

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 20th April 2012.

PRESENT

Cr P R Patroni, Shire President

Crs W A Della Bosca, D Auld, J Della Bosca, D J Pasini, O Truran, 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 2.02 pm.

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

None

DISCLOSURES OF INTEREST

Item 10.6 Cr J Della Bosca.

Item 10.7 Cr D Pasini.

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

Cr J Della Bosca highlighted a change to the minutes as follows:

Under Announcements by Cr J Della Bosca asked to remove this

- 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 the on 22nd 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.

And Replace with this

- Advised that the Bodallin Catchment Group and DAFWA were hosting a Crop Update and that Glen Mitchell was going to be speaking at the function on the 23rd March in Moorine Rock. Cr Della Bosca expressed her disappointment at the opportunity for Glen Mitchell to speak to the wider community at a time more convenient to people in the Yilgarn. Cr Della Bosca will be attending a suicide prevention workshop supported by "one Life" in Merredin on 22nd

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

March. She will report to Council if the session is worthwhile following up in the Yilgarn.

- Attended the Youth Sport & Rec. Committee meeting, the CEO presented a report regarding MIDCON and where the project is at now. Cr Della Bosca Reported on the Playground including the softfall and shade for the area as agreed by the sub committee. Rodney Thornton attended the meeting and advised of upcoming events for Southern Cross.

62/2012

Moved Cr W Della Bosca Seconded Cr Auld that the Minutes of the previous Meeting of Council held on Friday 16th March 2012, with the amendment as shown above, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

BUSH FIRE BRIGADE MEETING

63/2012

Moved Cr W Della Bosca Seconded Cr Pasini that the Minutes of the Bush Fire Brigade meeting held on 21st March 2012, be received.

CARRIED (7/0)

LEMC MEETING

64/2012

Moved Cr W Della Bosca Seconded Cr Pasini that the Minutes of the Local Emergency Management Committee meeting held on 22nd March 2012, be received.

CARRIED (7/0)

WEROC EXECUTIVE MEETING

65/2012

Moved Cr Guerini Seconded Cr Auld that the Minutes of the Wheatbelt Eastern Regional Organisation of Councils Executive meeting held on 27th March 2012, be received.

CARRIED (7/0)

SKELETON WEED COMMITTEE MEETING

66/2012

Moved Cr W Della Bosca Seconded Cr Guerini that the Minutes of the Local Action Group Skeleton Weed Committee meeting held on 28th March 2012, be received.

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

WALGA STATE COUNCIL MEETING

The Minutes of the West Australian Local Government Association State Council meeting held on 30th March 2012, were noted.

TOURISM ADVISORY COMMITTEE MEETING

67/2012

Moved Cr J Della Bosca Seconded Cr Auld that the Minutes of the Tourism Advisory Committee meeting held on 21st March 2012, be received and that the following recommendations be adopted:

- *That the 120 years of Local Government celebrations be incorporated into the Council's 2012/2013 budget with a view to coordinating the celebrations with the official opening of the new sports facility and that a subcommittee, involving members of the sporting clubs and tourism committee be formed to run the event.*
- *That Council investigate the role and function of a Junior Council and ascertain interest from local schools and school children for the establishment of such a group.*

CARRIED (7/0)

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:-

- **New Sports Clubrooms:** was disappointed to hear some criticism about the new kitchen facilities, especially since the plans have been well circulated and the joint committee had approved of the design. Cr Auld advised that Bowling Club members were very happy with the new facilities.
- **Merger Poll Westonia:** Advised that he had spoken with Cr Geier concerning the negative poll. Cr Auld congratulated the Shire President and Senior Staff for the effort that went into the merger and the fact that it was not the fault of the Shire President or the Senior Staff of Yilgarn that the merger had fallen over.
- **State Barrier Fence:** Had meeting to advance the MOU with DAFWA concerning the Dog Fence project and has had discussions concerning management of project.
- **Regional Roads Group:** Attended the meeting and was advised that all Councils except Westonia would utilise their allocations by 30th June. Appeared that there is approximately \$400k for the program next year with an additional \$90k for Yilgarn.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

- **Retirement of Bill Cowan:** Attended the retirement function for Bill Cowan, a long serving Councillor of the Shire of Narembeen.
- **GECZ Meeting:** Attended the WALGA Zone meeting in Mukinbudin, significant issue was the discussion about the review of the CLGF for WALGA submission.
- **FIFO Inquiry:** Attended the Parliamentary inquiry into the FIFO on 19th April in Kalgoorlie and with the CEO presented Council's submission. He was pleased that there was a genuine interest in the submissions and that Council's submission appeared to be consistent with others who spoke to the inquiry.
- **Road Inspection:** Noted that the tour should be more than just a drive around and asked if the Works Manager could provide a driver for the next tour so he can readily brief Councillors on particular matters throughout the tour.
- **ANZAC Day:** Reminded Councillors that ANZAC Day ceremonies will be at 6am, and 11am followed by light refreshments at the Senior Citizens Centre.

Cr W Della Bosca advised:

- **FESA Consultative Meeting:** Attended the FESA consultative meeting.
- **Moorine Rock Fire Truck:** Advised that FESA had agreed to take the truck in for repairs and if the problem with pressure can not be fixed, it will replace the truck. Also advised that there are no new rebuilds until 12/13, and there are some carryover trucks on order that will be delivered next financial year.

Cr J Della Bosca advised:

- **Working with Warriors (Wheatbelt Health Initiative):** Attended a session in Merredin designed to raise awareness for men's health issues.
- **Evening with Glenn Mitchell "It takes a whole Community to make a difference in Suicide Prevention":** Julie Della Bosca coordinated this event with Onelife. The Shire of Yilgarn, Southern Cross Football Club and the HAY Committee hosted /sponsored this event in Southern Cross that was well attended. There were 60 people in attendance from 17 years up. A very successful evening with all in attendance being able to take home new knowledge and information. There was interest in having other sessions to be held in Southern Cross in the future.
- **Health Agencies of the Yilgarn:** Referred to letter from Caleb in the Information Booklet thanking Council for sponsoring him on the Leeuwin Ship.

Cr Auld advised:

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

- **Bodallin Catchment Management Group:** Advised that there had been an AGM with changes to executive of the Group - now it is Brad Auld, Ian Maddock and Dianne Maddock. They are looking to have more trial work during the coming year.

Cr Truran advised:

- **Driver Reviver:** On behalf of the Hay Committee reported on success of program and expressed thanks for assistance from the Manager for Works with set up etc of Driver Reviver van.
- **Southern Inland Health Meeting :** Laura Black from Silver Chain will be conducting a Health Stakeholders meeting/survey in Southern Cross on 2nd May to discuss/identify health needs in the region.
- **DEHAC Meeting:** Attending DEHAC meeting in May.

Submission to:	Ordinary Meeting of Council – Friday, 18 th November		
Agenda Reference:	7.1		
Subject:	DISCUSSION	PAPER	COUNCILLOR
	MISCONDUCT		
File Reference:	2.3.3.1		
Author:	Jeff Sowiak - Chief Executive Officer		
Disclosure of Interest:	Nil		
Date of Report:	Friday, 16 January 2015		

Background

The Minister for Local Government has released a discussion paper concerning proposed changes to the way in which complaints concerning Councillor Misconduct are to be resolved in the future so as to minimise matters going to the Tribunal.

Comment

The Official Conduct Act 2007 led to changes to Part 5 of the Local Government Act and the introduction of the Rules of Conduct Regulations. These provisions came into operation in October 2007. The new Act introduced mechanisms for dealing with allegations of serious, recurrent and minor breaches. A review of the operation of the Local Government Standards Panel, charged with the task of assessing minor breach allegations under the Rules of Conduct Regulations, commenced in 2010.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

In a press release the Hon Minister John Castrilli MLA has indicated a new method for the way in which local governments deal with local level misconduct allegations.

In his press release he stated that an official review of the Local Government Standards Panel, conducted by the Department of Local Government, found the number of allegations had grown steadily since 2007.

The review, *Resolution of Misconduct Complaints at the Local Level*, also noted during the 2010/11 period, 75 per cent of allegations resulted in a finding of no breach.

Under current legislation, the Panel is required to deal with every allegation made and has no discretion to reject allegations it considers frivolous or vexatious. An internal review by the Standards Panel Review Committee has informed the development of the Consultation Paper released by the Minister.

In the consultation paper the Minister has proposed new processes to allow allegations of low-level misconduct to be dealt with at the local level – in the first instance by the Mayor or President and, if unresolved, by a Panel of Peers.

This would ensure the Standards Panel could deal with allegations of a minor breach in a timely and efficient manner and allegations of a low-level nature would be dealt with at the local level.

The proposed process has now been provided to the local government sector for consultation through the WA Local Government Association who has approached Council with a view to developing a response to the Consultation Paper by 11th May 2012. WALGA has advised that this extremely short consultation timeframe is regarded as necessary to permit Local Government Act amendments to be introduced and considered by Parliament this calendar year.

As a direct consequence, WALGA requires submissions from individual Councils by the due date of Friday 13 April 2012 or Councils may choose to respond via their WALGA Zone in the late April/early May round of meetings when the matter will be included in the WALGA State Council Agenda.

Consultation Paper Proposals

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Uniform Code of Conduct for Elected Members

An area of improvement identified in the Review is in the nature of low level misconduct. It is proposed a Uniform Code of Conduct for Elected Members be introduced and that any allegations of breaches of this Code be dealt with at the local level by the Mayor or President.

It is anticipated the Uniform Code of Conduct will reflect the existing general principles to guide the behaviour of Elected Members, defined in Regulation 3(1) of the Rules of Conduct Regulations:

- (1) General principles to guide the behaviour of council members include that a person in his or her capacity as a council member should –
- (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) avoid damage to the reputation of the local government; and
 - (e) be open and accountable to the public; and
 - (f) base decisions on relevant and factually correct information; and
 - (g) treat others with respect and fairness; and
 - (h) not be impaired by mind affecting substances.

Referral of Low Level Complaints to the Mayor or President

The Standards Panel Review Committee recommended the Mayor or President be empowered to assess allegations of a breach of the Uniform Code of Conduct. If the allegation complaint is upheld, the Mayor or President will have access to a range of actions including mediation, training, a ruling the allegation is frivolous or vexatious or referral to a Peer Review Panel. The Mayor or President will not be involved if they are a party to an allegation, and the complaint will then being dealt with by the Deputy Mayor or Deputy President; should they too be a party, another Elected Member will be appointed by the Council to assess the complaint.

Peer Review Panel

The second element of the Consultation Paper is the proposal to form a Peer Review Panel. This Panel can be formed on an as-needs basis if the Mayor or President is not satisfied a satisfactory resolution to a complaint can be

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

reached by the parties, or if the complainant/respondent is similarly dissatisfied with the outcome of the process undertaken by the Mayor or President. The Peer Review Panel will be formed from an approved pool of eminent persons with experience in Local Government. It is proposed the sitting fees for a Peer Review Panel will be met by the Local Government.

Handling Vexatious Complaints

The Standards Panel Review also identified that some people make vexatious or frivolous complaints for reasons other than a genuine pursuit of resolution. In some circumstances, individuals have repeatedly lodged complaints which lack substance.

It is proposed the Standards Panel and the Mayor or President will be empowered to dismiss any complaint deemed to be vexatious or frivolous. It is further proposed that there will be no right of review by the State Administrative Tribunal or the Peer Review Panel of any complaint deemed to be vexatious or frivolous by the Standards Panel or the Mayor or President.

Council Response

As previously stated, there was limited time available to respond to the *'Resolution of Misconduct Complaints at the Local Level'* Consultation Paper and WALGA asked for Council to submit responses by **Friday 13 April 2012**.

The matter was discussed with the Shire President as the time line for submission of responses to WALGA was prior to the Council meeting and in those discussions it was agreed there appeared to be no issues that needed to be addressed. On that basis the CEO has advised WALGA that there are no issues of concern in the proposals as suggested by the Minister.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Recommendation

That Council endorse the actions of the CEO in advising WALGA that there are no issues of concern in the proposals as suggested by the Minister for the "Resolution of Misconduct Complaints at the Local Level".

Voting Requirements

Simple Majority

68/2012

Moved Cr W Della Bosca Seconded Cr Truran that Council endorse the actions of the CEO in advising WALGA that there are no issues of concern in the proposals as suggested by the Minister for the "Resolution of Misconduct Complaints at the Local Level".

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday, 18 th November
Agenda Reference:	7.2
Subject:	CLGF REGIONAL GRANTS
File Reference:	8.2.6.18
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 16 January 2015

Background

This report is to provide Council with information concerning the current process for assessment and what is currently being done concerning regional CLGF applications.

Comment:

Regional Allocation 2010-2011:

- **Westonia and Yilgarn Shire**

The CEO submitted and received approval and funding for a grant of \$446,346 plus GST for the construction of the State Barrier Fence. This project is to be managed by the Department of Agriculture and Food WA. Council will seek to acquit the grant to the Department. The money has been received and is being held in reserves.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

- **WEROC**

The WEROC Council's, other than the Shire of Westonia/Yilgarn have entered into an agreement for this funding to be allocated to the Regional Racing Track at Kellerberrin and the Granite Way Project Stage 1.

Regional Allocation 2011-12

- **Westonia and Yilgarn Shire**

The Shires of Westonia and Yilgarn are entitled to an allocation of \$720,573 and agreed in November, 2011 that this funding should be allocated to the State Barrier Fence. The CEO subsequently prepared and submitted a business case to RDL which was accepted and endorsed by Wheatbelt Development Commission.

However, during the process of assessment, DAFWA advised the RDL that this additional funding was not required, consequently the Council's application was rejected and it was essential that a new project be agreed to and a business case prepared prior to 30th May, 2012.

An extension of time to complete the business case was sought from the Department of Regional Development however this was declined, although advice received was that a well worked up draft submission would be sufficient to secure funding for 2011-2012 allocation.

The preparation of a business case for Multi Purpose Housing as a new 2011-2012 proposal for the regional allocation was on the agenda for the joint meeting of the two Councils scheduled for March; however that meeting was cancelled at late notice.

Due to the lead time necessary to complete the business case, the CEO of Westonia has confirmed the Shire of Westonia's commitment to the proposal to undertake the construction of Multi Purpose housing across the two Shires and the CEO of Yilgarn has engaged Jo Fulwood to undertake the preparation of the preliminary work on the business case for submission by 30th May as is required.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

The Shire of Yilgarn has determined that the preparation of the Business case is to be funded from the WDC allocation to the Shire of Yilgarn of \$7,852.04 for this purpose.

WEROC & NEWROC

The 11 Shires in the WEROC and NEWROC region are undertaking a study into Aged Care accommodation needs with a view to establishing the credentials for a regional solution to aged care across both regions in 2012-2013 and beyond as part of the 2012-2013 regional allocations.

The tenders for this consultancy have been selected and the consultant will shortly be completing this study as a separate exercise from any other work that is being undertaken. The Shire of Yilgarn has expressed an interest in being involved in this study as it will assist with future planning for aged care across the region. On that basis the WEROC Council's are required to contribute \$5,000 each to conduct a regional aged care study for the 2012-2013 CLGF and beyond.

In the interim, the Shires under WEROC have also collaborated to use the balance of the 2011-2012 Regional Allocation for the purpose of aged housing issues and a consultant has been engaged to undertake the development of the Business case on a shared basis with those participating Council's.

All WEROC Council's initially expressed an interest in being consulted as part of this study with a view to this providing background information for the 2012-2013 year proposals.

However, when it became obvious that other proposals for the WEROC regional allocation (Minus Yilgarn and Westonia) were not likely to be ready for the May 30th deadline for submission of a business case, the proposal was subsequently directed to target the balance of the Regional funds for the 2011-2012 CLGF.

Therefore by default, the Shire of Westonia and Yilgarn are now joined in a study looking at Aged Care needs for the whole WEROC region for the 2011-

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

2012 regional component even though the two Council's have engaged Jo Fulwood to prepare such a business case for multi-purpose housing for the Westonia Yilgarn Regional Council. It is anticipated that the cost of this WEROC aged care study will be in the order of \$2,000 to \$3,000 each.

Whilst it may seem a bit of an overkill to have two studies examining similar aspects it should be possible to have one study focussed on aged care specifically, whereas the other can be broader, looking at professional accommodation needs as well. Either way it will be a backup plan should the first proposal be unsuccessful.

Council will therefore be contributing to three simultaneous studies all of which need to be assessed against the criteria for regional proposals details of which are as follows:

ASSESSMENT PROCESS

The process for CLGF grant applicants will be:

- 1. Submission of the appropriate documentation to the satisfaction of RDL, with a copy provided to the local RDC.*
- 2. Once the required documentation is submitted, RDL will assess the projects against CLGF guidelines.*
- 3. RDCs will be asked to comment on each CLGF Group application relevant to their region and indicate their level of support for the project.*
- 4. Projects will be compiled and project summaries forwarded to the Royalties for Regions Directors General (DG) group for advice.*
- 5. Projects summaries will then be submitted to Cabinet for approval.*
- 6. Upon approval by Cabinet RDL will forward applicants a Financial Assistance Agreement (FAA) for signing, which will outline the conditions of the funding, including the approved project(s) and budget(s).*
- 7. The FAA will then be signed by a nominated representative of RDL and the grant payment will be processed.*

Regional groups are therefore required to submit completed and signed originals of the Application Form, Business Case and relevant supporting documentation for assessment.

Unlike the Individual component of CLGF the Regional Group projects, once assessed, will be progressed to the Directors General Reference Group for comment and then through the Minister to Cabinet for approval.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Receipt of previous CLGF funds for an existing regional group project is not a guarantee that the subsequent rounds of CLGF funding will be approved by Cabinet to be allocated towards the next stage of the project.

Each project is assessed on a case by case basis regardless of whether the project has previously received CLGF funding.

In reference to the impact of amalgamations on CLGF funding Page 7 of the CLGF 2011-12 Regional Group Guidelines states the following:

Amalgamating Local Governments

In line with the policy adopted by Western Australian Local Government Grants Commission (LGGC), where two bodies are amalgamated into a single body, the CLGF grant provided to the new body following amalgamation will be the total of the amounts that would have been provided to the former bodies if they had remained separate entities. Although the LGGC policy has adopted a timeframe of five years, the CLGF policy will only be in effect until the end of 2012-13, after which CLGF funding is no longer provided to any individual local governments.

However, some provision for newly amalgamated bodies is made in these Funding Guidelines, where such a body will be recognised as an eligible Group if they have a CLGF project that meets the criteria in these guidelines.

These provisions mean that an amalgamated local government will be allocated the combined funding amounts of the local governments that formed the new body. The amalgamated local government will be considered a standalone regional group for the purpose of the 2011-12 Regional Group funding round and able to submit a group project without contribution from other local governments. Submitted projects will still be subject to assessment against the eligibility criteria and Cabinet approval.

With regards to out year CLGF funding, the Department of Regional Development and Lands is unable to provide comment on funding commitments until such time as the guidelines and budget are approved and released by the Minister and Cabinet.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Recommendation

That Council endorse the action taken in engaging Jo Fulwood as consultant and also confirm the Council's shared financial support for the WEROC proposals for CLGF aged care studies.

Voting Requirements

Simple Majority

69/2012

Moved Cr Truran Seconded Cr Auld that Council endorse the action taken in engaging Jo Fulwood as consultant and also confirm the Council's shared financial support for the WEROC proposals for CLGF aged care studies with a request that 2012/2013 proposals include options for aged care in this district as Merredin is too far removed.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday, 18 th November
Agenda Reference:	7.3
Subject:	LEASE OLD DEPOT SITE
File Reference:	2.4.1.11
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 16 January 2015

Background

Council has been advised that Gillman Bros who have leased the Old Shire Depot for many years have terminated their lease and requested that Council waive the last quarter's rent as a sign of goodwill relative to their current lack of business activity and assistance provided to the Men's Shed Group.

Comment

Gillman Bros have occupied the old depot site for several years and have given notice on the site with effect from 30th June, 2012. The rent is currently paid to 31st March, 2012 and they have ceased business operations for the past few months and are now concentrating on cleaning up the site.

The Company has provided assistance to the Men's Shed group who have been using the site and sharing the workshop. The Company has also donated various benches and workshop equipment for use by the Men's Shed group and have thanked the Shire for their support of the company in the years that they have been in Southern Cross.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

As a final gesture of good will they have asked if Council would be prepared to waive the last three months rental of the site as they continue with the cleanup prior to officially vacating the site on June 30th. The rental payable is \$2,800 plus GST.

Statutory Environment

LGA section 6.12 Power to defer, grant concessions waive or write off debts. Council has the legal right to recover the rental due or to waive the rental in recognition of the contribution made to the Men's Shed Group as a matter of decision.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council accede to the request from Gillman Bros to waive the rental due on the Old Depot Site for the period of 1st April to 30th June, 2012 in recognition of the contribution that the Company has and is making to the Men's Shed Group.

Voting Requirements

Simple Majority

70/2012

Moved Cr Auld Seconded Cr Guerini that Council accede to the request from Gillman Bros to waive the rental due on the Old Depot Site for the period of 1st April to 30th June, 2012 in recognition of the contribution that the Company has and is making to the Men's Shed Group on the condition that the site is left clean and tidy and the end of this period.

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Submission to:	Ordinary Meeting of Council – Friday, 18 th November
Agenda Reference:	7.4
Subject:	ALGA MOTION CONCERNING HEALTH SERVICES
File Reference:	1.6.1.1
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 16 January 2015

Background

Council has received advice concerning its successful motions to the National Assembly of Local Government.

Comment

The Shire of Yilgarn was successful in having a motion passed at the National General Assembly concerning the funding for doctors in rural areas and specifically the shortfall on afterhours emergency GP services.

The Australian Local Government Association has advised that two Motions have been addressed with the Commonwealth Government they were:

Resolution Number 49:

- 1. That the National Assembly call on the Commonwealth Health Minister for direct Commonwealth funding to Local Government for the provision of doctors in rural and remote communities.*
- 2. That the National General Assembly call on the State and Territory Governments to ensure that they meet the shortfall for afterhours emergency GP services where they are provided by Local Government to public hospitals.*

The Minister has responded by stating:

“Whilst the Australian Government does not directly fund local government for the provision of doctors in rural and remote areas, incentives are available to doctors to relocate and to remain in rural and remote areas of Australia. The Australian Government also provides incentives for doctors interested in locum work in rural and remote areas.”

The Ministerial advice also mentions universities working to boost rural doctors through a number of GP practice programs.

Statutory Environment

Nil

Policy Implications

Nil

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Financial Implications

Nil

<p>Recommendation</p>

<p>That Council note the report.</p>

Voting Requirements

Simple Majority

71/2012

Moved Cr Patroni Seconded Cr Truran that Council refer the matter of funding for rural doctors and the response from both the ALGA and the Minister to WALGA for follow up as it appears that they have not recognised the significance of the issue to rural Council's struggling to maintain GPs.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 20 th April 2012
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:	2 nd April 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 31st March 2012:

- Rates Receipt Statement (prepared to 2nd April 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.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

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 31st March 2012, as presented, be received.

72/2012

Moved Cr Auld Seconded Cr Guerini that the Various Financial Reports for the period ending 31st March 2012 as presented be received.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council -20 th April 2012
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:	3 rd April 2012

Background

Municipal Fund - Cheque Numbers 37637 to 37694 totalling \$316,063.41, Municipal Fund EFT numbers 384 to 424 totalling \$88,072.46 Municipal Fund - Cheque Numbers 1033 to 1037 totalling \$141,617.57, Trust Fund - 401967 to 401970 totalling \$2,453.05 and Trust Fund - Cheque Numbers 5779 to 5783 (DPI Licensing), totalling \$61,858.40 are presented for endorsement as per the submitted list.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

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 37637 to 37694 totalling \$316,063.41, Municipal Fund EFT numbers 384 to 424 totalling \$88,072.46 Municipal Fund - Cheque Numbers 1033 to 1037 totalling \$141,617.57, Trust Fund - 401967 to 401970 totalling \$2,453.05 and Trust Fund - Cheque Numbers 5779 to 5783 (DPI Licensing), totalling \$61,858.40 are presented for endorsement as per the submitted list.

73/2012

Moved Cr Truran Seconded Cr Pasini that Municipal Fund - Cheque Numbers 37637 to 37694 totalling \$316,063.41, Municipal Fund EFT numbers 384 to 424 totalling \$88,072.46 Municipal Fund - Cheque Numbers 1033 to 1037 totalling \$141,617.57, Trust Fund - 401967 to 401970 totalling \$2,453.05 and Trust Fund - Cheque Numbers 5779 to 5783 (DPI Licensing), totalling \$61,858.40 are presented for endorsement as per the submitted list.

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Submission to:	Ordinary Meeting of Council –20 th April 2012
Agenda Reference:	8.3
Subject:	Shire of Yilgarn - 2011/2012 Budget Review
File Reference:	8.2.5.3
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	27 th March 2012

Background

The purpose of this report is for Council to formally consider the 2011/12 Budget Review prior to forwarding to the Department of Local Government.

The Local Government Act 1995 requires local governments to conduct an annual budget review between 1 January and 31 March each year. The outcome of the review is to be submitted to Council within 30 days of its completion. Council is then required to consider the outcome of the review submitted to it and is required to determine (by Absolute Majority) whether or not to adopt the review, any parts of the review or any recommendations made in the review.

A copy of the review and determination is to be provided to the Department within 30 days of Council making its determination.

Comments

A budget review has been conducted by the DCEO in consultation with the CEO, Manager of Environment and Building Services and the Manager for Works.

The actual year to date figures for each account for February 2012 has been projected to the end of the financial year and has been compared to the annual budget figures.

Material variances have been flagged on the Statement of Financial Activity (Projected), in accordance with Council's policy which states that all actual variances exceeding 10% of budget and \$30,000 (both need to be breached) must be reported.

The attached 2011/2012 Budget Review report describes the major variances as reflected between the original adopted budget and the projected budget to the 30th June 2012, all breaches of the threshold (variances greater than 10% and \$30,000) are highlighted in colour.

The Budget Review supporting documents are as follows:

1. A Statement of Financial Activity (Projected) identifying Budget Variances Greater than 10% and \$30,000.
2. Statement of Net Current Assets (Projected)
3. Statement of Reserve Funds (Projected)
4. Statement of Borrowings (Projected)
5. Statement of Capital Acquisitions (Projected)
6. Statement of Assets Disposed (Projected) for the period 1 July 2011 to 30 June 2012

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Budget Impact

The overall impact on Council's budget is as follows:

- ✓ The projected income and expenditure to 30th June 2012 balances back to \$16,817.295.
- ✓ There is a slight increase of \$42,074 from the original budget of \$16,775,221.
- ✓ Management have offset the income to Expenditure so that a balanced budget is achieved i.e. additional revenue has been achieved to cover the overspends in expenditure.

Statutory Environment

Financial Management Regulation 33A - Review of Budget:-

1. Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
2. Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.
3. A council is to consider a review submitted to it and is to determine * whether or not to adopt the review, any parts of the review or any recommendations made in the review.* Absolute majority required.
4. Within 30 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.

Policy Implications

In accordance with section 34(5) of the Local Government (Financial Management) Regulations 1996, Council has adopted the following materiality thresholds:-

- Actual variances up to 5% of budget: Don't report
- Actual variances up to 10% of budget: Use management discretion
- Actual variances exceeding 10% of budget
And a value greater than \$30,000: Must be reported to Council

Financial Implications

Will see a re-allocation of funds within the 2011/2012 Adopted Budget

Strategic Implications

Nil

Recommendation

That the 2011/12 Annual Budget Review comprising the; Statement of Financial Activity, Statement of Net Current Assets (Projected), Statement of Reserve Funds (Projected), Statement of Borrowings (Projected) Statement of Capital Acquisitions (Projected) and a Statement of Assets Disposed (Projected) be adopted and the comments noted.

Voting Requirements

Absolute majority required

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

74/2012

Moved Cr Truran Seconded Cr J Della Bosca that the 2011/12 Annual Budget Review comprising the; Statement of Financial Activity, Statement of Net Current Assets (Projected), Statement of Reserve Funds (Projected), Statement of Borrowings (Projected) Statement of Capital Acquisitions (Projected) and a Statement of Assets Disposed (Projected) be adopted and the comments noted.

CARRIED by Absolute Majority (7/0)

Recommendation

That the 2011/2012 Adopted Budget be amended to include the changes (\$42,074) proposed, resulting from a Budget Review completed by the Executive Management Team. The total of the Municipal Budget being a balance budget of \$16,817,295.

75/2012

Moved Cr Truran Seconded Cr J Della Bosca that the 2011/2012 Adopted Budget be amended to include the changes (\$42,074) proposed, resulting from a Budget Review completed by the Executive Management Team. The total of the Municipal Budget being a balance budget of \$16,817,295.

CARRIEDBY by Absolute Majority (7/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Submission to:	Ordinary Meeting of Council –20th April 2012
Agenda Reference:	8.4
Subject:	Financial Management - Amalgamation
File Reference:	2.5.1.4
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	27th March 2012

Comments

Since 2009/2010 funding has been provided by the Department of Local Government (DLG) towards the amalgamation of the Shires of Westonia and Yilgarn. Up-to-date we have received \$785,285 to be used on the following:

DATE

RECEIVED	AMOUNT	PURPOSE
2009/2010	\$ 50,000	Provision of a Project Officer
2010/2011	\$244,900	1st Year Amalgamation Planning
2010/2011	\$147,000	Asset Management
2010/2011	\$ 70,000	Strategic Planning
2010/2011	\$ 70,000	Long Term Financial Planning
2011/2012	\$223,385	2nd Year Amalgamation Planning
TOTAL	\$785,285	

The Shire of Yilgarn's DCEO was contacted by Mr Fowler from the DLG who requested that all spending on the amalgamation cease, until after the poll in the Shire of Westonia on the 14th April 2012. As there were contracts in place with several consultants working on the merger processes, it was necessary to give them two weeks' notice for the completion of their contract, which ended on the 16th March 2012.

The DCEO explained the situation to the consultants, that the Shires found themselves in, and that a definite decision would not be known until the 14th April, and asked if they would be available after that date to re-commence on the project should the merger proceed. The existing consultants could not guarantee that they would be available to complete the project.

The impact of the pulling of funding provided for the merger will have significant effects on the whole process, should the merger proceed. It will be unlikely that the operational goals will be met in the 11 weeks leading up to the 30th June 2012 i.e. development of joint budget, implementation of a new Financial System and merging of rating data in preparation of rates levying for 12/13, upgrading of IT infrastructure and training of staff etc.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

In addition, should the merger not proceed it is likely that the unspent funding will be withdrawn by the DLG and both shires will have to individually fund by way of rates the integrated Strategic planning; which includes the Asset Management plan, Strategic Plan and Long Term Financial Plan which will be a statutory requirement by 2013.

For Council's Information

Discussion:

The DCEO tabled a letter from the Department of Local Government indicating that the surplus of funds paid to Council relative to the merger is to be acquitted and returned and that Council may retain 50% of funding for the Strategic plan, asset management and forward financial plan. The DCEO indicated that this amounted to approximately \$105,000.

76/2012

Moved Cr Guerini Seconded Cr J Della Bosca that Council receives the letter from the Department of Local Government concerning the merger and endorse the repayment of funds as requested.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council -20th April 2012
Agenda Reference:	8.5
Subject:	Regional Group Structure
File Reference:	2.5.1.3
Author:	Vivienne Murty - Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	27th March 2012

Background

Back in 2008 both Councils recognised the mutual benefits that can be gained through a cooperative approach in resource sharing opportunities, and the Shires of Westonia and Yilgarn enter into a Memorandum of Understanding (MOU) to further facilitate and promote cooperation between the Shires, the MOU exist for a period of five years to 2013.

More recently, both Councils decided to prepare a submission to the Local Government Advisory Board and Minister of Local Government for voluntary Amalgamation between the two shires. In the event that the merger does not proceed (decision made on the 14/4/12) both Councils will need to determine if they still want to retain the Regional Council Structure.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Comments

The benefits of the retention of the MOU and the Regional Council Structure is that it forms an agreement between both Councils to undertake specific regional projects and thus qualifies both Shires under the Royalties for Regions (R4R) Country Local Government Fund (CLGF) regional groups of country local government guidelines, see below for extract:

REGIONAL GROUPS OF COUNTRY LOCAL GOVERNMENTS

Regional Group refers to any grouping of local governments that agrees to work together for the purpose of delivering a regionally significant infrastructure project. Examples include:

- Regional Collaborative Groups
- Regional Transitional Groups
- Local governments which have amalgamated or are undergoing amalgamation
- Regional organisations of councils
- Strategic alliances
- Regional local governments
- Informal groups that sign an agreement to undertake a specific CLGF Regional Group project

Should the merger not proceed, there are a lot of benefits in retaining the Westonia-Yilgarn Regional Council structure, especially in relation to securing Regional CLGF funding into the future.

At this stage, the regional component of CLGF will go to 100% of Council allocations in 2013/14 amounting to approximately \$1.2M and there would be an advantage for both Councils to have a direct say in determining regional priority projects, with the implementation at a local level.

Statutory Environment

Nil

Policy Implications

None

Financial Implications

With the retention of the Regional Council Structure, both Councils will be able to access R4R CLGF Regional funding into the future.

Strategic Implications

None

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Recommendation

That Council agrees to retain the Westonia - Yilgarn Regional Council Structure into the future.

Voting Requirements

Simple Majority required

77/2012

Moved Cr Pasini Seconded Cr Guerini that Council agrees to retain the Westonia - Yilgarn Regional Council Structure into the future.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council -20th April 2012
Agenda Reference:	8.6
Subject:	Payment of Relocation Costs - A Seiler -Acting CEO
File Reference:	1.11.10.55
Author:	Vivienne Murty - Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	27th March 2012

Background

As you are aware Mr A Seiler has accepted the position of Acting CEO at the Shire of Yilgarn from the 5th June 2012 to the 31st March 2013.

The DCEO received an email from Mr Seiler on the 24th March 2012 requesting the following:

1. If Council would consider payment of his relocation expenses up front and payment made direct to the Transport Company (Allied Pickford) prior to removal on the 29th March 2012.
2. If his contract is terminated by Council prior to expiration, will Council relocate his personal possessions to Perth?

Adam has indicated that the cost of relocation of personal items to Southern Cross will be approximately \$7,500 (incl GST) through Allied Pickford.

Comments

In accordance with Mr Seiler's employment contract Removal / Relocation Expenses are covered under clause 4.5.2 which states the following:

4.5.2 Removal/Relocation Expenses

In accordance to Council Policy 7.2 - That Council, in an effort to encourage quality staff to the Shire, contributes to removal/relocation expenses up to a

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

maximum of \$5,000. Reimbursement of the removal/relocation expenses will be as follows:-

- *50% of the costs being repaid to the employee after 6 months of service*
- *The balance to be repaid following 12 months service.*

In respect to the Acting Chief Executive Officer Council agrees to pay 50% at the commencement of the contract term and the balance upon completion of the contract term.

Removal/Relocation expenses are also mentioned in the Council Policy Manual under Employee Benefits policy No. 7.2 (see below):

REMOVAL/RELOCATION EXPENSES:

That Council, in an effort to encourage quality staff to the Shire, contributes to removal/relocation expenses up to a maximum of \$5,000.00. Reimbursement of the removal/relocation expenses will be as follows:-

- *50% of the cost being repaid to the employee after 6 months of service.*
- *The balance to be repaid following 12 months service.*

In respect to prospective employees that will be negotiating a Contract with the Shire, Council reserves the right to negotiate individually with the prospective employee regarding removal/relocation expenses. Nothing in this policy shall prevent an employee negotiating to salary sacrifice relocation costs.

As mentioned above, Council can authorise Mr Seiler to salary sacrifice any out-of-pocket expenses relating to relocation costs.

Council will also need to decide, in the event that Mr Seiler's contract is terminated prior to the 31st March 2013, if Council will cover the cost of relocating him back to Perth, the costs for this will be approximately \$5,000.

Statutory Environment

Nil

Policy Implications

None

Financial Implications

There is a 2011/2012 budget under unclassified for these types of unscheduled costs that can be used for the initial payment of \$2,500 and the second payment will be a budgeted item for 2012/13.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Strategic Implications

None

Recommendation

That Council in accordance with Mr Seiler's contract pay 50% of relocation costs upon commencement of employment and 50% upon completion of his contract, and also authorises the salary sacrificing of additional relocations costs above the \$5,000 allowance.

In addition, Council agrees/disagrees to pay for Mr Seiler's relocation costs back to Perth in the event that his contract is terminated prior to the 31st March 2012.

Voting Requirements

Simple majority required

Discussion:

Councillors suggested that the question of relocation costs referred to in the second part of the recommendation should be deferred.

78/2012

Moved Cr Auld Seconded Cr W Della Bosca that Council in accordance with Mr Seiler's contract pay 50% of relocation costs upon commencement of employment and 50% upon completion of his contract, and also authorises the salary sacrificing of additional relocations costs above the \$5,000 allowance.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council -20th April 2012
Agenda Reference:	8.7 LATE ITEM
Subject:	State Barrier Fence Project - Council's Representatives
File Reference:	7.2.4.1
Author:	Vivienne Murty - Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	20 th April 2012

Comments

On the 18th April, Council representatives from the Shires of Yilgarn and Westonia met with Ms Emily Lewis and Mr Craig Robbins from DAFWA to discuss the MOU with DAFWA for the State Barrier Fence and to review the draft Implementation Plan for the Yilgarn Gap project.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

It has been determined that the shires of Yilgarn and Westonia and DAFWA are partners in the project and will provide input through membership of the Yilgarn Gap Reference Group.

The Yilgarn Gap Reference Group (YGRG) is to be established with appropriate representation to support and advise the roles of project co-ordination and management, and review the outputs of the project. The Terms of Reference for the YGRG will be prepared by the project manager (E Lewis) for endorsement by the Group. The Group is to be a *purely advisory body* and is not to have any decision-making power, as these are vested entirely with DAFWA as the project manager.

It has been recommended that up to four persons are to sit on the YGRG:

- One representative is to be appointed by DAFWA
- One representative is to be appointed by the Shire of Yilgarn
- One representative is to be appointed by the Shire of Westonia.
- One representative is to be appointed by DRDL.

Meeting of the YGRG will be held in Perth/Southern Cross, as agreed, at the commencement of each phase of the project.

In addition to the YGRG a Project Implementation Group (PIG) is to be established with appropriate representation to ensure that the project implementation occurs as planned. It is recommended that four persons are to sit on the PIG.

- DAFWA's Project Manager (E Lewis)
- DAFWA's State Barrier Fence Manager (C Robbins)
- One representative is to be appointed by the Shire of Yilgarn; and
- One representative is to be appointed by the Shire of Westonia.

Council will need to determine who they would like to appoint as representatives on the YGRG and the PIG. As the State Barrier Fence is a management issue, it has been suggested that the DCEO - Ms V Murty be Council's representative on the YGRG as she is aware of the management and financial parameters of the project, and the Manager for Works - Mr R Bosenberg be Council's representative on the PIG due to his technical involvement in the project.

Statutory Environment

Nil

Policy Implications

None

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Financial Implications

None

Strategic Implications

None

Recommendation

That Council agrees to appoint the following Officers as Council Representatives:

Ms V Murty (DCEO) - Yilgarn Gap Reference Group (YGRG)
Mr R Bosenberg (MW) - Project Implementation Group (PIG)

For the purpose of monitoring the State Barrier Fence Project (Yilgarn Gap section)

Voting Requirements

Simple majority required

Discussion:

The Manager for Works outlined to Council the proposal to engage Brett Howson to supervise the project on behalf of Council.

79/2012

Moved Cr J Della Bosca Seconded Cr Guerini that Council agrees to appoint the following Officers as Council Representatives:

*Ms V Murty (DCEO) - Yilgarn Gap Reference Group (YGRG)
Mr R Bosenberg (MW) - Project Implementation Group (PIG)*

For the purpose of monitoring the State Barrier Fence Project (Yilgarn Gap section)

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 20th April 2012
Agenda Reference:	9.1
Subject:	Shire of Yilgarn Plant Replacement Program - 2012/2013 - 2021/2022
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.4.1.5
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	3 rd April 2012

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Background

A review of Councils Plant replacement is carried out on an annual basis, with the attached Plant Replacement Program being for a ten year period. The proposed Plant Replacement Program is expected to provide council with a Strategic Plant Replacement Program that will result in optimum return on both operating and change over costs of Councils Plant and Equipment.

In the past Council has used the following life cycles for the replacement of equipment and plant. This has resulted in Council achieving minimal costly down time and optimum trade prices of the respected plant items.

Graders/ Construction Loader	8 years or 10,000 hours
Rollers	10 years or 12,000 hours
Prime Movers/Tip Trucks	8 years or 200,000km
Small Loader/Backhoe	12 years or 9,000 hours
Light Tip Trucks/Personal Carries	5 years or 150,000kms
Landcruiser Utilities	3 years or 110,000kms
Executive Vehicles	1.5 - 2 years
Community Bus	80,000km

Comments

In the 2012/2013 Plant Replacement Program it is proposed to replace councils current Backhoe, Float, Toro SP verge slasher, Hilux utility, two Landcruiser utilities and the Building Maintenance vehicle.

The Backhoe that is proposed to be replaced in the 2012/2013 plant replacement program is a Caterpillar 428C Backhoe. This Backhoe was purchased in 1998 and is utilised by councils outside staff for culvert installation on road construction programs, culvert and drain maintenance and other excavation works as required at cemeteries and landfill sites.

Also included in the 2012/2013 Plant Replacement Program is the replacement of council's Float. The Float was purchased in 1992 and is utilised by council staff to move road building equipment to various road construction locations across the shire. It is also utilised to move earthmoving equipment to and from bushfires. The Float is eighteen years old and is starting to show signs of fatigue cracking in the chassis.

It is also proposed to replace two, Landcruiser Utility which where purchased in 2008. These vehicle are currently been utilised by councils construction and maintenance personnel for transport to and from worksites and for the transporting of fuel and oils supplies required for road maintenance and road building equipment.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

It is also proposed to replace the Building Maintenance vehicle. This vehicle was purchased in 2009.

Included in the 2012/2013 Plant Replacement Program is a monetary allocation of \$26,500 to replace the 2000 Toro SP verge slasher as well \$9,000 to purchase a front end slasher/mulcher for the skidsteere loader.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Ten Year Plant Replacement Programs will form the basis of Capital Plant Replacement Purchases in future Budgets. Initial indications show the Plant Replacement Programme for 2012/2013 will cost (net) \$472,500. This cost excludes Executive Vehicles which will be costed directly within the Budget.

Executive vehicles to be replaced in the 2012/2013 Financial Year are, Chief Executive Officer vehicle, Environmental Health and Building Officer vehicle and Works Supervisor vehicle.

Strategic Implications

Ten-Year Plan will provide Council with a Strategic Plant Replacement Program that will result in optimum return on investment of Plant and Equipment.

Recommendation

That the Ten Year Plant Replacement Program for the period 1st July 2011 to 30th June 2021 as attached, be adopted

and

That all vehicles listed for replacement in the 2012/2013 Financial Year Plant Replacement Program be included in 2012/2013 Financial Year Budget deliberations.

Voting Requirements

Simple Majority

80/2012

Moved Cr W Della Bosca Seconded Cr Truran that the Ten Year Plant Replacement Program for the period 1st July 2011 to 30th June 2021 as attached, be adopted and

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

That all vehicles listed for replacement in the 2012/2013 Financial Year Plant Replacement Program be included in 2012/2013 Financial Year Budget deliberations.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council April 20 th 2012
Agenda Reference:	Works 9.2
Subject:	Driver Reviver Caravan
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.3.1.2
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	10th April 2012

Comment

A successful Driver Reviver campaign was once again run in Southern Cross over the 2012 Easter Period. The Driver Reviver campaign was run in conjunction with the Health Agencies of the Yilgarn (HAY committee), Road Wise committee and Shire of Yilgarn on Thursday 5th Friday 6th, and Monday 9th April 2012. The Driver Reviver Van was manned for 26 hours over this period.

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

The Health Agencies of the Yilgarn through Cr Onida Truran and Lisa Boso organized volunteers and rosters for the running of the Driver Reviver campaign. Twelve members of the Yilgarn district generously gave up their valuable time to assist with the running of this campaign: Margaret Harrison, Carla Della Bosca, Olwen Beaton, Lisa Boso, Dianne & Wayne Della Bosca, Onida Truran, Bernie Dorazio, Lynne Guerini, Jane & Romolo Patroni and Pat Dal Busco.

Over the 26 hour period the Driver Reviver campaign was running, a total of 67 vehicles stopped, and 133 drivers and passengers taking advantage of refreshments and hospitality offered by volunteers manning the van and the amenity rooms made available by Mr. Bernie Dorazio.

Correspondence has been forward to Mr. Bernie Dorazio (Bernie's Mobile Mechanic Services) and Lisa Boso (Secretary Health Agencies of the Yilgarn) thanking them for their much appreciated involvement in the Driver Reviver

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

campaign both through the organizing of volunteers, and the use of amenity rooms and area for the set up of the Driver Reviver Van.

Submitted for Councils information

Submission to:	Ordinary Meeting of Council - Friday 20 th April, 2012
Agenda Reference:	10.1
Subject:	Eucalyptus Tree Outside Senior Citizens Centre
Location/Address:	Lot 100 Corner Achernar & Spica Streets, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	2.4.1.9
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th April, 2012

Background

I refer to Agenda Item 10.3 of the Ordinary Meeting of Council held on 16th March 2012. At this Meeting Council passed the following motion:-

“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.”

Comment

Mr Lloyd McDonald of Southern Cross Tree Pruning Services was asked to provide advice on this tree. Mr McDonald advised that:-

- it is not a Spotted Gum tree but is a Eucalyptus haemastoma or “Scribbly Gum” tree which is from New South Wales, in particular the Sydney area;
- Scribbly Gum trees are self-shedding trees which regularly drop small to large branches, especially on hot still days;
- the tree is a beautiful specimen tree that has been planted in the wrong position, being too close to a building;
- yes the surface horizontal roots can be cut to stop the problems with lifting the brick paving or causing problems with the building, but you will find that these roots will grow back in a short period of time and the work will need to be repeated every 12 to 24 months;
- in cutting the roots which will have to be done around the whole tree, this will weaken the stability of the tree and in a strong wind it is likely to blow over;
- an alternative to cutting the roots would be to heavily prune the tree back to just above the stub of the branches from the trunk. This heavy

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

pruning process will kill many of the surface horizontal roots, but there is no guarantee that the problem roots will be killed. This method does not weaken the stability of the tree, however, the process will need to be carried out every 6 to 12 months;

- Mr McDonald does not believe it is being affected by termites but is “pushing up out of the ground” due to it being restricted in area in the garden bed;
- being in the garden bed it is regularly watered and has been pruned a couple of times over the past 3 years, both of which will continue to promote further growth of the tree and it’s root system;
- Mr McDonald’s recommendation would be to remove the tree.

Based on Mr McDonald’s advice and recommendation I would also recommend that this tree is removed to reduce the likelihood of any major damage occurring to the Senior Citizens Centre building either through root or branch action. While it is disappointing to loose such a beautiful tree, the ongoing cost to try and maintain it is not justifiable. More suitable tree(s) could be planted in the garden bed or the area where the tree is removed from could be planted in low growing plants similar to those already in the garden bed.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

A quote to remove the tree and stump was not obtained but would be estimated to be around \$3,500.00. This money can come from the Senior Citizens Centre Maintenance Account.

Recommendation

That Council agrees to the removal of this Eucalyptus tree.

Voting Requirements

Simple Majority.

81/2012

Moved Cr Pasini Seconded Cr W Della Bosca that Council agrees to the removal of this Eucalyptus tree after a period of public notice and opportunity for community consultation.

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Submission to:	Ordinary Meeting of Council - Friday 20 th April, 2012
Agenda Reference:	10.2
Subject:	Proposed Management of Reserve 17381 as an A Class Nature Reserve Transferred to the Conservation Commission of Western Australia
Location/Address:	Reserve 17381 Mount Jackson Road, Lake Deborah West
Name of Applicant:	Department of Environment and Conservation - Ms Nicola Mincham
File Reference:	9.1.1.1
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th April, 2012

Background

The Department of Environment and Conservation (DEC) has written seeking Council's support for:-

- 1) the vesting of Reserve 17381 as an A Class nature reserve for two main reasons -
 - the vegetation in the Reserve is part of the Beard Vegetation type 535 (Rough Fruited Mallee on Greenstone Hills) and this vegetation type is not currently presented in Western Australia's conservation estate; and
 - Reserve 17381 is located in the Highclear Hills area which is a priority acquisition region for the DEC;
- 2) excising the section of Mount Jackson Road that extends through Reserve 17381 from the Reserve and placed on its own road reserve;
- 3) the unconstructed road reserve to the east of the current Mount Jackson Road that is within the Reserve would need to be closed by the Shire and this land be added to the Reserve; and
- 4) the transferring of the management of Reserve 17381 to the Conservation Commission of Western Australia.

See attached copy of the letter and location map/aerial views of the Reserve.

Comment

Reserve 17381 is 445 hectares in area, is uncleared native bushland, with at least one if not two rock formations running through the Reserve.

There is an unidentified water infrastructure within the Reserve and the DEC intends to discuss with the adjacent pastoral lessee who constructed the infrastructure to formalise his management and access to this resource.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

This area has exploration and mining leases over it and the reclassification of the Reserve to an A Class Reserve may impact on possible future mining activity within this Reserve.

The excising of the current formed Mount Jackson Road reserve from Reserve 17381 would mean that travellers can still access the road to travel further north. Closing the unconstructed road reserve and amalgamating this land into Reserve 17381 is a reasonable suggestion however there will be a cost to Council in carrying out this procedure under Section 58 of the Land Administration Act.

The Manager of Works has advised that the Shire will require the excised width of the Mount Jackson Road reserve to be at least 100 metres.

Statutory Environment

Compliance with Section 58 of the Land Administration Act for the closure of a road.

Policy Implications

Nil

Financial Implications

There will be the cost of advertising the proposed closure of the unconstructed section of road reserve within the Reserve 17381 plus administration staff's time in carrying the required work.

Recommendation

That Council advise the Department of Environment and Conservation that it does not oppose the vesting of Reserve 17381 as an A Class nature reserve; it supports the excising of the section of Mount Jackson Road reserve within Reserve 17381 from the Reserve on the condition that it is a minimum of 100 metres wide; it supports the formal closure of the section of unconstructed road within Reserve 17381 and for that land to be amalgamated into the Reserve; and for the management of Reserve 17381 to be transferred to the Conservation Commission of Western Australia.

Voting Requirements

Simple Majority.

Discussion:

Councillors expressed concern that there may be a move to establish this reserve as an "A" Class reserve in the future and the impact that this might have on future public use and asked if the MEHD could investigate this further and report back to Council.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

82/2012

Moved Cr Pasini Seconded Cr W Della Bosca that Council defer consideration of item 10.2 pending further advice from the MEHB.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 20 th April, 2012
Agenda Reference:	10.3
Subject:	Proposed Additions of Crown Reserves to Yellowdine Nature Reserve
Location/Address:	Reserve 3113 Weowanie Nature Reserve, 18966 "Timber Goldfields Water Supply", 2179 and 3112 Duladgin Nature Reserve, and 29823 Condarnin Rock Nature Reserve, Yellowdine
Name of Applicant:	Department of Environment and Conservation - Ms Nicola Mincham
File Reference:	9.1.1.1
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th April, 2012

Background

The Department of Environment and Conservation (DEC) has written seeking Council's support for the addition of several Crown Reserves to the existing Yellowdine Nature Reserve of Class C Reserve 41936 Location 1569 "Conservation of Flora and Fauna".

The reserves to be added to Reserve 41936 Yellowdine Nature Reserve are:-

- 1) Crown Reserve 3113 Weowanie Nature Reserve - currently managed by the Water & Rivers Commission;
- 2) Crown Reserve 18966 "Timber Goldfields Water Supply" - unvested reserve;
- 3) Crown Reserve 2179 Duladgin Nature Reserve - currently managed by the DEC;
- 4) Crown Reserve 3112 Duladgin Nature Reserve - currently managed by the DEC;
- 5) Crown Reserve 29823 Condarnin Rock Nature Reserve - currently managed by the DEC; and
- 6) The unmade road reserves within the section of the Yellowdine Nature Reserve south of the Great Eastern Highway are proposed to be closed and amalgamated into the Reserve.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

The Department of Mines and Petroleum is not very supportive of this proposal, however, the DEC is approaching the Department again and is hopeful to receive it's support.

See attached copy of letter and location maps.

Comment

Unfortunately I can not comment on the DEC's statement that Council has previously supported the addition of Crown Reserves 3112, 3113, and 2179 with Reserve 41936 Yellowdine Nature Reserve as it goes back to 2001 and was probably dealt with by another staff member.

I can provide information regarding DEC's statement that in 2007 Council did support actions dealing with Reserve 18966. This matter was addressed under item 10.1 of the March 2005 where the Department of Planning and Infrastructure (DPI), now the Department of Regional Development and Lands, proposed to issue a new lease agreement for Location 1522 off Great Eastern Highway, Yellowdine for the purpose of cropping and grazing but first Reserve 18966 which includes or surrounds Location 1522, needs to be changed to Unclassified Crown Land (UCL). At this Meeting Council passed the following motion:-

"That Council advise the Department for Planning and Infrastructure that:-

- 1) it has no objections to the cancellation of Reserve 18966 for the purpose of "Timber (Goldfields Water Supply)", but would prefer the land to remain as a Reserve for the preservation of native timber species either under the Department for Planning and Infrastructure's or the Department of Conservation and Land Management's control; and*
- 2) it has no objections to Location 1522 off the Great Eastern Highway, Yellowdine being excised from Reserve 18966, and that access to the land be preserved via a battleaxe easement where the Shire is not responsible for construction or maintenance of this access road."*

Item 10.3 of the February 2007 Council Meeting the Department of Conservation and Land Management (CALM) advised that the DPI had written to it outlining its proposal to cancel Crown Reserve 18966 to allow Location 1522 to be leased for cropping and grazing. At this Meeting Council passed the following motion:-

"That Council advise the Department of Conservation and Land Management that it has no objections to Location 1522 being made Unallocated Crown Land and that the remaining portion of Reserve 18966 purpose of "Timber (Goldfields Water Supply)" be changed to Nature Reserve for the purpose of

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

“Conservation of Flora and Fauna” and be vested with the Conservation Commission of Western Australia on the condition that the Marvel Loch-Yellowdine Road reserve is excised from Reserve 18966 at no cost to the Shire.”

The access route servicing Location 1522 was excised at not cost to the Shire.

In many ways it does make sense for these 5 reserves to become part of the Yellowdine Nature Reserve, which is part of the Great Western Woodlands. While this land is currently a Class C Reserve, it is possible that the DEC will look to changing it into a Class A Reserve.

Nature reserves when managed by the DEC are set aside for the conservation of flora and fauna, to maintain and restore the natural environment. Passive recreation that is compatible with the proposed reserve’s purpose of “Conservation of Flora and Fauna” such as bushwalking and nature appreciation are allowed.

The Manager of Works does not support the proposed closure of any roads as these roads are used for accessing the area for bushfire control and as firebreaks, but they would also be used by weekend prospectors and miners accessing Heaneys Find minesite situated north-east of Mt Palmer townsite. The Marvel Loch-Yellowdine Road which runs through Reserve 41936 must be retained for public use.

The Manager of Works has also advised that there are at least 2 gravel pits within this area which the Shire wish to continue to use and will require access to in the future.

Statutory Environment

Nil

Policy Implications

Council Policy 2.17 Reserves - Notification to Surrounding Land Owners.

“That when notice is received concerning any proposed changes in status of land (other than ownership) to Reserves, Council as a matter of courtesy notifies all adjoining landowners of the proposed changes for their information and/or comment.”

There are only 2 landowners in the Yellowdine area plus 1 other landowner in the Yellowdine townsite. As the proposal will not significantly or effectively change the current status of the Reserves proposed to be included in the Yellowdine Nature Reserve, these people have not been written to to advise them of the proposal or to seek their comments.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

The landowners are:

- G & G Nicoletti (Bacopak) - Location 708 & 709 south of Great Eastern Highway;
- Messrs Roberto & Valentino Gianoncelli - Lease for Location 1522 north off Great Eastern Highway;
- Mr Grant Hislop - town Lots 22, 24, 25, and lease for 27 Great Eastern Highway, Yellowdine.

Financial Implications

Nil

Recommendation

That Council advise the Department of Environment and Conservation that:-

- 1) it has no objections to Crown Reserves 3113, 18966, 2179, 3112, and 29823 being included in the Yellowdine Nature Reserve on the condition that the Shire and its contractors are able to access its gravel pits located within this area; the Department as the manager of the area will actively work to control vermin and in particular wild dogs within the Nature Reserve; plus recreational prospecting is allowed within the Nature Reserve;
- 2) it does not support the closure of any roadways within this area as these roads are required in case of bushfire to access the areas and to form firebreaks.

Voting Requirements

Simple Majority.

Discussion:

Councillors expressed concern that there may be a move to establish this reserve as an "A" Class reserve in the future and the impact that this might have on future public use and asked if the MEHD could investigate this further and report back to Council.

83/2012

Moved Cr Pasini Seconded Cr W Della Bosca that Council defer consideration of item 10.3 pending further advice from MEHB.

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Submission to:	Ordinary Meeting of Council - Friday 20 th April, 2012
Agenda Reference:	10.4
Subject:	Planning Application - Lease Renewal
Location/Address:	Locations 1069, 1070, 1071, 1571 on Deposited Plan No 203752 and Lot 1580 on Deposited Plan 243168 - Lease No K395503
Name of Applicant:	Department of Regional Development and Lands - Ms Kerrie Bridger
File Reference:	1.6.17.4
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	12 th April, 2012

Background

The Department of Regional Development and Lands (DRDL) has written advising that the lease for Locations 1069, 1070, 1071, 1571, & 1580 north off the Koorda-Bullfinch Road along the east side of Lake Baladjie expired on 31st March 2012. The lease for the purpose of "Grazing" commenced on 1st April 2007 was for a 5 year term. This lease is being used in conjunction with the adjoining Pastoral Lease 3114/800 (Golden Valley Station).

The DRDL is proposed to issue a new five year lease with the same conditions, and is seeking Council's comments on this proposal.

Comment

Locations 1069, 1070, 1071, 1571 and 1580 are zoned "Rural/Mining" under the Shire of Yilgarn Town Planning Scheme No 2. The lease purpose of grazing is a permitted land use under this zoning.

The land is leased by Messrs Maxwell and John Roberts. To my knowledge the Shire has not received any complaints regarding the use of these lots, and there is no reason for Council not to approve the issuing of a replacement or new lease to the current lessees.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2.

Policy Implications

Nil

Financial Implications

Council currently receives rates from the lessees for these lots.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Recommendation

That Council advises the Department of Regional Development and Lands that it has no objections to a new 5 year lease being offered to the current lessees for Locations 1069, 1070, 1071, 1571, & 1580 north off the Koorda-Bullfinch Road along the east edge of Lake Baladjie, Bullfinch area.

Voting Requirements

Simple Majority.

84/2012

Moved Cr W Della Bosca Seconded Cr Truran that Council advises the Department of Regional Development and Lands that it has no objections to a new 5 year lease being offered to the current lessees for Locations 1069, 1070, 1071, 1571, & 1580 north off the Koorda-Bullfinch Road along the east edge of Lake Baladjie, Bullfinch area.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 20 th April, 2012
Agenda Reference:	10.5
Subject:	Application to Clear Native Vegetation - Koolyanobbing Minesite - Administration Area Upgrade - CPS 4948/1
Location/Address:	Mining Lease 77/990 Lots 222, 17, 16, 15, 223, 13, 12, 11, 10, 9, & 8 Fitzgerald Street, Stirling Crescent, & Irwin Street, Koolyanobbing townsite
Name of Applicant:	Department of Mines and Petroleum - Ms Tricia Hudgell
File Reference:	7.2.1.21
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th April, 2012

Background

The Department of Mines and Petroleum (DoMP) has received an application from Cliffs Asia Pacific Iron Ore Pty Ltd - Yilgarn Operations to clear 1 hectare of native bushland from Lots 222, 17, 16, 15, 223, 13, 12, 11, 10, 9, & 8 between Fitzgerald Street, Stirling Crescent, and Irwin Street, Koolyanobbing townsite. The reason for the request is to provide cleared land for an upgrade to the administration area for the mining company.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

DoMP is seeking Council's comments on this application. See attached letter, aerial photographs, and location map.

Comment

The land is covered by Mining Lease M77/990 and is situated within the Koolyanobbing townsite. Under the Shire of Yilgarn Town Planning Scheme No 2 this land is zoned "Townsite". Council has previously given support for the mining administration and accommodation development within the townsite, and this proposal is expected to be similar to the current administration development situated on the land just west of this area.

The proposed area to be cleared is 1 hectare or 2.471 acres or 10,000.0m². This area is reasonably small, with most of the lots having been cleared previously, many years ago, for residential accommodation purposes.

There is no reason to withhold support for this application.

Statutory Environment

Compliance with the Environmental Protection Act 1986.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advises the Department of Mines and Petroleum that it has no objections to Cliffs Asia Pacific Iron Ore Ltd clearing 1.0 hectares of native vegetation for the purpose of carrying out upgrade work to its administration area within the Koolyanobbing townsite as shown on the aerial photograph and location map provided.

Voting Requirements

Simple Majority.

85/2012

Moved Cr Guerini Seconded Cr Truran that Council advises the Department of Mines and Petroleum that it has no objections to Cliffs Asia Pacific Iron Ore Ltd clearing 1.0 hectares of native vegetation for the purpose of carrying out upgrade work to its administration area within the Koolyanobbing townsite as shown on the aerial photograph and location map provided.

CARRIED (7/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Submission to:	Ordinary Meeting of Council - Friday 20 th April, 2012
Agenda Reference:	10.6
Subject:	Application to Conduct Exploration Drilling & Prospecting Activities - Mineral Deposits
Location/Address:	Yilgarn Shire
Name of Applicant:	Cottage Holdings Pty Ltd on behalf of Kalorra Mining and Exploration Pty Ltd x 2; John Matthew & Sons Real Estate & Business Agents on behalf of Adam Frank Hill x 2
File Reference:	3.2.1.6
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	13 th April, 2012

Background

- 1) Cottage Holdings Pty Ltd on behalf of Kalorra Mining and Exploration Pty Ltd has submitted an application for Exploration Licence E77/2047 which extends from east of the Bodallin North Road to the Narla South Road, from north of Della Bosca Road to south of Stand Pipe Road (or Murray Road), and includes two Water Reserves plus a ?? Reserve. The Council roads included within this Lease are Della Bosca Road, Corinthia West Road, Stand Pipe Road (or Murray Road), Price Road, Noongar North Road, and Narla South Road. See attached letter, application and map.
- 2) Cottage Holdings Pty Ltd on behalf of Kalorra Mining and Exploration Pty Ltd has submitted an application for Exploration Licence E77/2048 which extends from just north Corinthia West Road to Newbury Road and is further east of E77/2047 (see above). See attached letter, application and map.
- 3) John Matthew & Sons on behalf of Adam Frank Hill has submitted an application for Prospecting Licence P77/4128 which lies on the north side and a small section of the Koorda-Southern Cross Road. See attached letter, application, and map.
- 4) John Matthew & Sons on behalf of Adam Frank Hill has submitted an application for Prospecting Licence P77/4129 which lies on the north side and a small section of the Koorda-Southern Cross Road plus the intersection of Meharry Road. See attached letter, application, and map.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

It is unknown whether drilling is expected to occur on any Council controlled roads, therefore the applications are being treated as if drilling may occur along the roadways.

Comment

Under the Mining Act any works within a gazetted townsite or within 2Kms of the boundary of a gazetted townsite requires comment from the Local Government. In these instances, the proposed drilling operations will be well outside any designated townsite, and there may be proposed drilling operations along the road reserves within the exploration licence areas. The abovementioned roads are all controlled by the Shire.

In line with similar applications previously received from other applicants, Council should grant approval to each applicant to carry out any roadside drilling based on the following general conditions:-

- 1) That dust suppression is carried out so that others are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
- 3) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;
- 6) A fire fighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
- 7) No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) - refer to Typical Cross Section of Road Formation diagram;
- 8) Safety signs are to be erected in accordance with Australian Standards - to warn both mining staff, contractors, and the public/visitors;
- 9) All drill holes are to be capped as soon as possible/practical after drilling;
- 10) If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.; and

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

- 11) That the proposed drilling work is advertised in the local newsletter "Crosswords" prior to any work commencing to notify the general public of this work.

The Manager of Works is aware of these applications and has raised no issues in regards to the possibility of any drilling along these Council roads, however, has advised that there are several Shire gravel pits within the abovementioned leases/licenses.

The Manager of Works believes that private landowners are not being notified of possible access to their land by mining or drilling companies and therefore it is recommended that a new condition is added to Council's standard conditions requiring the company to contact and discuss future access onto the land.

Statutory Environment

Compliance with the Environmental Protection (Noise) Regulations 1997, and the Environmental Protection Act 1986.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants approval to Cottage Holdings Pty Ltd on behalf of Kalorra Mining and Exploration Pty Ltd (E77/2047 & 2048; and John Matthew & Sons on behalf of Adam Frank Hill (P77/4128 & 4129) to carry out drilling along sections of Council controlled road reserves with their respective Exploration and Prospecting Licences as shown on the attached maps on the following conditions:-

- 1) That dust suppression is carried out so that others are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
- 3) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

- 6) A fire fighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
- 7) No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) - refer to Typical Cross Section of Road Formation diagram;
- 8) Safety signs are to be erected in accordance with Australian Standards - to warn both mining staff, contractors, and the public/ visitors;
- 9) All drill holes are to be capped as soon as possible/practical after drilling;
- 10) If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;
- 11) That the proposed drilling work is advertised in the local newsletter "Crosswords" prior to any work commencing to notify the general public of this work; and
- 12) That the applicants are to discuss and obtain approval to access private property prior to the company or its contractors accessing this land.

Voting Requirements

Simple Majority.

DECLARATION OF INTEREST CR J DELLA BOSCA

Cr J Della Bosca declared a proximity interest in this item as the land owned by her husband is within part of the area that is the subject of this exploration license and did not vote on matter.

86/2012

Moved Cr Pasini Seconded Cr Auld that Council grants approval to Cottage Holdings Pty Ltd on behalf of Kalorra Mining and Exploration Pty Ltd (E77/2047 & 2048; and John Matthew & Sons on behalf of Adam Frank Hill (P77/4128 & 4129) to carry out drilling along sections of Council controlled road reserves with their respective Exploration and Prospecting Licences as shown on the attached maps on the following conditions:-

- 1) *That dust suppression is carried out so that others are not adversely affected;*
- 2) *That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;*
- 3) *Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread;*

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

- 4) *All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;*
- 5) *All rubbish is to be disposed of at the local landfill site in the appropriate manner;*
- 6) *A fire fighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;*
- 7) *No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) - refer to Typical Cross Section of Road Formation diagram;*
- 8) *Safety signs are to be erected in accordance with Australian Standards - to warn both mining staff, contractors, and the public/visitors;*
- 9) *All drill holes are to be capped as soon as possible/practical after drilling;*
- 10) *If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;*
- 11) *That the proposed drilling work is advertised in the local newsletter "Crosswords" prior to any work commencing to notify the general public of this work; and*
- 12) *That the applicants are to discuss and obtain approval to access private property prior to the company or its contractors accessing this land.*

CARRIED (6/0)

Cr J Della Bosca did not vote on this matter.

Submission to:	Ordinary Meeting of Council - Friday 20 th April, 2012
Agenda Reference:	10.7 Late Item
Subject:	Volunteer Work for the Shire of Yilgarn - Water Aerobics and Fitness Classes
Location/Address:	Southern Cross Public Swimming Pool, Part Lot 101 Cnr Antares & Canopus Streets, Southern Cross
Name of Applicant:	Mrs Margaret Pasini
File Reference:	4.1.7.12
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	19 th April, 2012

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Background

Mrs Margaret Pasini has written to the Shire advising that she would like to act as a volunteer of the Shire's in order to conduct water aerobic classes and maybe water walking classes with older members of the community. Being a volunteer for the Shire she will not be receiving payment from those attending the classes, plus it means that she will be covered under the Shire's Public Liability Insurance. Mrs Pasini would like to act under the Shire's insurance which means she would not need to continue paying for her own insurance cover. See attached copy of the letter.

Comment

Mrs Pasini has been employed by the Shire for the past 12 years as the Pool Manager of the Southern Cross Swimming Pool but ceased that employment as of 31st March 2012. This has been a shared position with Mrs Sandy Ciabarri. Mrs Pasini holds current Senior First Aid & Lifeguard qualifications, plus she completed a certificate 11 in fitness through Curtin University in Kalgoorlie which has provided her with the knowledge and expertise to hold fitness and water aerobic classes.

Over the past 3 years the water aerobic classes have been held at the swimming pool after hours. Council has not received any payment for the holding of these classes, nor for the private swim school to hold its training sessions. The Shire has been happy to accommodate this for both Mrs Pasini & Mrs Ciabarri as they are also the Pool Lifeguards as well as the trainers.

For this to work, Mrs Pasini would collect the fees from the participants to attend the course each day/night and this money would be given to the Shire. Currently participants pay \$4.00 per session for the water aerobics classes, and Mrs Pasini would like this price not to increase and is therefore happy to volunteer her time and not receive any payment. At this time Mrs Pasini believes that her water aerobic classes would probably continue after hours, but the proposed water walking classes would be held during the middle of the day when the water is the warmest.

The Deputy Chief Executive Officer has confirmed that Mrs Pasini would be covered under the Shire's Public Liability provided that she receives no payment for conducting the classes. As such it would not matter if the class is held during opening hours or after the pool is closed.

Statutory Environment

Code of Practice Aquatic Facilities May 2010.

Policy Implications

Nil

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

Financial Implications

Council would be receiving additional funds which could be used for purchasing equipment used in the classes or at the swimming pool generally such as foam noodles, kick boards, weighted belts, etc.

Recommendation

For Council's information.

Voting Requirements

Simple Majority.

87/2012

Moved Cr Auld Seconded Cr Truran that Council note the report.

CARRIED (7/0)

LATE ITEM: PURCHASE OF SCISSOR LIFT

88/2012

Moved Cr Truran Seconded Cr Auld that Council consider the addition of a late item to the agenda concerning the proposed purchase of a Cherry Picker.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council - Friday 20 th April, 2012
Agenda Reference:	10.8 Late Item
Subject:	Purchase of cherry picker.
File Reference:	5.4.1.5
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	20 th April, 2012

Background

The Manager of Works advised Council that after some investigation it was not feasible to purchase the scissor lift included in the budget as it was too heavy for the floor in the hall. Therefore consideration is being given to the purchase of a cherry picker instead, however this item is considerably dearer than the \$35,000 allowed for in the budget.

He advised that there are sufficient funds within the plant fund to cover the cost of purchase and asked if Council would consider the change in allocation on that basis.

MINUTES
ORDINARY COUNCIL MEETING
Friday 20th April 2012

89/2012

Moved Cr Truran Seconded Cr Auld that the Manager for Works investigate and report back to Council concerning the purchase of a Cherry Picker or Boom Lift machine.

CARRIED (7/0)

As there was no further business to discuss, the Shire President declared the meeting closed at 5.00 pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 20th April 2012, are confirmed on Friday the 18th May 2012 as a true and correct record of the April Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT