant of \$20,000 was expended on the following projects:

#### **1. *Christmas Party Southern Cross***

Funding from the grant was used to provide for face painting, crazy hair and other activities at a community Christmas Party in Southern Cross.

Cost to the Grant \$765.00

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**2. *Pool Party BBQ & Soft Drinks***

Funding from the grant was used to cover the cost of a sausage sizzle other soft drinks etc and free admission to pool for a pool party.

Cost to the Grant \$121.16

**3. *Moorine Rock Tennis Club ; Exercise and wellbeing classes***

Funding from the grant was used to meet cost of running classes and minor equipment.

Cost to the Grant \$2,000.00

**4. *Red Card for Foxes weekend***

Money from the grant was used to provide a BBQ breakfast for those who participated in the fox hunt.

Cost to the grant \$300.24

**5. *Bodallin Catchment Group Ladies night: (Twice)***

Funding was used to provide an evening with food, guest speakers and social activities for the night.

Cost to the grant \$1,131.86

**6. *Southern Cross Family Bush Dance & entertainment night.***

Funding was used to hire a band for a community concert.

Cost to the grant \$2,500.00

**7. *Moorine Rock Cropping Breakfast ;***

Funding from the grant was used to meet the cost of a drought seminar and breakfast at Moorine Rock.

Cost to the Grant \$510.91

**8. *Southern Cross Footy Club Ladies Day/Night event***

Funding was used to hire entertainment, food, soft drinks and marquee for ladies day at football function.

Cost to the grant \$2,000.00

**9. *Mt Hampton Bush Fire Brigade: Volunteer presentation Evening.***

Funding used to provide food and soft drink for presentation evening for local volunteer Fire fighters held at the Mt Hampton Hall. Approximately 50 people attended from the community of Dalyalbin/Mt Hampton.

Cost to Grant \$308.44

**10. *Free Swimming Admission.***

Funding used to cover the cost of children and parents attending the swimming carnival in Southern Cross. Students from Westonia attended with

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those from Moorine Rock Primary School with some students achieving personal bests.

Cost to grant: \$794.00

**11. Mt Hampton Hall Community Gathering.**

Funding was used to provide food and games night for parents and children with activities and a camp out at the hall grounds.

Cost to the Grant: \$2,000.00

**12. Merredin Zone WA Farmers meeting:**

Funding was used to offset part of the cost of a meal for a BBQ social function.

Cost to the Grant \$381.82

**13. Cinema Evening Southern Cross**

Money from the grant was used for the hire of equipment for a community screening of Red Dog.

Cost to the grant \$2,220.00

**14. Moorine Rock P & C Family Fun weekend**

Money from the grant was used to provide free BBQ and free soft-drinks and ice creams etc for a community fun weekend at Moorine Rock

Cost to the grant \$2,000.00

**15. Street Party Southern Cross**

Money from the grant was used to provide entertainment face painting etc for street party in Southern Cross.

Cost to the grant \$710.00

Other Costs:	Advertising of events	\$1,420.00
	Administration (Balance of Grant)	\$ 836.57

Total Expended to date: \$20,000.00

**Statutory Environment**

*Local Government Act 1995*

**Policy Implications**

Nil

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**Financial Implications**

Nil

**Recommendation**

That Council receive the information.

**Discussion:**

Councillors noted that the drought was far from over particularly for those in the North of the Shire and that in other areas late season rain impacted on the quality and price for grain. It was suggested that CEO follow up with DAFWA to see if something could be done for this year.

**Action:**

CEO to approach DAFWA to ascertain interest in funding activities in Shire in coming season

<b>Submission to:</b>	Ordinary Meeting of Council – Friday, 16 <sup>th</sup> March, 2012
<b>Agenda Reference:</b>	7.2
<b>Subject:</b>	<b>LGMA National Congress</b>
<b>File Reference:</b>	1.6.13.2
<b>Author:</b>	Jeff Sowiak - Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	Wednesday, 22 February 2012

**Background**

The National Congress of the Local Government Managers' is to be held in Perth from 20<sup>th</sup> to the 23<sup>rd</sup> May 2012 and this report seeks endorsement of the DCEO and CEO attendance in accordance with Council policy.

**Comment:**

The National Congress is an opportunity for leaders in Local Government from around Australia to network and to attend informative sessions on topics that are current and relevant to the Local Government industry.

The 2012 LGMA National Congress and Business Expo is aimed at future-casting global and national issues with local solutions, local knowledge and local leadership. Delegates will be asked to imagine what local government will need to be in the future and how can and in fact should local government, both elected members and officers, move from a position of stewardship to leadership.

Consideration of the congress theme and streams was set within the context of recent community and world events including:

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- Natural disasters and extreme weather events;
- Federal Government's Climate Change Framework and the introduction of carbon pricing in July 2012;
- Debate around technology, NBN and the groundswell of support for open government and government
- Debates relating to workplace literacy and workforce skills shortage;
- Budget cuts for local government in the context of the UK and the ever-lingering Global Financial Crisis.

For these and many other reasons the 2012 National Congress streams that are relevant to these are as follows:

- Regional futures - collaboration, governance, resourcing/servicing and partnerships;
- Community futures - servicing population growth and aging population; and
- Climate futures - addressing climate related risk and building resilience

The CEO has attended the past National Congress' and has found them to be an excellent opportunity to meet with CEOs from around Australia and learn what is happening on the national front rather than just being aware of our local issues. The National Congress is a major event on the LGMA calendar that is hosted in every State on an annual rotation basis.

As the conference is in Perth this year there will be a strong representation of Senior staff from WA Local Government Authorities and the opportunity exists for the DCEO to also attend without the additional cost of airfares as in past years.

Last year the CEO attended the conference in Cairns with all costs recovered by way of salary sacrifice. Given that the Conference is in Perth and travel costs will be minimal, it is asked that the cost of both the CEO and DCEO be met from Council's budget for this purpose.

**Statutory Environment**

Nil

**Policy Implications**

Nil

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**Financial Implications**

There is an annual allocation for conference and seminar expenses.

**Recommendation**

That Council approves of the CEO & DCEO attending the 2012 LGMA National Congress to be held in Perth between 20th May and 23rd May 2012 and that expenses with such attendance be authorised for payment in accordance with Council policy.

**Voting Requirements**

Simple Majority

*49/2012*

*Moved Cr Auld Seconded Cr J Della Bosca that Council approves of the CEO & DCEO attending the 2012 LGMA National Congress to be held in Perth between 20th May and 23rd May 2012 and that expenses with such attendance be authorised for payment in accordance with Council policy.*

*CARRIED (5/0)*

<b>Submission to:</b>	Ordinary Meeting of Council – Friday, 16 <sup>th</sup> March, 2012
<b>Agenda Reference:</b>	7.3
<b>Subject:</b>	<b>Drug and Alcohol Testing</b>
<b>File Reference:</b>	2.3.3.2
<b>Author:</b>	Jeff Sowiak - Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	8 <sup>th</sup> March 2012

**Background**

Council is required to ensure that employees are provided with safe and healthy working conditions and this report seeks Council endorsement to a staff policy concerning drug and alcohol testing.

**Comment:**

Testing in the workplace has been identified as an effective means of minimising risks associated with staff whom may have their judgement impaired by drugs or alcohol. There are however issues associated with the mode and methodology for testing and this policy has been developed in line with similar testing regimes in other industries and at the initiation of staff through the regular toolbox meetings.

Council has purchased a device to measure Blood Alcohol Concentration (BAC) and may in the future have equipment to detect other types of prescribed and illicit drugs. There is a zero tolerance for Alcohol and Illicit drugs and a nominated cut off limit for prescribed drugs based on accepted practice in other industries.



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The policy permits an exemption for social events where alcohol may be served however the Council must be responsible with the service of alcohol at such functions and staff cannot operate vehicles or machinery in contravention of the law.

In broad terms the policy outlines the procedures for conducting random testing and provides for a three strike rule in relation to minor infringements, where for example the BAC is below 0.02% and a slightly different and more aggressing response for higher level BAC, above 0.02%. In all cases staff will be stood down and where this is third offence or a first offence with a level above 0.10% the employee is stood down with view to termination of employment.

The policy is recommended for endorsement by Council.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Recommendation:**

That Council formally endorse the draft staff policy concerning Drug and Alcohol Testing.

**Voting Requirements**

Simple Majority

*50/2012*

*Moved Cr Guerin Seconded Cr J Della Bosca that Council formally endorse the draft staff policy concerning Drug and Alcohol Testing.*

*CARRIED (5/0)*

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<b>Submission to:</b>	Ordinary Meeting of Council – Friday, 16 <sup>th</sup> March 2012
<b>Agenda Reference:</b>	7.4
<b>Subject:</b>	<b>Regional Business Case Funding - CLGF</b>
<b>File Reference:</b>	1.6.17.3
<b>Author:</b>	Jeff Sowiak - Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	Wednesday, 22 February 2012

**Background**

The Westonia Yilgarn Regional Transition Group has been allocated funds to undertake the preparation of a business case for the State Barrier Fence as the business case was prepared by the former Joint CEO there were no external costs. The report suggests that the funding be reallocated to WEROC for use in preparing a regional business case for “Aged Housing”.

**Comment**

The former Joint CEO prepared the business case for the State Barrier Fence without the need for an external consultancy and therefore whilst it is allowable to recover part of the officer’s salary from the grant that cost has already been met by the Yilgarn Shire.

In the report to WEROC at its February meeting there is a proposal to engage a consultant to develop a business case for a plan/regional solution to address aged care and accommodation within the region. Whilst both the Shires of Westonia and Yilgarn have agreed to allocate their regional components for 2010/2011 and 2011/2012 to the State Barrier Fence, it would be desirable to have such a plan include this area as well, for future regional programs.

On that basis it is proposed that the Westonia and Yilgarn Shire Council’s agree to refund the allocation of \$7,852.04 to the WDC for use by WEROC in the development of a business case for aged care and accommodation in the region.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

This would be a loss of salary recoupment to the Shire of Yilgarn of \$7,852.04 that was not budgeted.

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**Recommendation;**

That Council agree to the reallocation of the Business Case Funding Allocation of \$7,852.04 to the WEROC proposal for the development of a Business Case for aged care and accommodation in the region.

**Voting Requirements**

Simple Majority

**Discussion:**

The SP drew Council's attention to the report from the DCEO concerning the need to prepare a new proposal for funding from the CLGF Regional allocation for 11/12 and in view of this the money allocated will be needed to pay for this to be done.

**51/2012**

*Moved Cr W Della Bosca Seconded Cr Auld that in view of the need to prepare a new proposal for 2011/2012 Regional CLGF, that Council not agree to the reallocation of the Business Case Funding Allocation of \$7,852.04 to the WEROC proposal for the development of a Business Case for aged care and accommodation in the region.*

**CARRIED (5/0)**

<b>Submission to:</b>	Ordinary Meeting of Council - Friday, 16th March 2012
<b>Agenda Reference:</b>	7.5
<b>Subject:</b>	<b>Medicare Local</b>
<b>File Reference:</b>	1.3.12.4
<b>Author:</b>	Jeff Sowiak - Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	8 <sup>th</sup> March 2012

**Background**

Council has been invited to join the Southwest WA Medical Local Group and to nominate a representative.

**Comment**

The info bulletin includes correspondence from the Area Manager of Medicare Local inviting Council to be involved in the South West Medicare Local. The purpose of the group is to focus on moving health provision towards better primary health care in local communities with an emphasis on prevention and early intervention.

The program is funded by the Commonwealth and the Area Manager for the Wheatbelt is based in Albany.

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There is no cost associated with being a member of Medicare Local and the "local committee will be responsible for ensuring local primary health care services work together to meet health needs of their local community".

It is not known how this outcome will be achieved however there is funding linked to the program that may be of assistance to Southern Cross and they are working with Wheatbelt GP services.

An invitation has been extended to Ms Michelle McClure the Area Manager to meet with Council and a date is yet to be finalised. In the meantime it is recommended that Council become a member of Medicare Local.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

<b>Recommendation:</b> That Council become a member of Medicare Local.
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**Voting Requirements**

Simple Majority

*52/2012*

*Moved Cr W Della Bosca Seconded Cr Auld that Council become a member of Medicare Local, and that Cr J Della Bosca be the Council's nominated representative.*

**CARRIED (5/0)**

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<b>Submission to:</b>	Ordinary Meeting of Council – Friday 16 <sup>th</sup> March 2012
<b>Agenda Reference:</b>	8.1
<b>Subject:</b>	<b>Financial Reports</b>
<b>File Reference:</b>	8.2.3.2
<b>Author:</b>	Vivienne Murty – Deputy Chief Executive Officer
<b>Disclosure of Interest:</b>	Not applicable
<b>Date of Report:</b>	9 <sup>th</sup> March 2012

**Comment**

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 29<sup>th</sup> February 2012:

- Rates Receipt Statement (prepared to 8<sup>th</sup> March 2012)
- Statement of Investments,
- Amalgamation Financial Summary
- Monthly Statement of Financial Activity

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**

None

**Financial Implications**

None

**Strategic Implications**

None

**Voting Requirements**

Simple Majority

**Recommendation**

That the Various Financial Reports for the period ending 29<sup>th</sup> February 2012 as presented be received.

53/2012

*Moved Cr Auld Seconded Cr Guerini that the Various Financial Reports for the period ending 29<sup>th</sup> February 2012 as presented, be received.*

**CARRIED (5/0)**

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<b>Submission to:</b>	Ordinary Meeting of Council -16 <sup>th</sup> March 2012
<b>Agenda Reference:</b>	8.2
<b>Subject:</b>	<b>Accounts for Payment</b>
<b>File Reference:</b>	8.2.1.2
<b>Author:</b>	Vivienne Murty - Deputy Chief Executive Officer
<b>Disclosure of Interest:</b>	Not applicable
<b>Date of Report:</b>	9 <sup>th</sup> March 2012

**Background**

Municipal Fund – Cheque Numbers 37572 to 37636 totalling \$225,786.01, Municipal Fund EFT numbers 307 to 383 totalling \$261,650.37 Municipal Fund – Cheque Numbers 1029 to 1032 totalling \$143,708.84, Trust Fund – 401964 to 401966 totalling \$2,859.18 and Trust Fund – Cheque Numbers 5774 to 5778 (DPI Licensing), totalling \$66,153.45 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**

Municipal Fund – Cheque Numbers 37572 to 37636 totalling \$225,786.01, Municipal Fund EFT numbers 307 to 383 totalling \$261,650.37 Municipal Fund – Cheque Numbers 1029 to 1032 totalling \$143,708.84, Trust Fund – 401964 to 401966 totalling \$2,859.18 and Trust Fund – Cheque Numbers 5774 to 5778 (DPI Licensing), totalling \$66,153.45 are presented for endorsement as per the submitted list.

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**54/2012**

*Moved Cr W Della Bosca Seconded Cr J Della Bosca that Council accepts the payment of Municipal Fund - Cheque Numbers 37572 to 37636 totalling \$225,786.01, Municipal Fund EFT numbers 307 to 383 totalling \$261,650.37 Municipal Fund - Cheque Numbers 1029 to 1032 totalling \$143,708.84, Trust Fund - 401964 to 401966 totalling \$2,859.18 and Trust Fund - Cheque Numbers 5774 to 5778 (DPI Licensing), totalling \$66,153.45 are presented for endorsement as per the submitted list.*

**CARRIED (5/0)**

<b>Submission to:</b>	Ordinary Meeting of Council - Friday 16 <sup>th</sup> March 2012
<b>Agenda Reference:</b>	8.3
	<b>LATE ITEM</b>
<b>Subject:</b>	<b>State Barrier Fence - Yilgarn Gap Meeting with DAFWA</b>
<b>File Reference:</b>	<b>7.2.4.1</b>
<b>Author:</b>	Vivienne Murty - Acting Chief Executive Officer
<b>Disclosure of Interest:</b>	Not applicable
<b>Date of Report:</b>	14 <sup>th</sup> March, 2012

**Background**

The Shires of Westonia and Yilgarn entered into a Memorandum of Understanding (MOU) with Department of Agriculture & Food (DAFWA) back in May 2011, which involved the acceptance of \$370,000 to held in Reserve for future spending on the Barrier Fence.

In December Minister Terry Redman announced that further Royalties for Regions funding of \$5 million has been committed towards the control of wild dogs and feral animals. The funding would include construction of 180km of new fencing in the eastern Wheatbelt region known as the 'Yilgarn Gap' with the Shires of Westonia and Yilgarn working closely with DAFWA to build the new fence and funding also going towards the 'Esperance extension'.

With this confirmation of cabinets additional funding towards the State Barrier Fence project, Regional Development & Lands (RDL) accepted Council's 2010/2011 application for the regional component of Country Local Government Fund (CLGF) of \$441,386 to be used on the construction of 'Yilgarn gap' portion of the State Barrier fence. At the Westonia / Yilgarn Regional Council meeting held in November, both Councils also resolved to allocated the 2011/12 CLGF regional component of \$720,573 to the construction of the State Barrier Fence 'Yilgarn Gap' and doing so nominating the project as a priority for the region.

Over the months there have been several discussions with representatives from DAFWA and Council Officers relating to different phases of the project and responsibilities:

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- Statutory approval processes - DAFWA
- Surveys including flora, fauna and heritage - DAFWA
- Fencing materials - DAFWA
- Fence alignment - DAFWA/COUNCIL
- Project Implementation plan - DAFWA
- Construction of fence - COUNCIL

More recently on the 9<sup>th</sup> March 2012, representatives from both Councils and Mr V Read the Director of Evasive Species and Mr J Ruprecht from DAFWA met to negotiate the terms of the new MOU between the Shires of Westonia and Yilgarn and DAFWA for the construction of the 'Yilgarn Gap'. Listed below are the main discussion points of that meeting;

**Completed Stages:**

- ❖ Materials funding (R4R)
  - \$1.45m (with DAFWA)
  - To supply and deliver to Southern Cross
  - Includes approximately \$450k for road crossing grids
- ❖ Approvals
  - Flora and fauna surveys, and heritage surveys are complete
  - DEC has granted Permit to clear native vegetation to DAFWA (subject to appeal through to 19th March)
  - Native Title-related considerations being negotiated (DAFWA role)
- ❖ Final fence alignment - map to be prepared and distributed (DAFWA role)

**Funding for construction:**

- ❖ \$2,025m (R4R to DAFWA) + \$441k (R4R to Shires) = \$2,446,000 total funding
- ❖ DAFWA to send letter of explanation of the purpose of the local government funds (\$441k) to Shire of Yilgarn (i.e. being for contribution to construction of the Yilgarn Gap' fence)
- ❖ DAFWA to invoice Shire of Yilgarn for funds (\$441k)
- ❖ DAFWA to form joint account for total construction funding, and manage and acquit the account

**Project Management Framework:**

- ❖ Option for Shire to lead not acceptable (limited people capacity, risk exposure)



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- ❖ Option for DAFWA to lead is acceptable but not preferred (best to have share responsibility)
- ❖ Partnership option agreed, including:
  - The 'Reference Group' is to be represented by 1 member from each of the Shire of Westonia, Shire of Yilgarn and DAFWA (to be determined by respective organizations)
  - MoU to be prepared as Terms of Reference for the Reference Group
  - Maximising opportunities for local involvement and employment (including Shires providing services for grading and on-site management)
  - Tenders and contracts to be prepared and processed by DAFWA
  - Shire to declare their interest if intending to bid for competitive tenders
  - Independent sub-committee to be formed to advise on contractor selection processes (i.e. to exclude declared interests)
  - DAFWA to make final decision on tender processes with full disclosure to Reference Group
  - DAFWA to accept risk for cost over-run
  - DAFWA to undertake auditing processes (i.e. of construction according to design criteria)
  - Full accountability and reporting (DAFWA role)
  - A Project Implementation Plan (PIP) to be prepared (DAFWA role)
    - Draft to be circulated to Reference Group for comment
  - Implementation group to be formed to ensure implementation occurs according to PIP (Emily Lewis, DAFWA, to coordinate and to include Craig Robbins, Robert Bosenberg and Kevin Paust)
  - Reporting procedures to be determined (including R4R reporting)
  - Communication methods to be determined, including:
    - Opportunities for the Minister(s)
    - Reporting through Shire councils
    - Links to Eastern Wheatbelt DSG
    - Communicate through local papers/newsletters

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**Construction Functions:**

1. Clearing (open tender)
2. Line grading (Shire service option)
3. Fence construction (open tender)
4. On-site management (Shire service option)

**Issues to address:**

- ❖ How will cleared natural vegetation be disposed of (mulching is not an option, consider also fire hazards)
- ❖ Great Eastern Highway crossing - Need to evaluate the options
- ❖ What is the intended gate spacing?
- ❖ Determine a 'Start Date' and arrange a suitable commencement event.

❖ CLGF 11/12 funding - Shires to determine alternative priorities - DAFWA view is that this funding is not required for the Yilgarn Gap fence
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**Comments**

Important information that came to light during the meeting with DAFWA related to the necessary funding for the construction of the fence. DAFWA determined that the construction costs would be approximately \$2.45M. The funding source being DAFWA's allocation through R4R of \$2,025,000 and the Shires 2010/11 Regional Component of CLGF of \$441,386. Mr Viv Read emphasised that the Shires 2011/12 Regional Component would not be necessary for the construction of the Yilgarn gap fence.

As Council will have to withdraw their application for the State Barrier Fence (Yilgarn Gap) project with RDL for 2011/12, it was brought to light that both Councils will need to determine an alternative priority project and re-apply through Wheatbelt Development Commission by the 30<sup>th</sup> May 2012 unless an extension is granted.

*55/2012*

*Moved Cr W Della Bosca Seconded Cr Auld that Council accept the proposal from DAFWA for them to undertake the State Barrier Fence construction as detailed in the report and authorise the execution of the proposed Memorandum of Understanding with DAFWA.*

*CARRIED (5/0)*

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<b>Submission to:</b>	Ordinary Meeting of Council – Friday 16 <sup>th</sup> March 2012
<b>Agenda Reference:</b>	8.4
<b>Subject:</b>	<i>Regional Priority Project for CLGF 2011-12</i>
<b>File Reference:</b>	<b>1.6.6.8</b>
<b>Author:</b>	Vivienne Murty – Acting Chief Executive Officer
<b>Disclosure of Interest:</b>	Not applicable
<b>Date of Report:</b>	14 <sup>th</sup> March, 2012

### **Background**

Council has received correspondence from RDL explaining that they have consulted with DAFWA and the ACEO and understand that no further funds are required for the State Barrier Fence (Yilgarn Gap) as sufficient funding for the project has already been secured through DAFWA and the 2010-11 Regional Group funding. Westonia-Yilgarn Regional Council will then need to withdraw the CLGF 2011-12 Regional Group's application for the State Barrier Fence (Yilgarn Gap) project and submit another regional priority project by the 30<sup>th</sup> May 2012, for the funding to be retained. They further explained, if an extension is required Council will need to write to the Minister and explain the extenuating circumstances relating to the extension (see attached letter).

Due to the urgency of the matter, the SP requested the ACEO, Ms Murty to investigate other projects that both Councils have identified in the past as priorities within their communities. After discussions with Mr Merrick it was suggested that Multi-Purpose Accommodation is a real need in both towns and can be addressed on a regional basis with the funding assistance through the CLGF.

### **Comments**

Through her investigation into Multi-Purpose Accommodation the ACEO contacted Mr John Watson the Executive Officer of NEWROC who explained that the group of Councils had identified in their communities a need for additional age and community housing. This need was also emphasised during a Wheatbelt Development Commission (WDC) meeting in Kellerberrin where most Council representatives acknowledged that there was a lack of suitable accommodation throughout the Wheatbelt, recognising accommodation as a regional need, hence qualifying the project for Regional funding.

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The basic concept for the Multi-Purpose accommodation is that the project will be managed on a regional basis, but the construction of units will be done at a local level (in Southern Cross and Westonia) over a number of years, so that both communities can reap the benefits of additional accommodation within their towns. The Multi-purpose accommodation can be suited to:

- young singles working in the area,
- the rotation of doctors servicing the medical centre and hospital
- Independent living and aged care accommodation with consideration given to focusing some developments in association with the district hospital resources.
- Mining employees requiring accommodation.

The advantage of selecting a priority project such as 'Multi-purpose Accommodation' for the CLGF 2011-12 regional group's funding allocations is that the accommodation strategy can be staged over several years and future regional funding can be used on the one project, for example:

STAGE I

- CLGF 2011-12 funding Multi-Purpose Accommodation - focusing on community accommodation
- 50% Regional component \$720,573 Requirements: Regional needs analysis and Business Case to accompany funding application

STAGE II

- CLGF 2012-13 funding Multi-Purpose Accommodation - focusing on Age Accommodation
- 50% Regional component \$ unknown Requirements: Business Case previously done, only cost adjustments necessary to accompany funding application

STAGE III

- CLGF 2013-14 funding Multi-Purpose Accommodation - focusing on Age Accommodation
- 100% Regional component \$ unknown Requirements: Business Case previously done, only cost adjustments necessary to accompany funding application

If both Councils resolve to support the 'Multi-Purpose Accommodation' for their 2011-12 CLGF funding application it will be necessary to work quickly to

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commission a consultant to conduct the accommodation needs study and Business Case. The ACEO has recently met with Mrs Caroline Robertson from Solum – Wheatbelt Business Solution who is currently working on the Regional Recreation Plan for the Be-Active Committee to be provided and referred to by DSR for funding allocation in future years. Caroline is a local resident in the Yilgarn and familiar with the Westonia and Yilgarn shires and would be a good candidate to prepare the needs analysis and business case.

What needs to be determined by both Councils is if:

1. Accommodation needs in relation to aged accommodation and community housing is a priority project within their communities.
2. The Regional Group nominal allocation for 2011-12 CLGF of the Royalties for Regions program of \$720,573 be applied to Multi-Purpose Accommodation or another priority project.

If both Councils agree to the Multi-Purpose Accommodation priority project for 2011-12 CLGF:

- A Westonia-Yilgarn Regional Council meeting needs be organised to address the priority project for 2011-12 CLGF.
- The Westonia-Yilgarn Regional Council need to advise Wheatbelt Development Commission of the priority project selected for CLGF 2011-12.
- The Westonia-Yilgarn Regional Council will need to commission a Consultant to prepare the needs analysis and business case to accompany the CLGF 2011-12 application to the Wheatbelt Development Commission by the 30<sup>th</sup> May 2012 (or extension date).

**Policy Implications**

None

**Financial Implications**

If Council does not submit an application to WDC by the deadline of 30<sup>th</sup> May 2012 (or extension date) the CLGF 2011-12 funding of \$720,573 will be return to Office of Revenue and cannot be deferred to 2012-12.

Funding will need to be made available to enlist a Consultant to prepare the needs analysis and business case, quotes will be sources and presented at the Regional Council Meeting.

**Strategic Implications**

None

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**Voting Requirements**

Simple Majority

**Recommendation**

That Council agrees to write to the Minister to request an extension on providing a regional project to the Wheatbelt Development Commission. In addition, Council supports the 'Multi-Purpose Accommodation' as the Regional priority project for 2011-12 CLGF and requests that a Westonia-Yilgarn Regional Council meeting be convened to discuss the finer details of the project and form a recommendation for the Wheatbelt Development Commission.

**56/2012**

*Moved Cr W Della Bosca Seconded Cr Auld that Council agrees to write to the Minister to request an extension on providing a regional project to the Wheatbelt Development Commission. In addition, Council supports the 'Multi-Purpose Accommodation' as the Regional priority project for 2011-12 CLGF and requests that a Westonia-Yilgarn Regional Council meeting be convened to discuss the finer details of the project and form a recommendation for the Wheatbelt Development Commission.*

**CARRIED (5/0)**

The SP advised Council that the meeting of the Westonia Yilgarn Regional Council is to be held on Monday 26<sup>th</sup> March at 1pm in Westonia.

<b>Submission to:</b>	Ordinary Meeting of Council March 16th 2012
<b>Agenda Reference:</b>	Works 9:1
<b>Subject:</b>	<b>Emu Fence Road Reserve Closure</b>
<b>Location/Address:</b>	Emu Fence Road Reserve
<b>File reference:</b>	7.2.4.1
<b>Author:</b>	Robert Bosenberg - Manager of Works
<b>Disclosure of Interest:</b>	N.A.
<b>Date of Report:</b>	7 <sup>th</sup> March 2012

**Background**

At Councils January 2012 Meeting the Manager for Works submitted a report in relation to the closure of a portion of the Emu Fence Road Reserve to accommodate the wild dog fence. As a result of the report the following resolution was passed by Council.

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*"19/2012*

*Moved Cr Pasini Seconded Cr Truran that Council resolves to close the twenty five (25) kilometre section of the Emu Fence Road Reserve from the Koolyanobbing Road through to Wheatley Road Intersection, and in accordance to Land Administration Government Act 1997, council commences the statutory advertising period calling for comments in relation to the proposed road closure*

*Carried (7/0)"*

**Comment**

The above proposal was advertised in the West Australian newspaper published on Wednesday 1st February 2012, as well as in the editions of *Crosswords* on 2<sup>nd</sup> and 16<sup>th</sup> February 2012. It has also been displayed on the notice board located at the front of Shire Administration Officer during the public comment period.

The public comment period closed at 4:30pm Tuesday 6<sup>th</sup> March 2011.

No comments were received from local residents or landowners.

Letters were sent to various public service organisations (Department of Mines & Petroleum, Western Power Corporation, Water Corporation, Telstra, Department of Regional Development and Lands, and Department of Indigenous Affairs) for their comments on the proposed road reserve closure.

The following comments in relation to the proposed road reserve closure were received:-

- 1) Department of Indigenous Affairs - Correspondence received from the Department of Indigenous Affairs indicated that there are no Aboriginal sites known to this department within the area which would be affected by the road closure. However, this department is unaware of any Aboriginal heritage study been undertaken within this area, (the Department of Agriculture and Food has just recently completed an Aboriginal Heritage survey which relates to the road closure. This report has since been passed onto the Department of Indigenous Affairs).
- 2) Water Corporation Agriculture East Region - no objections to the proposal.

**Statutory Environment:** Compliance with the Land Administration Act 1977.

**Voting Requirements**

Simple Majority

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**Recommendation**

Council applies to Department of Regional Development and Lands to close the twenty five (25) kilometre section of the Emu Fence Road from Koolyanobbing Road through to Wheatley Road Intersection as highlighted in red on the attached plan

57/2012

*Moved Cr J Della Bosca Seconded Cr W Della Bosca that Council applies to Department of Regional Development and Lands to close the twenty five (25) kilometre section of the Emu Fence Road from Koolyanobbing Road through to Wheatley Road Intersection as highlighted in red on the attached plan*

**CARRIED (5/0)**

<b>Submission to:</b>	Ordinary Meeting of Council – Friday 16th March 2012
<b>Agenda Reference:</b>	9.2
<b>Subject:</b>	Annual Airport Inspection
<b>File Reference:</b>	6.3.2.1
<b>Author:</b>	Robert Bosenberg – Manager for Works
<b>Disclosure of Interest:</b>	Not Applicable
<b>Date of Report:</b>	8 <sup>th</sup> March 2012

**Background**

As part of the aerodrome registration requirements the Southern Cross must have an Aerodrome Safety Inspection carried out every twelve months by an appropriately qualified aerodrome inspector.

The inspection is very extensive and covers area such as aerodrome operating procedures, reporting officers competency, dimension and surface conditions of runways, aircraft approach and take off paths, aerodrome lighting and backup lighting, wind direction indicator, aerodrome markers and markings, bird and animal control and airport fencing.

**Comment**

The annual inspection was carried out by Mr. Nathanael Thomas employed by Aerodrome Management Services (AMS) on 16<sup>th</sup> February 2012.

As a result of the annual inspection the following recommendations have been listed for action:

- 1) Update both runway directions and issue a NOTAM stating the correct bearings of each runway



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*Comment: a licensed surveyor will be required to update the correct bearings of each runway*

- 2) Update the diagram in ERSA to show the correct layout of windsock and apron areas

*Comment: with all the recent improvements at the airstrip over the past two years there is a requirement to update plans of the apron and windsock area to include the extended sealed apron area and hangers*

- 3) Sealed sections of runway 14/32 need sweeping to remove loose gravel

*Comment: will be action in the course of day to day maintenance*

- 4) Runway surface on 09/27 and 14/32 require maintenance grading

*Comment: maintenance grading and rolling of both runways is programmed to be carried out at the end of May*

- 5) As noted in the report the current lighting on 14/32 runway and windsock lighting is adequate and is suited for emergency night landing only (*Flying Doctor*).

*Comment: In any future upgrades to runway 14/32 and windsock area sting lighting will need to be upgraded to the required standard.*

- 6) An Automated Frequency Response Unit (*AFRU*) is required as there are currently more than five aircraft movements per week involving aircraft with greater than nine seats.

*Comment: Monetary allocation has been allowed for in the 2011/2012 Budget to purchase and install an Automated Frequency Response Unit.*

Attached is a copy of the Aerodrome Safety Inspection report for Councillors to peruse.

**Recommendation**

Council receives the annual Aerodrome Safety Inspection report for the Southern Cross Airstrip as presented from Aerodrome Management Services for the 2011/2012 Financial Year.

**Voting Requirements**

Simple Majority

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58/2012

*Moved Cr Guerini Seconded Cr J Della Bosca that Council receives the annual Aerodrome Safety Inspection report for the Southern Cross Airstrip as presented from Aerodrome Management Services for the 2011/2012 Financial Year.*

**CARRIED (5/0)**

<b>Submission to:</b>	Ordinary Meeting of Council - Friday 16 <sup>th</sup> March, 2012
<b>Agenda Reference:</b>	10.1
<b>Subject:</b>	<b>Local Government Submission on Packaging Impacts Consultation Regulation Impact Statement</b>
<b>Location/Address:</b>	Nationwide
<b>Name of Applicant:</b>	Western Australian Local Government Association (WALGA) - Erin Fuery, Waste Policy Coordinator
<b>File Reference:</b>	1.6.21.1 & 4.1.9.9
<b>Author:</b>	Manager Environmental Health & Building Services - W J Dallywater
<b>Disclosure of Interest:</b>	Not applicable
<b>Date of Report:</b>	8 <sup>th</sup> March, 2012

### **Background**

The Council of Australian Governments (COAG) Standing Council on Environment and Water has released a Packaging Impact Consultation Regulation Impact Statement (RIS) looking at finding a national solution to reducing packaging waste. A RIS is essentially a cost/benefit analysis of various options for government intervention on a particular issue and is a requirement at a Federal level for any major policy initiatives.

### **Regulation Impact Statement (RIS)**

The RIS outlines a number of options for addressing the poor recycling rate of packaging waste, particularly away-from-home, and litter. The following options are proposed:

- Option 1: A national packaging waste strategy - Funded by government, seeks to address the problem of the potential for fragmented jurisdictional approaches to packaging. It is a non-regulatory option led by government.
- Option 2: Co-regulatory packaging stewardship - An arrangement under the Product Stewardship Act 2011 (the Act). Three sub-options have been proposed:
  - a) Australian Packaging Covenant replaced by co-regulation under the Act;
  - b) Industry Packaging Stewardship; and
  - c) Extended Packaging Stewardship.

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The administrators of approved arrangements would have flexibility regarding how requirements and outcomes are achieved.

- Option 3: Mandatory Advance Disposal Fee (ADF) - Involves the government placing a mandatory ADF on all packaging materials. Provides a source of revenue for the end-of-life management of packaging or for other environmental initiatives.
- Option 4: Mandatory Container Deposit Scheme (CDS) - Involves establishing deposit-refund arrangement under the co-regulatory and/or mandatory provisions of the Act. Two sub-options have been proposed:
  - a) Boomerang Alliance CDS (a CDS proposed by the Boomerang Alliance); and
  - b) Hybrid CDS (a national model based on case studies of schemes operating internationally and elements of the existing South Australian scheme).

**WALGA Submission on RIS/Consultation with Local Government**

Two of the seven options for action (Option 4 (a) and (b)) relate to the implementation of a CDS. Local Government in WA has been consistent in its support for a CDS and sees clear potential benefits for the implementation of a best practice system as it has proven elsewhere to increase recycling, reduce litter, and influence positive behaviour change.

**Comment**

The Municipal Waste Advisory Committee (MWAC) of WALGA has developed a draft submission outlining Local Government response to the RIS and is seeking comments on the Submission by close of business on 23<sup>rd</sup> March 2012. In particular MWAC is seeking feedback on the following three questions:-

Question 1 - Do you consider that a CDS would assist your Local Government? If yes, what positive impacts do you believe CDS will have to your waste management operations? Please provide examples. If not, why?

Answer -

Yes, a Container Deposit Scheme (CDS) would assist our Local Government with waste management practices and provide

- positive impacts such as increased recycling of containers,
- reduce the amount of recyclable containers being disposed of at landfill sites within the Shire,
- increased recycling and diversion of recyclable containers away from landfill sites will reduce Shire's costs in managing the landfill site and will extend the life of the landfill site,

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- be a positive impact on local residents and travellers by providing a monetary incentive for them to consider how they dispose of the waste container,
- this may lead to increased custom to local retailers who while paying out a refund on returned recyclable containers may also find their sale of consumables may increase,
- it may mean that retailers may require additional recycling bins to handle the extra recyclable containers being returned for the deposit.
- at this time it is not expected that an additional collection service would need to be provided to the commercial sector, however, this would need to be monitored.
- will assist in the reduction of littering along main roads within the Shire.

Question 2 - Are you able to provide any estimates on the financial cost of non-action? For example, what will the impact be if the Federal government does not implement a CDS (increase waste, costs associated with litter, illegal dumping and recycling, increase in collection and size of recycling bins)?

Answer -

It is hard to provide an estimate on the financial cost of non-action.

However, it is reasonable to expect that:-

- The cost of maintaining the landfill sites within the Shire will continue to increase each year. The ongoing maintenance activities will remain, however, the number of trenches to be dug per year should reduce and this will be the major cost saving to Council.
- Since introducing a bi-monthly kerb-side recycling services in September 2004 to the townsites of Southern Cross and Marvel Loch and certain properties within Moorine Rock and Bodallin, Council has experienced a reduction in volume of domestic waste to landfill sites through the weekly domestic kerb-side rubbish collection services. Thus less covering soil is required, the time to push-up and cover the waste at the landfill site has reduced so the cost to operate earthmoving equipment has reduced, and wages costed to this job are also reduced.
- Littering, in particular along main roadways within the Shire will continue and impact visually, physically, and chemically on the environment.

Question 3 - Are there any other options that you think would be effective in addressing post-consumer packaging waste that your Local Government would support? What positive impacts do you believe this option will have on your waste management operations?

Answer -

Option 3 Mandatory Advance Disposal Fee (ADF) may assist in manufacturers and retailers reducing the amount of packaging they use for a

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product, thus reducing the amount of packaging that the end-user needs to dispose of. The ADF will as always be passed onto the purchaser or consumer at whatever level. The introduction of an ADF needs to be mindful that certain products such as food items need to have a minimum amount of package for health reasons which is legislative and therefore the manufacturer should not be unduly penalised. Fragile items such as televisions, computers, glass/porcelain items need to have more packaging to ensure the safe delivery of these products across the country and overseas. Maybe a sliding scale of ADF could be considered to encourage package reduction wherever possible but also acknowledging where certain packaging will be required.

Option 2 Co-Regulatory Packaging Stewardship has been around for over 10 years and it is difficult to see the physical benefit of such Stewardship. In principle Stewardships should continue and be extended to include more companies in that it means the company addressed packaging at least on a corporate policy level and is reminded through the Stewardship to look at reducing its packaging volumes.

Option 1 A National Packaging Waste Strategy would ensure that all States and Territories are dealing with the problem of packaging in a unified way. From the Strategy it would hope that good outcomes could be addressed and maybe achieved.

Question 4 - Any further comments?

Answer -

Whether a national or state CDS is introduced or not is only part of the issue. When recycling was introduced into Australia it was felt that new industries would be developed to handle and reuse the recyclable materials, however, in the main this has not occurred. Those recycling companies that have ventured into the market have struggled and many have closed. Most of the recyclable materials collected are sent overseas for processing and are then imported back into Australia either as raw material or a finished product. There needs to be more done to ensure that the increased volume of recyclable containers can be handled and processed readily, ideally here in Australia but otherwise overseas.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Unknown

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**Recommendation**

That Council endorses the above comments and that they are forwarded to WALGA as Council's feedback regarding this matter.

**Voting Requirements**

Simple Majority

*59/2012*

*Moved Cr J Della Bosca Seconded Cr W Della Bosca that Council endorses the above comments and that they are forwarded to WALGA as Council's feedback regarding this matter*

**CARRIED (5/0)**

<b>Submission to:</b>	Ordinary Meeting of Council – Friday 16 <sup>th</sup> March, 2012
<b>Agenda Reference:</b>	10.2
<b>Subject:</b>	<b>Southern Cross Public Swimming Pool Starting Blocks</b>
<b>Location/Address:</b>	Pt Lot 101 Corner Antares & Canopus Street, Southern Cross
<b>Name of Applicant:</b>	Manager Environmental Health & Building Services
<b>File Reference:</b>	4.1.7.12
<b>Author:</b>	Manager Environmental Health & Building Services – W J Dallywater
<b>Disclosure of Interest:</b>	Not applicable
<b>Date of Report:</b>	8 <sup>th</sup> March, 2012

**Background**

The Shire has received a letter from LGIS Risk Management regarding the Southern Cross Public Swimming Pool and the possible risk to Council regarding the provision and use of starting blocks at the pool. In 2011 there was a man who severely injured himself by diving into a pool in Geraldton head first, hit his head on the bottom of the pool bowl, which resulted in him having severe head and neck injuries. The Court awarded the man damages. From that court case Royal Life Saving Society of Australia has pushed that there should be no starting blocks available to the public where the water depth is less than 2.0 metres.

LGIS Risk Management is asking Council to identify, assess, and implement appropriate treatment options by:

- a) all starting blocks located where water is less than 1.2m deep be removed; and
- b) starting blocks located where water depth is between 1.2m and 2.0m, noting that removal may not be practical due to the impact on

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competitive swimmers, that isolation (eg physical barriers or signage and supervision) is recommended.

**Comment**

The deep end of the main pool is 1.8/1.9m. In reference to recommendations from the 2011 Royal Life Savings Audit plus in light of the abovementioned court case, at the Swimming Pool we are having new signs painted onto the raised concrete edge around the small pool and the shallow end of the main pool the words "Shallow Water" "No Diving", plus on the top of each starting block we are writing "Caution Dive off Blocks at Own Risk". The water depth markers are being re-written on top of the raised edge plus additional markers will be written on the inside vertical surface above the scum gutters. I have previously advised LGIS Risk Management of what we intended to do and this letter is the first correspondence received since giving that advice to them.

I am aware that some local government swimming pools have chosen to remove all their starting blocks and are/will be using framed starting blocks that can be installed when required. To remove our starting blocks I believe it will be an involved job as the brick work is set into the raised concrete edge, so we would need to repair the concrete edge plus fill in the gap on the ground with paving bricks. I am not sure whether there are any connecting steel rods between the starting blocks and the concrete edge, but it is a possibility. To install removable starting blocks we would need to concrete in sleeves in the ground to take the legs of the starting blocks. We would need to store the removal starting blocks away from the pool area. We could have fixed a barrier such as witch's cones on top but this is then a challenge for children to try and work around to use the blocks. We could also have used a cover over the blocks.

We are not saying no dividing off the starting blocks as this means that the Pool Managers would need to police it.

The starting blocks are required for the two swim schools/clubs that use the Southern Cross Swimming Pool. They are also required for school swimming lessons and possibly VacSwim classes.

**Statutory Environment**

Nil

**Policy Implications**

Nil

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**Financial Implications**

The additional warning signage around the pools is being done as part of the general maintenance.

**Recommendation**

That Council endorses the actions outlined above and that LGIS Risk Management is advised that these are the measures being taken to reduce the risk of someone having an accident from diving off the starting blocks at the Southern Cross Public Swimming Pool.

**Voting Requirements**

Simple Majority

60/2012

*Moved Cr Guerini Seconded Cr J Della Bosca that Council endorses the actions outlined above and that LGIS Risk Management is advised that these are the measures being taken to reduce the risk of someone having an accident from diving off the starting blocks at the Southern Cross Public Swimming Pool.*

**CARRIED (5/0)**

<b>Submission to:</b>	Ordinary Meeting of Council - Friday 16 <sup>th</sup> March, 2012
<b>Agenda Reference:</b>	10.3
<b>Subject:</b>	Eucalyptus Tree Outside Senior Citizens Centre
<b>Location/Address:</b>	Lot 100 Corner Achernar & Spica Streets, Southern Cross
<b>Name of Applicant:</b>	Manager Environmental Health & Building Services
<b>File Reference:</b>	2.4.1.9
<b>Author:</b>	Manager Environmental Health & Building Services - W J Dallywater
<b>Disclosure of Interest:</b>	Not applicable
<b>Date of Report:</b>	8 <sup>th</sup> March, 2012

**Comment**

In regards to the beautiful Eucalyptus tree which I believe is a Spotted Gum Tree located in the garden bed at the front of the Senior Citizens Centre on Achernar Street, Southern Cross I am aware that while there are tree roots lifting brick paving in places, there are also surface roots extending towards the building. It is expected that deep roots will probably extend under the building already but their impact on the building is minimal.

In the past with regards to lifting brick paving we have had the tree roots shaved and/or removed and replaced the brick paving. We can do the same thing and remove the tree roots heading towards the building as well as the roots lifting the brick paving, or maybe look at removing the tree completely.



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Reasons to Remove the Tree

- Surface roots are and will continue to lift brick paving both on the street footpath as well as brick paving on the Senior Citizens Centre property.
- Surface roots are now heading towards the building and may cause damage to the building through the lifting of sections of the building. The stone work around the columns of the bus port is also at risk.
- The Spotted Gum Tree is a self-shedding tree which regularly drops small branches.
- The leaf and twig debris from the tree on the ground and the building is significant which is the reason that metal gutter guards were installed around the building last year.
- Birds perch in the tree and their droppings mark the brick paving and the bus port roof.
- The tree has grown in size and girth width since the Senior Citizens Centre was installed in 2008, in particular since the Shire has been pruning it and it receives water from the irrigation system for the garden bed around it.
- The tree provides no shade for the building itself.

Reasons to Keep the Tree

- It is a lovely shaped tree which adds character to the Senior Citizens Centre building.
- The tree provides shade for visitors' cars/vehicles parked outside along Achernar Street.
- The tree has been the home to a pair of mating herons for many years.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Unknown.

**Recommendation**

That Council considers keeping the Eucalyptus tree and takes actions to remove or stop the shallow tree roots heading towards the Senior Citizens Centre including the bus port and to shave or remove the tree roots affecting the brick paving, and that this work is costed as an ongoing maintenance item in future Council Budgets.

**MINUTES**  
ORDINARY COUNCIL MEETING  
Friday 16<sup>th</sup> March 2012

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**Voting Requirements**

Simple Majority

Moved Cr Patroni that the recommendation be adopted with the provision that the matter be reviewed at the end of twelve months

The motion lapsed for want of a seconder.

**61/2012**

*Moved Cr Auld Seconded Cr J Della Bosca that Council seeks an opinion from a qualified tree surgeon concerning the best approach to take and report to Council prior to any action being taken.*

**CARRIED (5/0)**

There being no further business to discuss, the Shire President declared the meeting closed at 5.10 pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 16<sup>th</sup> March 2012 confirmed on Friday the 20<sup>th</sup> April 2012 as a true and correct record of the March Ordinary Meeting of Council.

Cr Romolo Patroni  
SHIRE PRESIDENT