

MINUTES
ORDINARY COUNCIL MEETING
Friday 15th June 2012

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street, Southern Cross on Friday, 15th June 2012.

PRESENT

Cr P R Patroni, Shire President

Crs W A Della Bosca, D Auld, J Della Bosca, D J Pasini, 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 2.20 pm.

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

Cr O Truran

DISCLOSURES OF INTEREST

None

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

114/2012

Moved Cr W Della Bosca Seconded Cr Auld that the Minutes of the previous Meeting of Council held on Friday 18th May 2012, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

115/2012

Moved Cr G Guerini Seconded Cr J Della Bosca that the minutes for the WEROC Meeting held on Wednesday 30th May 2012, be endorsed.

CARRIED (6/0)

116/2012

Moved Cr Guerini Seconded Cr Pasini that the minutes for the Tourism Advisory Committee Meeting held on Monday 11th June 2012, be endorsed.

CARRIED (6/0)

117/2012

Moved Cr J Della Bosca Seconded Cr Auld that the minutes for the Audit Committee Meeting held on Monday 15th June 2012, and the committee recommendations be endorsed by Council.

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Recommendation to Council

That the Audit Committee recommends to Council that the Interim Audit - Management Letter submitted by UHY Haines Norton be received and note that the recommendations contained therein have been actioned by Council staff.

Recommendation to Council

That the Audit Committee formally recommends to Council that UHY Haines Norton, Perth be re-appointed as the audit firm and that Mr D J Tomasi and Mr G Goodwin, being the engagement partners as the Auditor for the period from 1st July 2013 to 30th June, 2015.

CARRIED (6/0)

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:-

- That he has been invited to the Bruce Rock Recreation Centre grand opening on the 7th July 2012, and will be attending with his wife Jane Patroni.

Cr W Della Bosca advised that he has been working with the Manager of Works on the GPS co-ordinates for the Local Government fire sheds and ESL fire sheds locations.

Cr W Della Bosca received a letter from the DAFWA and is concerned about the new Grant requirements for 2012/13.

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Submission to:	Ordinary Meeting of Council – Friday, 15 June 2012
Agenda Reference:	7.1
Subject:	Annual Review of Delegations Register
File Reference:	2.3.3.6
Author:	Jeff Sowiak Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Friday, 1 June 2012

Background:

Section 5.46(2) of the Local Government Act 1995 states the delegations made under the Act must be reviewed by the delegator at least once during the financial year.

Therefore, Council's Delegation's Register must be reviewed prior to 30 June 2012. As Council's Delegations Register includes delegations by both Council and the CEO, it is necessary that both delegators' undertake this review.

Comment

The delegations have been reviewed and no changes are proposed.

Statutory Environment

Section 5.46(2) of the *Local Government Act 1995*.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council in undertaking the annual review of its Delegations Register in accordance with Section 5.46(2) of the Local Government Act 1995, adopts the delegations of Council to the Chief Executive Officer for the ensuing 12 month period, June 2012 to June 2013.

Voting Requirements

Absolute Majority

118/2012

Moved Cr J Della Bosca Seconded Cr Pasini that Council in undertaking the annual review of its Delegations Register in accordance with Section 5.46 (2) of the Local Government Act 1995, adopts the delegations of Council to the Chief Executive Officer for the ensuing 12 month period, June 2012 to June 2013.

CARRIED BY ABSOLUTE MAJORITY (6/0)

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Submission to:	Ordinary Meeting of Council – Friday 15 th June 2012
Agenda Reference:	7.2
Subject:	Provision of External Audit Services
File Reference:	8.2.2.2
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Not Applicable
Date of Report:	Friday, 1 June 2012

Background

Audit services provided by UHY Haines Norton expire on 30th June 2012, and Council has obtained a quotation from this company for reappointment of auditor that has been referred to the Audit Committee for consideration.

Comment

Whilst the term of appointment of the Auditor cannot be for more than 5 years, an auditor is eligible for re-appointment. On that basis a quotation was sought from the current audit company, UHY Haines Norton in Perth and the proposed fee structure is considered reasonable for the service provided.

The fees quoted for the provision of audit services to the Shire of Yilgarn are as follows, with all prices inclusive of GST and travel costs:

Year ended -	30 June 2013	\$20,020
	30 June 2014	\$21,175
	30 June 2015	\$22,230

Council's has had a long working relationship with Mr David Tomasi of Haines Norton and has no basis for not renewing this contract. The principal partners engaged in the performance of the audit will be Mr D Tomasi and Mr G Godwin, both of whom have the requisite qualifications.

The Local Government Act section 7.3 (1), requires Council to consider the recommendation of the Audit Committee prior to the appointment of the Auditor and on that basis Council should convene a meeting of the Audit Committee to discuss the appointment and make a recommendation to Council.

The audit committee was meeting at 11.30am today and the recommendation from that meeting is referred to Council for consideration.

Statutory Environment

Section 7.8 'Terms of appointment of auditors' of the Local Government Act 1995

Policy Implications

Not Applicable

Financial Implications

Provision is made annually for the engagement of external auditors

Strategic Implications

Not Applicable

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Voting Requirements

Absolute Majority required

Recommendation

That Council, in accordance with the recommendation of the Audit Committee agree to reappoint UHY Haines Norton, Perth as the audit firm and Mr D J Tomasi and Mr G Goodwin, being the engagement partners as the Auditor for the period from 1st July 2013 to 30th June, 2015.

119/2012

Moved Cr Auld Seconded Cr J Della Bosca that Council, in accordance with the recommendation of the Audit Committee agrees to reappoint UHY Haines Norton, Perth as the audit firm and Mr D J Tomasi and Mr G Goodwin, being the engagement partners as the Auditor for the period from 1st July 2013 to 30th June, 2015.

CARRIED BY ABSOLUTE MAJORITY (6/0)

Submission to:	Ordinary Meeting of Council – Friday, 15 th June 2012
Agenda Reference:	7.3
Subject:	MIDCON CONSTRUCTIONS- CLUB ROOM
File Reference:	1.3.8.14
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Thursday, 19 July 2012

Background

Council was required to take over the contract to complete the clubrooms when Midland Constructions (Midcon) had gone into receivership and the contract terminated. This report is to update Council on the progress and financial outcomes from that action.

Comment:

The contract awarded to Midcon for the construction of the Yilgarn Bowls and Tennis Club house was \$1,900,000 excluding GST. As at the date of termination of the contract council had paid Midcon \$1,299,980 and held \$71,700 in retention funds.

There were also variations to the contract relating to the retention wall, roof design and plumbing which increased the contract value including provisional cost items (Value \$170,000) from \$1,900,000 to \$1,942,800.

Council's architect completed an evaluation of the value of work completed by Midcon as compared with the cost to complete the building works and estimated that there was a shortfall of \$149,400 or net \$77,700 after allowance for retention funds.

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The question therefore for consideration is how are we currently travelling in terms of cost and budget given that Council has had to engage a project supervisor and contractors to complete the work.

In terms of the clubhouse component of the project the Council has expended \$456,100 on contractors and labour relative to the building to date, meaning that \$1,756,100 has been spent out of the contract value of \$1,942,980 leaving a balance of \$186,880. Added to this is the retention amount of \$71,700 giving a surplus balance as compared to contract value of \$258,580. Obviously, there are still outstanding contract payments for the cabinet maker, plumber, painter, plasterer, paver and for the supply of PC fittings such as air conditioning, fridges and appliances.

In terms of overall budget the spreadsheet attached provides a summary of the current state of year to date expenditure vs budget :

	Budget	Actual	
E11353 - Recreation Sporting Precinct	2011/2012	2011/2012	Balance
SPORT 1 - Clubhouse	1,900,000	1,653,789	246,211
SPORT 2 - Bowling Green	319,200	260,231	58,969
SPORT 3 - Playground	70,000	725	69,275
SPORT4 - Ancillary Works	60,000	48,146	11,854
SPORT 5 - Carpark / Road Works	50,000	25,175	24,825
SPORT 6 - Preliminary Design Work/Contingency	110,000	8,550	101,450
	<u>2,509,200</u>	<u>1,996,617</u>	<u>512,583</u>

In terms of the overall budget there is currently \$512,000 remaining, including a contingency in the item Sport 6 of \$100k. Added to this is the retention sum of \$71,700 referred to earlier.

The estimated cost to complete the project at this stage is \$333K and therefore it appears that there will be a saving on budget. Details of outstanding payments are shown below.

Therefore it is probable that Council may expend slightly more than the original contract value on completing the building project component, whilst still remaining within the overall budget for the project.

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Councillors may recall that the original budget did not include the 2011/2012 allocation from the Country Local Government Fund of \$392,361 which has now been received. This will improve the overall end of year result and be used to offset the necessity to draw funds from the Recreation reserve and end of year surplus.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

It is likely that the following items will need to be carry over budgetary items in the 2012/13 Municipal Budget-

NEW SPORTS PAVILION

1) Electrical – to complete fitout – final payment estimated	
- for supply and installation of all light fittings	\$9,280.00+
2) Plumbing – to complete works – final payment estimated	\$4,547.02+
- change of urinal stalls & installation	\$4,594.00+
3) Flooring Vinyl – final payment for supply and laying new vinyl	\$4,574.50+
4) Painting – final payment estimated	\$18,110.00+
5) Concrete – exposed aggregate floors	\$42,680.00+
6) White Goods – glass washer, additional 3 racks, & ice maker	\$3,804.00+
7) White Goods – oven, hotplate, microwave, refrigerators	\$12,915.00+
8) Air-conditioners – reverse cycle split units	\$12,020.00+
9) Ute Hire – for site manager for April & May 2012	\$4,270.00+
10) Various Incidentals – various small quantity materials purchased	\$2,331.11+
- allow a sum to finish building	\$2,000.00+
	<u>Sub-Total</u> \$121,125.63+

NEW BOWLING GREEN

1) Berry Bowling – 4 th instalment payment for Practical Completion	\$43,149.68+
2) Berry Bowling – 5 th instalment payment for Completion of Works	\$21,574.84+
(I believe that this is last payment may be made in 2 instalments.)	
	<u>Sub-Total</u> \$64,724.52+

NEW PLAYGROUND

1) New playground equipment, Softfall surface, & shade structure	\$91,775.00+
	<u>Sub-Total</u> \$91,775.00+

SURROUNDS/LANDSCAPING FOR NEW PAVILION

1) Paving – to lay brick pavers around new Pavilion	\$12,873.19+
- work setting levels and laying crackerdust for paver	\$3,500.00+
2) Concrete – tinted concrete for 2 ramps	\$10,900.00+
3) Limestone Blocks – additional blocks for tennis ramp & wall	\$ 720.00+
4) Sealing Road, Cross-over, Curbing, etc – allow sum	\$25,000.00+
5) Various Incidentals – various small quantity materials	\$1,650.00+
	<u>Sub-Total</u> \$54,643.19+

TOTAL \$332,268.34+

The above is up to 13th June, 2012

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Recommendation; That the report be received.
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120/2012

Moved Cr J Della Bosca Seconded Cr Guerini that the report be received.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday, 18 th November
Agenda Reference:	7.4
Subject:	AGED CARE REGIONAL STUDY
File Reference:	1.3.5.2
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Thursday, 19 July 2012

Background

As a result of the Towards a Wheatbelt Infrastructure Plan (2010) Aged Care has become a key focus area for the Wheatbelt Development Commission (WDC). WDC has been working closely with a group of 11 Wheatbelt Local Governments as a result of their desire to focus on Aged Care services, infrastructure and governance structures for their sub-region.

Comment:

The Central East Aged Care Alliance (Shire's of Bruce Rock, Kellerberrin, Koorda, Merredin, Mount Marshall, Mukinbudin, Nungarin, Southern Cross, Trayning, Westonia, and Wyalkatchem) in partnership with the Wheatbelt Development Commission (WDC) and Regional Development Australia Wheatbelt (RDAW) was developed and a tender was advertised during March 2012 to employ a consultant to undertake the Central East Aged Care Regional Solution (CEACRS) project.

The Central East Aged Care Alliance (CEACA) met at the end of March to recommend a successful tender applicant to the board of RDAW. The RDAW board endorsed the CEACA recommendation to appoint Verso Consulting as the preferred applicant.

Verso Consulting are tasked with a requirement to research and develop a regional solution to allow ageing residents to receive the support they need to remain in the region.

Verso has prepared a summary of aged housing and care needs in Yilgarn Shire, and would like to present these findings to the community. Accordingly a community forum has been arranged for 7.00pm on Tuesday 10th July in the Senior Citizens Centre to confirm the interpretation of the findings thus far, and to make sure that they reflect the experience of community members.

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Community members unable to attend the forum can provide comments by 29th June 2012 to CEACA@verso.com.au

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation;

That the report be received.

Voting Requirements

Simple Majority

Information received by Council

Submission to:	Ordinary Meeting of Council – Friday, 18 th November
Agenda Reference:	7.5
Subject:	REGIONAL LIBRARY SERVICES
File Reference:	1.3.7.2
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Thursday, 19 July 2012

Background

The funding for regional library services has been amended and as in the past the focus of providing supervision for library services in Southern Cross and funding from State Library is via the Shire of Merredin through a Regional Library model.

Comment:

This Council along with the Shires of Bruce Rock, Kellerberrin, Mt Marshall, Mukinbudin, Narembeen, Trayning and the Shire of Westonia are part of a regional group library service coordinated through the Librarian at Merredin.

In this regional library role the Librarian is required to visit each library and to work with local staff to develop a regional library activity plan. Part of the cost associated with that activity plan and any additional value adding activities are then shared by the participating Council's, State Library and the Merredin Library.

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The contribution by this Council for this service next financial year is in the order of \$1,000, however there may be specific projects that will be run locally that will require a higher contribution.

For example it is proposed that in 2013-2014 the Library conduct an activity relating to "Tales from the Past" as part of a local history program that would involve the employment of a consultant to work with local elders and seniors to teach them skills to present their stories to different groups of ages and interests. Such a program would be shared equally by the respective Council's and State Library and indicative costs are in the order of \$11,000.

However at this stage all that is required of Council is to agree to be part of the Regional Library Activity Plan and to contribute the cost of the Regional Librarian visiting the library and working with staff on the development of the plan.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation;

That Council agree to participate in the Regional Library Activity Plan and to allocate funds in the 2012-2013 budget to meet the cost of the Merredin Librarian working with local staff on the development of this plan, estimated to be in the order of \$1,000.

Voting Requirements

Simple Majority

121/2012

Moved Cr W Della Bosca Seconded Cr Pasini that Council agrees to participate in the Regional Library Activity Plan and to allocate funds in the 2012-2013 budget to meet the cost of the Merredin Librarian working with local staff on the development of this plan, estimated to be in the order of \$1,000.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Friday, 18 th November
Agenda Reference:	7.6
Subject:	RECRUITMENT OF CHIEF EXECUTIVE OFFICER
File Reference:	1.1.1.1
Author:	Jeff Sowiak - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Thursday, 19 July 2012

Background

Council is required to discuss and decide on the process for the recruitment of a new permanent Chief Executive Officer.

Comment:

Council is required to determine the process for recruitment of a new permanent Chief Executive before the position is advertised (Regulation 18c) and to make decisions about the remuneration package, contract terms , conditions , advertising schedule and timeline for appointment.

In the past Council has had to consider but not adopt the recommendations of the Salary and Allowances Tribunal, this has since changed and will impact on the advertising for this position as there have been amendments to the legislation which make it compulsory for the Council to use the determinations of the Tribunal rather than simply consider the tribunal recommendations.

The Tribunal is likely to announced a decision on CEO remuneration over the next few weeks and assuming that the remuneration will be no less then the previous determination, the Council should be able to advertise the position within the range of \$152k to \$202k subject to final determination by the Salary and Allowances Tribunal. The current remuneration package could be advertised /negotiated as follows:

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Shire of Yilgarn CEO Salary Range

	Lower	Upper	
Base salary	102,904	145,424	Cash Component Based on 5 weeks
Annual leave loading 17.5%	1,732	2,447	
Associated FBT accrued ³			
Association membership fees	600	600	
Attraction/retention allowance			
Benefit value of provision of motor vehicle for private use ⁴	15,000	15,000	Can be cashed in.
Grooming/clothing allowance	400	400	
Private phone	1,000	1,000	
Superannuation 18% or \$25k max	18,523	25,000	Now subject to Tax Limit
Total Remuneration Package within band Limit	140,158	189,871	
Add : Items Not included			
House	9,360	9,360	
Utilities	2,500	2,500	
Location Allowance	853	853	
Total Advertised Package	152,871	202,584	

It is proposed to advertise the position in the West Australian, the Local Government Job Directory and Council jobs on the internet with applications closing at 4pm on Friday 3rd August.

In terms of Contract, the industrial branch of WALGA provides a standard contract for CEO's and it would seem appropriate for Council to adopt this as the contract for this position. It will of course be necessary to customise the standard contract and prepare an information package for applicants.

In terms of length of contract, the maximum term is five years and most contracts today are in the range of three to five years. Therefore, it is proposed that the contract term, subject to negotiation be within the range of three to five years.

As to the question of interview expenses, Council should also agree to meet the reasonable out of pocket expenses of applicants short listed for interview and if appropriate agree to telephone interviews.

Council also needs to determine a sub-committee to undertake the short-listing for the position of CEO and determine if the shortlisted candidates be interviewed before full Council or Committee. On this basis it is recommended that a small committee comprising the SP, DSP and one other

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Councillor be appointed to short list the applicants and that the full Council conduct interviews.

On that basis the following time lines are considered reasonable:

Recruitment of New CEO - Time lines

Process	Start	Comment
Adoption of Remuneration	15-Jun-12	Council Decision
Adoption of Contract Conditions	15-Jun-12	Council Decision
Appointment of Committee	15-Jun-12	Council Decision
Establish info for candidates	06-Jul-12	By then Salaries Tribunal will have made decision
Advertisement Commence	14-Jul-12	Saturday West Australian
Applications Close	03-Aug-12	Close 4pm
Committee meeting	06-Aug-12	To decide on Short List (Max 4)
Reference and credential checks	07-Aug-12	Gather Information for Council
Interview Before Council	17-Aug-12	Offer Made to successful candidate
Contracts and acceptance	01-Sep-12	
Commencement Date	01-Oct-12	On or after this date,

Statutory Environment

Section 5.36 of Act concerning appointment of CEO, Section 5.39 concerning contract and Clause 18 of the Local Government (Administration) regulations

Policy Implications

Nil

Financial Implications

Council will be required to make provision in the 2012-13 budget relative to the cost of recruitment.

Recommendation:

That Council :

1. Advertise the Position of Chief Executive Officer for a period of between three to five years at a remuneration package of not less then the prescribed range for CEO as determined by the Salary and Allowances Tribunal.
2. Adopt the WALGA CEO contract as the basis for the contract negotiations with a new CEO.
3. Appoint a sub-committee to short list applicants for the position of CEO with Interviews to be held on 20th July prior to the ordinary monthly Council meeting.
4. Agree to meet the reasonable out of pocket expenses of applicants selected for interview and where appropriate, agree to conduct interviews by telephone.
5. Endorse the draft timeline (as amended) for the process of recruitment of the CEO.

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Voting Requirements

Absolute Majority

DISCUSSION

Council discussed the timeline and agreed on the following:

Recruitment of New CEO - Time lines

Process	Start	Comment
Adoption of Remuneration	15-Jun-12	Council Decision
Adoption of Contract Conditions	15-Jun-12	Council Decision
Appointment of Committee	15-Jun-12	Council Decision
Establish info for candidates	15-Jun-12	
Advertisement Commence	23-June-12	Saturday West Australian
Applications Close	18-Jul-12	Close 4pm
Committee meeting 7pm	18-Jul-12	To Short List applicants
Council considers matter	20-July-12	Formal interviews

**AMENDMENT TO THE RECOMMENDATION
122/2012**

Moved Cr W Della Bosca Seconded Cr Guerini that Council:

- 1. Advertises the Position of Chief Executive Officer for a period of between three to five years at a remuneration package of not less than the prescribed range for CEO as determined by the Salary and Allowances Tribunal.*
- 2. Adopts the WALGA CEO contract as the basis for the contract negotiations with a new CEO.*
- 3. Appoints a sub-committee to short list applicants for the position of CEO with Interviews to be held on 20th July 2012 prior to the ordinary monthly Council meeting.*
- 4. Agrees to meet the reasonable out of pocket expenses of applicants selected for interview and where appropriate, agree to conduct interviews by telephone.*
- 5. Endorses the adjusted draft timeline for the process of recruitment of the CEO.*

CARRIED BY ABSOLUTE MAJORITY (6/0)

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Submission to:	Ordinary Meeting of Council – Friday 15 th June 2012
Agenda Reference:	8.1
Subject:	Youth Development Reserve Account
File Reference:	8.2.4.7
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 th June 2012

Comment

During the May Council meeting Council advised the DCEO to transfer the 2011/2012 unspent expenditure of \$5,000 from E10623 to a Youth Development Reserve.

In accordance with 6.11 S(1):

Reserve Accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

I ask Council to affirm the creation of the Youth Development Reserve and confirm the reserves' purpose. The reserves details will be included in the 2012/2013 Municipal Budget and the 2011/2012 Financial Statements that form part of the Shire of Yilgarn Annual Report.

New Reserve

Youth Development Reserve

Purpose: Special Purpose

- To be used to fund the development of Youth in the Yilgarn District.

Statutory Environment

S6.11 – (1)

Policy Implications

None

Financial Implications

None

Strategic Implications

None

Recommendation

That Council authorise the creation and purpose of the new reserve:

Youth Development Reserve

Purpose: Special Purpose

- To be used to fund the development of Youth in the Yilgarn District.

Voting Requirements

Absolute Majority

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123/2012

Moved Cr Guerini Seconded Cr Pasini that Council authorises the creation and purpose of the new reserve:

Youth Development Reserve

Purpose: Special Purpose

- To be used to fund the development of Youth in the Yilgarn District.

CARRIED BY ABSOLUTE MAJORITY (6/0)

Submission to:	Ordinary Meeting of Council – Friday 15 th June 2012
Agenda Reference:	8.2
Subject:	Proposal Differential Rates – UV Mining Tenement
File Reference:	8.1.1.5
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	9 th May 2012

Background

During the May Council meeting the below rates were proposed for advertising and Ministerial approval was requested on the 22nd May 2012.

Proposed Differential Rates

<i>Land Category</i>	<i>Proposed Rate</i>	<i>Last Years Rate</i>	<i>%</i>
<i>Adjustment</i>			
GRV – Residential	9.82	9.35	4.96%
GRV – Commercial	6.72	6.40	5.00%
GRV – Minesites	35.95	33.76	6.49%
GRV – Single Persons Quarters	35.95	33.76	6.49%
UV – Rural	1.65	1.57	4.68%
UV – Mining Tenement	19.00	16.88	17.28%

At the time, the reason why there was a substantial increase in the Rate in the Dollar for UV - Mining Tenements was explained to Council. The reason related to a requirement in the Local Government Act under S6.35 (2) (3):

(3) The Local Government is to ensure the general minimum is imposed on not less than-

- a) 50% of the total number of separately rated properties in the district
 - b) 50% of the number of properties in each categories
- On which a minimum payment is imposed.

I thought it prudent to run a rate scenario on a sample of assessments from the UV Mining category, taking into account the proposed 2012/13 rate of 19c in the \$.

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UV MINING TENEMENT					
Lot No	UV/SV	Rates 11/12	Rates 12/13	Difference	
77/00138M	\$66,075.00	11,153.46	12,554.25	1,400.79	
77/00160M	\$38,475.00	6,494.58	7,310.25	815.67	
77/00137M	\$20,894.00	3,526.90	3,969.86	442.96	
77/00159M	\$14,250.00	2,405.40	2,707.50	302.10	
77/01518E	\$6,526.00	1,101.60	1,239.94	138.34	
77/00003G	\$6,051.00	1,021.40	1,149.69	128.29	
77/01415E	\$1,135.00	350.00	350.00	-	
77/03882P	\$1,143.00	350.00	350.00	-	
77/03708P	\$1,199.00	350.00	350.00	-	
77/00114M	\$1,275.00	350.00	350.00	-	
77/03883P	\$1,328.00	350.00	350.00	-	
77/00113M	\$1,650.00	350.00	350.00	-	
77/01414E	\$1,986.00	350.00	350.00	-	
77/03884P	\$242.00	350.00	350.00	-	
77/01413E	\$283.00	350.00	350.00	-	
77/03885P	\$508.00	350.00	350.00	-	
77/03886P	\$508.00	350.00	350.00	-	
77/01448E	\$567.00	350.00	350.00	-	
77/00005G	\$665.00	350.00	350.00	-	
77/00006G	\$665.00	350.00	350.00	-	
77/00007G	\$665.00	350.00	350.00	-	
77/00133M	\$750.00	350.00	350.00	-	

As you will notice from the sample of twenty assessment, for those with small mining tenements with low valuations it should not make a difference in their rates as they will still be minimum rated. Although those who own larger tenements there will be larger than normal increase in their rates.

Statutory Environment

S6.33 – (2) (3)

Policy Implications

None

Financial Implications

Will form the basis of the Rate in the Dollar for Council's 2012/2013 Rating Year

Strategic Implications

None

For Councils Information Only

Information received by council

MINUTES
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Submission to:	Ordinary Meeting of Council – Friday 15 th June 2012
Agenda Reference:	8.3
Subject:	Rating Timetable for 2012/2013
File Reference:	8.2.5.3
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 th June 2012

Comment

A Rating Timetable is necessary to ascertain when revenue will be received to cover Council's outgoing recurring expenses and larger capital projects. Last year Council levied the rates in July, shortly after the Municipal Budget was adopted, and benefits of issues notices earlier included; higher revenue levels earlier in the year and better recovery rates as there is sufficient time from the last instalment to the 30th June to recover rates. Substantial reduction in outstanding rates have been noticed from 2010/11 6.2% outstanding to 2011/2012 currently at 3.79% outstanding. Refer Below for proposed Rating Timetable:

RATING TIMETABLE 2012/2013	
Council Meeting	Friday 20 th July 2012
Run off rate notices	Monday 30 th July 2012
Issue Date	Wednesday 1st August 2012
1 Payment Only / Payment in Full	
Last Day for Discount	Wednesday 5 th September 2012
1 st Instalment Due	Wednesday 5 th September 2012
Penalty Commences	Thursday 6 th September 2012
Final Notices (First Round)	Wednesday 21 st September 2012
Final Notices (Second Round)	Wednesday 8 th October 2012
Recovery Letters	Wednesday 26th October 2012
Load with Recovery Agents	
2 nd Instalment	
Run Off	Monday 1st October 2012
Post	Wednesday 3 rd October 2012
Issue Date	Wednesday 3 rd October 2012
Due Date	Wednesday 7 th November 2012

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3rd Instalment

Run Off	Monday 3 rd December 2012
Post	Wednesday 5 th December 2012
Issue Date	Wednesday 5 th December 2012
Due Date	Friday 11 th January 2013

4th Instalment

Run Off	Monday 4 th February 2013
Post	Wednesday 6 th February 2013
Issue Date	Wednesday 6 th February 2013
Due Date	Friday 15 th March 2013

Statutory Environment

Proposed dates will be included in the 2012/2013 Statutory Budget under note 13.

Policy Implications

None.

Financial Implications

Rating revenue will be received earlier

Strategic Implications

None

Recommendation

That Council endorse the proposed Rating Timetable for 2012/2013

Voting Requirement

Absolute Majority

124/2012

Moved Cr Pasini Seconded Cr Auld that Council endorses the proposed Rating Timetable for 2012/2013.

CARRIED BY ABSOLUTE MAJORITY (6/0)

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Submission to:	Ordinary Meeting of Council – Friday 15 th June 2012
Agenda Reference:	8.4
Subject:	Write Off of Accounts and Doubtful Debts for 2011/2012
File Reference:	8.2.1.4
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 th June 2012

Comment

Council has in place follow up procedures for the recovery of outstanding rates and sundry debtors:

Follow up Rates Debtors

- 1) RDO prints outstanding rates report (from Synergy) 30 days after sending invoice.
- 2) Based on the report, final notice is issued and 7 days' time to pay is given.
- 3) A copy of the rates notice is then printed from the system, attached to the final notice and file for the debtor is opened.
- 4) If no payment is forthcoming, a letter of demand is issued.
- 5) Thereafter, unpaid accounts will be followed up with phone calls by Rates Officer (RO).
- 6) RO would also print Aged rates debtors report (from Synergy) on weekly basis and check/follow up defaults in instalment arrangement made by a debtors
- 7) RO communicates with collection agent weekly, RO can login to debt collector's website to view the progress every fortnight. RO would also receive feedback (email) from the collection agent on the progress.
- 8) DCEO would authorize when to send the debtor to the collection agent if not collectable by the Shire. This may be effected after 3 months of non-payment after the issue of rates notice.
- 9) DCEO reviews the rates debtors trial balance on a fortnightly basis and checks with RO on the follow up actions taken.
- 10) Rates Debtors reconciliation is prepared by DCEO on monthly basis.

Follow up Sundry Debtors

- 1) RO prints aged sundry debtors report (from Synergy) 30 days after sending invoice.
- 2) A statement is sent to the debtor after debt is 30 days overdue.
- 3) A reminder letter is sent to the debtor after debt is 60 days overdue.
- 4) If debt is overdue for more than 90 days, debtor may be referred (decided by DCEO) to collection agent.
- 5) Sundry Debtors reconciliation is prepared by DCEO on monthly basis.
- 6) Provision for doubtful debt is made by the DCEO.

The DCEO with assistance of the Senior Rates/Debtors Officer has conducted an annual review of outstanding rates and sundry debtors in preparation for the 2011/12 Financial Statements and identified the following Debtors as potential write offs and doubtful debts. It is important to note that in all cases, the above follow up procedures have taken place and the below debtors have had outstanding debt for several years.

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SUNDRY DEBTOR - WRITE OFFS					
Debtor Code	Debtor Name	Amt O/Standing	Years O/Standing	Description of service	Current Status
ARRGAL	A Galbraith	40.00	2.1	Poundage Fees	At Recovery - AMPAC
GARBOO	G Booth	570.50	2.3	Outstanding Library Books/DVD's	At Recovery - AMPAC - Person has left town
KYLWEI	K Weinbrecht	14.35	1.8	Outstanding Library Books/DVD's	At Recovery - AMPAC - Person has left town
MICSMI	M Smith	151.05	1.8	Outstanding Library Books/DVD's	At Recovery - AMPAC - Person has left town
NILREIT	N Reiten	35.00	2.2	Crosswords Advertising	At Recovery - AMPAC
NOBLE	Nobeltide	533.12	2.6	Water Usage at Standpipe	At Recovery - AMPAC - Person has left town
RICBOU	R Boulton	70.00	2.4	Crosswords Advertising	At Recovery - AMPAC
TWILLSON	T Wilson	119.70	2.3	Outstanding Library Books/DVD's	At Recovery - AMPAC - Person has left town
		1,533.72			

SUNDRY DEBTOR - DOUBTFUL DEBTS					
Debtor Code	Debtor Name	Amt O/Standing	Years O/Standing	Description of services	Current Status
GLEGAR	G Gardener	300.00	0.9	Dog Fine	At Recovery - AMPAC
TROYTURN	T Turner	350.00	0.9	Dog Fine	At Recovery - AMPAC
		650.00			

RATE DEBTOR - WRITE OFFS					
Assessment No.	Debtor Name	Arrears	current	Total O/Standing	Current Status
A41010	G Brrewer	3,024.49	1,689.90	4,714.39	At Recovery - AMPAC - This account has been with recovery for several years now, recovery agents can no longer locate this person and believes he no longer lives in Australia. The mining tenement is now dead, and not been re-sold. Recommendation is to write off debt.
A12020	G Hill	1,068.35	460.65	1,529.00	At Recovery - AMPAC - The owner is deceased, the house is in disrepair and no one has taken responsibility for the property. Recommendation to write off debt and have land transferred to crown.
		4,092.84	2,150.55	6,243.39	

Council's endorsement is sought to have the above suggested write offs processed to the value of \$7,777.11 and Doubtful debts to the value of \$650.

Statutory Environment

Local Government Act 1995, Section 6.12 'Power to defer, grant discounts, waive or write off debts'.

Policy Implications

Not Applicable

Financial Implications

The processing of Write off of \$7,777.11 and doubtful debts of \$650.

Strategic Implications

None

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Voting Requirements
Simple majority required

Recommendation

That Council agrees to write off the below amounts against:

A 41010	\$4,714.39	
A12020	\$1,529.00	
ARRGAL	\$ 40.00	
GARBOO	\$ 570.50	
KYLWEI	\$ 14.35	
MICSMI	\$ 151.05	
NILREIT	\$ 35.00	
NOBLE	\$ 533.12	
RICBOU	\$ 70.00	
TWILSON	\$ 119.70	
	<u>\$7,777.11</u>	Total Write Offs

That Council agrees to identify the below sundry debtors and amounts as doubtful debts:

GLEGAR	\$ 300.00	
TROYTURN	\$ 350.00	
	<u>\$ 650.00</u>	Total Doubtful Debts

125/2012

Moved Cr W Della Bosca Seconded Cr Pasini that Council agrees to write off the below amounts against:

A 41010	\$4,714.39	
A12020	\$1,529.00	
ARRGAL	\$ 40.00	
GARBOO	\$ 570.50	
KYLWEI	\$ 14.35	
MICSMI	\$ 151.05	
NILREIT	\$ 35.00	
NOBLE	\$ 533.12	
RICBOU	\$ 70.00	
TWILSON	<u>\$ 119.70</u>	
	\$7,777.11	Total Write Offs

That Council agrees to identify the below sundry debtors and amounts as doubtful debts:

GLEGAR	\$ 300.00	
TROYTURN	<u>\$ 350.00</u>	
	\$ 650.00	Total Doubtful Debts

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Friday 15 th June 2012
Agenda Reference:	8.5
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 th June 2012

Background

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

The following reports are enclosed and have been prepared as at the 31st May 2012:

- Rates Receipt Statement (prepared to 7th June 2012)
- Statement of Investments,
- Monthly Statement of Financial Activity

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

Statutory Environment

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

Policy Implications

None

Financial Implications

None

Strategic Implications

None

Voting Requirements

Simple majority

Recommendation

That the Various Financial Reports for the period ending 31st May 2012 as presented, be received.

126/2012

Moved Cr J Della Bosca Seconded Cr Auld that the Various Financial Reports for the period ending 31st May 2012 as presented, be received.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Friday 15 th June 2012
Agenda Reference:	8.6
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:	6 th June 2012

Background

Municipal Fund – Cheque Numbers 37769 to 37830 totalling \$204,945.22, Municipal Fund EFT numbers 500 to 567 totalling \$414,542.98 Municipal Fund – Cheque Numbers 1041 to 1043 totalling \$132,064.75, Trust Fund – 401973 to 401976 totalling \$73,739.92 and Trust Fund – Cheque Numbers 5790 to 5794 (DPI Licensing), totalling \$69,217.25 are presented for endorsement as per the submitted list.

Statutory Environment

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

Policy Implications / Delegation Register

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

Financial Implications

Reduction to Bank Accounts balances.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Recommendation

Municipal Fund – Cheque Numbers 37769 to 37830 totalling \$204,945.22, Municipal Fund EFT numbers 500 to 567 totalling \$414,542.98 Municipal Fund – Cheque Numbers 1041 to 1043 totalling \$132,064.75, Trust Fund – 401973 to 401976 totalling \$73,739.92 and Trust Fund – Cheque Numbers 5790 to 5794 (DPI Licensing), totalling \$69,217.25 are presented for endorsement as per the submitted list.

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127/2012

Moved Cr Auld Seconded Cr Pasini that Council endorses the payment of accounts from Municipal Fund – Cheque Numbers 37769 to 37830 totalling \$204,945.22, Municipal Fund EFT numbers 500 to 567 totalling \$414,542.98 Municipal Fund – Cheque Numbers 1041 to 1043 totalling \$132,064.75, Trust Fund – 401973 to 401976 totalling \$73,739.92 and Trust Fund – Cheque Numbers 5790 to 5794 (DPI Licensing), totalling \$69,217.25 are presented for endorsement as per the submitted list.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday, 15 June 2012
Agenda Reference:	8.7
Subject:	INTERIM AUDIT REPORT
File Reference:	8.2.3.1
Author:	Vivienne Murty – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	13 th June 2012

Background

The auditors completed their interim audit visit during May and have submitted a management letter for Council consideration.

Comment

The Management letter refers to two compliance matters and four matters relating to Systems and procedures. A copy of the audit letter is included with the agenda.

1.0 COMPLIANCE

1.1 Annual Statutory Budget

Auditor's Observations

A copy of the original budget for the year ended 30 June 2012 was not submitted to the Department of Local Government within 30 days of adoption as required by Financial Management Regulation 33.

Auditor's Recommendation

To help ensure compliance with statutory provisions, this requirement should be correctly addressed in future.

Action by Responsible Officer

Deputy CEO is to refer to FM regulations relating to the Statutory Budget submissions to the Department of Local Government in future.

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1.2 Annual Financial Report

Auditor's Observations

The annual financial report for the year ended 30 June 2011 was not submitted to the Department of Local Government within 30 days of receiving the auditor's report as required by Financial Management Regulations 51 (2).

Auditor's Recommendation

To help ensure compliance with statutory provisions, this requirement should be correctly addressed in future.

Action by Responsible Officer

Deputy CEO is to refer to FM regulations relating to the Annual Financial Report submission to the Department of Local Government in future.

2.0 SYSTEM AND PROCEDURES

2.1 Bank Reconciliation – Outstanding Transfers

Auditor's Observations

As at 30th April 2012, the Trust and Reserve account bank reconciliations have two long outstanding transfers of \$370 and \$7,057.98 respectively. These have been outstanding since November 2011.

Auditor's Comment

Bank reconciliations are of primary control importance and are the catalyst for many transactions in other ledger accounts.

Action by Responsible Officer

The Deputy CEO has reviewed the bank reconciliation and made any necessary transfers between the Trust and Muni bank as indicated by the auditors. In addition, put into place that the Muni bank statement is reviewed by the Senior Rates Officer (SRO) on a weekly basis so that any errors in banking can be addressed in a more timely fashion.

2.2 Months End Reconciliations

Auditor's Observations

Our review of the month end reconciliation noted:

- (a) Rate debtor reconciliations do not always have evidence of being reviewed by a senior officer independent of preparation.
- (b) Salaries & wages per the general ledger have not reconciled with the payroll report since February 2012.

Auditor's Comment

- (a) To help ensure the amounts owing to Council are properly controlled and correctly recorded, rate debtor reconciliation should be reviewed by a senior Staff member independent of preparations. This review should seek to confirm the accuracy of the reconciliation and should be evidenced accordingly.

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- (b) To help ensure all payments are bona fide and all salaries and wages are completely and correctly posted into the general ledger, salaries and wages should be reconciled every pay run to the payroll summary report and documented for review by a senior staff member independent of preparation. The independent review should seek to confirm the accuracy of the reconciliation and should be evidenced accordingly.

Action by Responsible Officer

- (a) On a monthly basis the Deputy CEO reports to Council outstanding Rates and reviews the rates reconciliation. A new requirement is requested by the auditors that the DCEO provides evidence of the monthly review. I have organised that end of month rates reconciliations are prepared by the SRO and signed off by DCEO.
- (b) The DCEO was aware of the imbalance between the general ledger and Payroll system, the issue was addressed with IT Vision in February requesting for the issue to be investigated. The offending transactions have been identified and correcting journal will be posted, so that EOY reconciliation of ledgers are possible.

2.2 Payments

Auditor's Observations

Salary and Wages – Changes to employee details in the software system have not been adequately supervised since January 2012.

Creditors – Changes to creditors' details in the software system were not reviewed by a senior staff member independent of processing.

Auditor's Comment

To help ensure ALL changes to employee and creditor details in the system are correct and hence all payments are bona fide, a senior staff member independent of processing should review a system generated audit trail report showing all changes made to the system on a monthly basis. The independent review should seek to confirm the integrity of the changes/details in the system and should be evidenced accordingly.

Action by Responsible Officer

Salary and Wages – The DCEO has discussed the importance of preparing the Payroll audit trail reports to the Finance Manager (FM) on a monthly basis, and this task has been included in the Payroll procedure manual. The payroll audit trail reports from January to May have been printed and reviewed by DCEO.

Creditors – This is a new requirement by the auditors. The DCEO has discussed the importance of preparing the audit trail report to staff and details on how to prepare the report has been included in the Creditors procedure manual.

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2.3 Purchase Orders

Auditor's Observations

We noted, on occasions, purchase orders were raised after supplier tax invoices were received.

Auditor's Comment

All authorised officers should be "reminded" of the need to ensure purchase orders are raised prior to the time of authorising works/services or ordering goods. This will help to ensure goods/services have been appropriately ordered and authorised, and also helps ensure budget responsibilities.

Purchases made without orders may commit the Shire to unauthorised expenditure. It is important for all purchasing to follow a documented procedure to control expenditure and ensure the dollar value limits set for staff are not exceeded.

Whilst we acknowledge compensating controls exist whereby the relevant expenditure is controlled by budget and spending limits, ensuring purchase orders are written out and matched to invoices provides a higher level of control.

Action by Responsible Officer

The Finance Manager has "reminded" all staff by email that purchase orders are to be raised and signed by authorised personnel at the time the goods and services are ordered.

3.0 Reminders

Delegations Register

The Delegations Register was last reviewed in June 2011 and will be due for its annual review by June 2012.

Action by Responsible Officer

The CEO has reviewed the Delegation Register and the document is to be reviewed and endorsed by Council at the June 2012 - Ordinary Council Meeting.

Investments

Local Government (Financial Management) Regulations relating to investments have recently been amended effective from 20 April 2012.

Council should review its current investment policy to help ensure it is in line with the amended requirements.

Action by Responsible Officer

The DCEO has checked and confirms that Council's policy 3.2 - "Surplus funds investment", complies to the amendments in the FM regulations relating to investments. Council currently invests by way of Term Deposits and online accounts with both the Westpac Banking Corporation and ANZ which are both authorised financial institutions.

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Statutory Environment

The auditor is required to undertake a review of financial systems in accordance with the provisions of Part 7 Division 3 of the Local Government Act.

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

Nil

Recommendation:

That Council receive the interim audit report submitted by UHY Haines Norton and note that the recommendations contained therein have been actioned by Council staff.

Voting Requirement

Absolute Majority

128/2012

Moved Cr J Della Bosca Seconded Cr Guerini that Council receives the interim audit report submitted by UHY Haines Norton and note that the recommendations contained therein have been actioned by Council staff.

CARRIED BY ABSOLUTE MAJORITY (6/0)

Submission to:	Ordinary Meeting of Council June 15 th 2012
Agenda Reference:	Works 9:1 "Late Item"
Subject:	St Barbara Mines - Use of Council Roads to Haul Gold Ore from Edwards Find Mining Operations to Marvel Loch Mining Operations
Location/Address:	Marvel loch
Name of Applicant:	St Barbara Mining
File reference:	3.2.1.11
Author:	Robert Bosenberg - Manager for Works
Disclosure of Interest:	N.A.
Date of Report:	13th June 2012

Background

Correspondence has been received from St Barbara Mining seeking Councils approval to utilise council roads to haul 100,000 tonnes of gold ore from the Edward Finds Mining Operation to Marvel loch Mining Operation.

The council roads St Barbara is requesting to use for the haulage are Patroni Road (*one kilometre*), Bennett Road (*thirteen kilometres*) and Emu Fence Road (*seven Kilometres*) giving a total of 21 kilometres, (*the route is highlighted in blue on the attached appendix 1*).

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Comment

Council has a Heavy Haulage Cost Recovery Policy (*Policy No 5.2*) of which Council will claim a non-returnable capital damage payment calculated at .013 cents per equivalent standard axle. The cost recovery rate shall be for all heavy vehicle movements over the full term of the carting campaign as listed on the application.

If St Barbara wishes to utilise these roads for gold ore haulage then the calculated monetary amount through the cost recovery policy is \$59,132 over the six month carting campaign period.

The monetary amount raised through the cost recovery policy is for remedial works required to these roads on completion of the carting campaign, not for upgrading roads in the first instance to a road train standard or maintenance required during the carting period.

There is concern that sections of Bennett Road and Emu Fence Road will not stand up to the proposed continuous heavy vehicle movement required to shift the 100,000 tonnes of gold ore. If council was to give approval to St Barbara to utilise these roads, then negotiation will have to be entered into with St Barbara in the first instance, to address these areas of concern.

Maintenance grading to council roads during the carting campaign can be carried out by St Barbara's contractors to a suitable standard accepted by council. This maintenance is to be carried out periodically during the carting campaign or as instructed by council. The cost to carry out required maintenance on council roads is to be borne by the applicant (*St Barbara*).

There will also be a requirement for St Barbara to install suitable road train crossing ahead, warnings signage (*MR-WM-4*) on all intersection approaches entailed in the proposed haulage route. Purchasing, installation and ongoing maintenance of such signage will be at the cost of the applicant (*St Barbara*). The installation of the signage is to be carried out under the supervision of council staff.

As there is a high possibility of disruption to farming activity in the Marvel Loch area with movement of farming equipment and livestock along the proposed haulage route St Barbara Mining will be required to liaison with local farmers to minimize any inconvenience that may occur as a result of this campaign.

Fresh water is to be used for dust suppressant application on council roads only, not saline water. Water application is to be used in accordance to the Traffic Management Plan submitted by St Barbara for the cartage campaign

Policy Implications: *"Policy No 5:2 Heavy Haulage on Local Roads"*

Financial Implications: *Cost associated with the proposed haulage of gold ore on Councils Roads are to be met by the applicant St Barbara Mining*

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Recommendation

That Council grant “in principal” approval to allow St Barbara Mining to utilise Patroni Road, Bennett Road and Emu Fence Road (*as highlighted in blue on the attached appendix 1*) as the proposed transport route for haulage of gold ore to Marvel Loch Mining Operation Treatment Plant on the understanding that final approval will be delegated to Council management in order to address concerns to ensure that the roads in question are made suitable for the this volume of heavy vehicle movements.

Voting Requirements

Simple Majority

129/2012

Moved Cr Pasini Seconded Cr Guerini that Council grants “in principal” approval to allow St Barbara Mining to utilise Patroni Road, Bennett Road and Emu Fence Road (as highlighted in blue on the attached appendix 1) as the proposed transport route for haulage of gold ore to Marvel Loch Mining Operation Treatment Plant on the understanding that final approval will be delegated to Council management in order to address concerns to ensure that the roads in question are made suitable for the this volume of heavy vehicle movements. In addition, the Manager for Works is authorised to negotiate funding road access arrangements with St Barbara Mining.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday 15 th June,, 2012
Agenda Reference:	10.1
Subject:	Proposed Lease or Sale and Amalgamation of Unallocated Crown Land Adjoining Lot 1
Location/Address:	UCL South of Great Eastern Highway, West of the Ghooli Townsite
Name of Applicant:	Department of Regional Development and Lands - Ms Kerrie Bridger, State Land Officer
File Reference:	1.6.17.4
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th June, 2012

Background

The Department of Regional Development and Lands (DRDL) has written advising that it has received a request from the owners of Lot 1 on Deposited Plans 230205 located south of Great Eastern Highway and west of Ghooli South Road, Ghooli to either lease or purchase a 37.3945 hectare Unallocated Crown Lot (UCL) adjoining Lot 1. The DRDL is proposing that if it sells the UCL it is to be amalgamated with Lot 1, otherwise to lease the UCL to the owners of Lot 1 (Messrs B, J, L, & W Divitini).

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The DRDL advise that the UCL has been cleared and cropped for many years, and seeking Council's comments on this proposal. See attached letter, map, and aerial view of this area.

Comment

The land is currently zoned under the Shire of Yilgarn Town Planning Scheme No 2 as "Rural/Mining". From the aerial picture it can be seen that most of the native bush vegetation has been removed with only a small amount as a border along the west and south side remaining, with the land used for cropping and grazing as there is a dam on the east boundary of the lot. The land use of cropping and grazing comply with the zoning of "Rural" activities.

Due to the total area of the UCL being approximately 37 hectares the lot is not considered a viable size lot for extensive agriculture and therefore if the lot is to be sold freehold it would need to be amalgamated with Lot 1 which is approximately 728 hectares in area. However, if the UCL is to be leased then it does not need to be amalgamated.

The land is subject to the Native Title Future Act process.

I am aware that Lot 1 has a lot of skeleton weed on it and the Divitini family have difficulty controlling the weed. If the UCL is to be leased to the Divitini family then they should be required to take steps to eradicate skeleton weed from Lot 1 and ensure that it does not spread to either the UCL lot or to Reserve 8230 Lot 350 which is the Ghooli town land.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Council currently receives rates for the UCL as it would have been assessed as being part of Lot 1.

Recommendation

That Council advises the Department of Regional Development and Lands that it has no objections to the Unallocated Crown Land lot being leased, or sold freehold to the current owners of Lot 1 and then being amalgamated with Lot 1 situated south of the Great Eastern Highway and west of the Ghooli South Road, Ghooli on the condition that the Divitini family take steps to eradicate any declared noxious weeds from Lot 1 and prevent it spreading to the UCL lot and Reserve 8230 Lot 350.

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Voting Requirements

Simple Majority

130/2012

Moved Cr W Della Bosca Seconded Cr Auld that Council advises the Department of Regional Development and Lands that it has no objections to the Unallocated Crown Land lot being leased, or sold freehold to the current owners of Lot 1 and then being amalgamated with Lot 1 situated south of the Great Eastern Highway and west of the Ghooli South Road, Ghooli on the condition that the Divitini family take steps to eradicate any declared noxious weeds from Lot 1 and prevent it spreading to the UCL lot and Reserve 8230 Lot 350.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council - Friday 15 th June,, 2012
Agenda Reference:	10.2
Subject:	Replacement Lease - "Light Industry"
Location/Address:	Lot 860 Procyon Street, Southern Cross (on Deposited Plan 213925 - Lease No K809187)
Name of Applicant:	Department of Regional Development and Lands - Ms Kerrie Bridger, State Land Officer
File Reference:	1.6.17.4
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th June, 2012

Background

The Department of Regional Development and Lands (DRDL) has written advising that lease of Lot 860 Procyon Street, Southern Cross (Lease No K809187) for the purpose of "Light Industry" is due to expire on 30th June 2012. The lessee, Mr Brendon Robert Nunn, has indicated to the DRDL that he would like to continue the lease for a further period. The DRDL is proposing issue a new lease to Mr Nunn for a term of 5 years for the same purpose. For this reason Mr Nunn has been requested to provide the DRDL a proposed development plan for the lot. See attached letter and location map.

Comment

Under the Shire of Yilgarn Town Planning Scheme No 2 Lot 860 Procyon Street is zoned "Industrial". The land is vacant of any built structures, but is used for the storage of machinery and other equipment. Storage of machinery and associated items is a permitted land use for "Light Industry".

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When the previous renewal of Mr Nunn's lease for this lot was considered by Council at its August 2007 Council Meeting it was noted that the lot needed to be cleared of debris, that fire breaks were to be installed around the perimeter of the lot, and that the lot is to be kept and maintained in a clean and tidy condition at all times. Mr Nunn did remove the debris and weeds from the lot, installed a fire break around the perimeter, and has in general maintained the lot in a reasonable condition.

Statutory Environment

Compliance with the Shire of Yilgarn Town Planning Scheme No 2, and the Shire of Yilgarn Requirement to Clear Firebreaks conditions.

Policy Implications

Nil

Financial Implications

The Shire receives rates for this land while leased.

Recommendation

That Council advise the Department of Regional Development and Lands that it has no objections to it issuing a new 5 year lease for Lot 860 Procyon Street, Southern Cross for the purpose of "Light Industry", and Council supports the Department's request for a proposed development plan for the lot and would request that a copy of any plan is forwarded to the Shire for comment.

Voting Requirements

Simple Majority

131/2012

Moved Cr Pasini Seconded Cr Auld that Council advises the Department of Regional Development and Lands that it has no objections to it issuing a new 5 year lease for Lot 860 Procyon Street, Southern Cross for the purpose of "Light Industry", and Council supports the Department's request for a proposed development plan for the lot and would request that a copy of any plan is forwarded to the Shire for comment.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council - Friday 15 th June,, 2012
Agenda Reference:	10.3
Subject:	Proposed Signage and Storage Shed on Council Land - Southern Cross Volunteer Fire & Rescue Service
Location/Address:	Fire Brigade Running Track, Reserve 30822 Lot 841 Parkland, Sirius Street, Southern Cross
Name of Applicant:	Southern Cross Volunteer Fire & Rescue Service - Mr Tony Dal Busco, Captain
File Reference:	1.3.3.8
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th June, 2012

Background

The Southern Cross Volunteer Fire & Rescue Service has written seeking Council approval to erect a name sign and a storage shed at the Southern Cross Fire Brigade Running Track situated on Reserve 30822 Lot 841, Sirius Street, Southern Cross.

The proposed place name sign will read "Allen 'Blouch' Liddle Running Track" to honour Mr Allen Liddle who recently received his 60 years of service medal for service to the Southern Cross Brigade. The sign board will be metal sheet 3000mm long x 400mm high fixed on 2 metal poles, facing onto Sirius Street.

The proposed storage shed is expected to be approximately 9.0m x 6.0m, with Colorbond walls and roof to blend with the landscape, and is required to store the various items of equipment used in the running track exercises. At present this equipment is stored at the Fire Station site and needs to be packed up and taken down to the running track when exercises are being held. It would be more convenient to store this equipment on-site. (See attached letter and aerial map of site.)

Comment

The Manager of Works and Manager of Environmental Health & Building Services met with Mr Tony Dal Busco to discuss this request.

Originally Mr Dal Busco indicated that the proposed place name sign would be situated on the southern end facing the corner of Orion and Sirius Streets. After further discussion it was decided that a second sign is placed mid-way facing onto Sirius Street. Colour scheme for the signs was not discussed but it is assumed that it will reflect the Service's colours of blue and white.

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There is a flat area of ground to the south of the water tank and stand that would be large enough and suitable for the proposed storage shed. By placing the shed here it would cover part of the water tank and stand and the water pump from view from Orion Street. The matter of security for the items being stored in the shed was raised and Mr Dal Busco advised that the Service would address that but believed that this would not be a significant problem.

At the conclusion of our discussion it was also agreed that as part of this development that the Service would clean up around the water tank and stand and water pump area, fix the grate over the pipe work pit, and make the area safe. The Manager of Works indicated that he is looking to install additional bollards to stop vehicles accessing onto the running track.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The Fire Service is looking to fund both projects and is not seeking any assistance from Council.

Recommendation

That Council grant approval to the Southern Cross Volunteer Fire & Rescue Service to erect 2 place name signs with "Allen 'Blouch' Liddle Running Track" on each sign in the suggested locations, plus erect a Colorbond storage shed at the running track for the storage of equipment on the understanding that security of the equipment will be the Service's responsibility.

Voting Requirements

Simple Majority

132/2012

Moved Cr Pasini Seconded Cr J Della Bosca that Council grants approval to the Southern Cross Volunteer Fire & Rescue Service to erect 2 place name signs with "Allen 'Blouch' Liddle Running Track" on each sign in the suggested locations, plus erect a Colorbond storage shed at the running track for the storage of equipment on the understanding that security of the equipment will be the Service's responsibility.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council - Friday 15 th June,, 2012
Agenda Reference:	10.4
Subject:	Environmental Officer's Project - Review for 2011-2012
Location/Address:	Shire of Yilgarn
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	7.2.1.4
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th June, 2012

Background

In July 2011 the Shire employed Mrs Rebecca Maddock as the Environmental Officer. While this is not a Natural Resource Management Officer (NRMO) position, there are a number of tasks/projects that are the same as what an NRMO would carry out. Previous to this the Shire contracted serviced of the Shire of Westonia's NRMO.

Comment

For Council's information to understand the nature and what is involved with the Environmental Officer's job, below is a summary of the various tasks/projects/activities that Mrs Maddock has completed during the 2011-2012 year.

Environmental Officer - Mrs Rebecca Maddock:-

- ~ Tree planting with Southern Cross School children. I would like to continue this and add Ribbons of Blue activities to the role.
- ~ Bodallin Catchment Group assistance, attending meetings, assisting in field days with printing publications, etc.
- ~ Cropping breakfast: organising and assistance DAFWA with the meeting held in July 2011.
- ~ Speed Trailer Grant: completing the grant application for the Manager of Works successfully and helping with its setup and paperwork.
- ~ Fridge Magnet Calendar. A task that had been on the agenda before the Environmental Officer role was created. This role involved a lot of editing time and once completed, was well received.
- ~ Farmer Tour. It was requested by a local farmer to organise a bus trip to Perth visiting industry related places; the participating number of farmers was a significantly low percent compared to the total number of Yilgarn landholders, however it was an excellent event consisting of 3 days in and around Perth visiting various cereal crop associated businesses as well as DAFWA. As this tour was grain-industry focused so I would suggest a livestock related tour in 2014.
- ~ Cliffs Mines has offered to sponsor seedlings to be planted in 2012. This is great for the Shire and will allow our tree plantings with the school

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children to continue. It has also lead to the need for a Natural Rehabilitation Plan for the Shire for a 3-5year schedule of tree planting. This will be a great task over the next year for me to complete.

- ~ Seedlings to farmers. I have seen a strong interest by Yilgarn farmers wanting to plant Saltbush seedlings. We had a great response for its first year (6 farmers receiving 4,000 saltbush each, 1 farmer receiving 4,000 oil mallees, 1 farmer turned down due to over subscription.) I strongly recommend offering seedlings annually, probably offering a variety of seedlings, perhaps tagasate, saltbush, etc.

In addition to the comments above, the projects planned for 2012-2013 are:-

- Tree plantings will be kept at the same level as it was highly subscribed with some EOIs turned down in 2011/12. Seedlings offered will include saltbush but maybe other alternatives too.
- Tree plantings around town will next also include Moorine Rock, Bullfinch, Marvel Loch, and Bodallin.
- Activities with school children will involve education on their environment, Ribbons of Blue, etc. (Tree planting in Southern Cross is carried out with school students.)
- The bus tour was a great success but better suited to a bi-annual program so the next tour will be planned for 2014.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

All future projects and activities are included in Council's budget considerations.

<p>Recommendation</p>

<p>For Council's information.</p>

Information Received by Council

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Submission to:	Ordinary Meeting of Council - Friday 15 th June,, 2012
Agenda Reference:	10.5
Subject:	Application to Conduct Exploration Drilling, Prospecting, and Miscellaneous Activities - Mineral Deposits
Location/Address:	Yilgarn Shire
Name of Applicant:	M & M Walter Consulting on behalf of Southern Cross Goldfields Ltd x 3; Austwide Mining Title Management Pty Ltd on behalf of Gold & Mineral Resources Pty Ltd x 14; Hetherington Exploration & Mining Title Services on behalf of Mings Mining Resources Pty Ltd for Exploration Licence E77/2064
File Reference:	3.2.1.6
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th June, 2012

Background

- 1) M & M Walter Consulting on behalf of Southern Cross Goldfields Ltd has submitted an application for Miscellaneous Licence L77/242 which extends east of the Mt Jackson and the Bullfinch Evanston Road. See attached map.
- 2) M & M Walter Consulting on behalf of Peter Romeo Gianni of Kalgoorlie has submitted an application for Exploration Licence E77/2060 which extends through the southern part of the old Hopes Hill townsite and includes part of the west section of Lake Koorkoordine, and includes unnamed roads No 1184 and 7383. See attached map.
- 3) M & M Walter Consulting on behalf of Peter Romeo Gianni of Kalgoorlie has submitted an application for Prospecting Licence P77/4133 which extends north of Hopes Hill and includes a small section of Parker Road. See attached map.
- 4) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4135 which lies south of Bullfinch townsite and north of Corinthia townsite, lies between McHarry Road and Greensill Road and includes a section of the Koorda - Southern Cross Road but no Council controlled roads. See attached map.
- 5) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4136 which lies north of Corinthia townsite, south of P77/4135, and includes sections of the Koorda - Southern Cross Road and Greensill Road. See attached application and map.

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- 6) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4137 which lies north of Corinthia townsite, south of P77/4136, but does not include any Council controlled roads.
- 7) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4138 which lies north of Corinthia townsite, south of P77/4137, but does not include any Council controlled roads.
- 8) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4139 which lies north of Corinthia townsite, includes a small section of the standard gauge railway line, and does not include any Council controlled roads. See attached application and map.
- 9) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4140 which lies just north of and includes a portion of the Corinthia townsite, includes Reserve 30764 Location 1482, includes a section of the water supply pipeline, but does not include any Council controlled roads. See attached application and map.
- 10) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4141 which lies south of Corinthia townsite, and includes a section of the water supply pipeline but does not include any Council controlled roads. See attached application and map.
- 11) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4142 which lies south of Corinthia townsite and north of Hopes Hill, includes a section of the water supply pipeline, and includes a section of Parker Road and unnamed roads No 8143 and 14520. See attached application and map.
- 12) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4143 which lies north of Hopes Hill, includes a section of the water supply pipeline, but does not include any Council controlled roads. See attached application and map.
- 13) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4144 which lies to the west and south of Hopes Hill, includes a section of the water supply pipeline, but does not include any Council controlled roads. See attached application and map.
- 14) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4145 which lies south of Hopes Hill and north of Southern Cross townsite, includes a section of the water supply pipeline, but does not include any Council controlled roads. See attached application and map.

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- 15) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4146 which lies north of Southern Cross townsite and the CBH Grain Storage Bins, includes a section of the water supply pipeline, covers most of a disused Shire landfill site south and north of Beaton Road (Reserve 24046 Location 1394 Sanitary Site), lies within the Southern Cross Common Reserve 8849, includes part of the western section of Lake Koorkoordine or north section of Lake Polaris, and includes part of Beaton Road. See attached application and map.
- 16) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4147 which lies north of Southern Cross townsite and the railway station, lies within the Southern Cross Common Reserve 8849, includes the remaining section of the disused Shire landfill site, includes part of Lake Polaris, and include part of Beaton Road. See attached application and map.
- 17) Austwide Mining Title Management Pty Ltd has submitted on behalf of Gold & Minerals Resources Pty Ltd for Prospecting Licence P77/4148 which lies north and west of Southern Cross townsite, lies within the Southern Cross Common Reserve 8849, includes a section of the railway line reserve, includes part of Reserve 7837 Ballast Pit and Reserve 9394 Lot 67 Rifle Range and Reserve 13161 Lot 300 Explosives, and does not include any Council controlled roads. Note that this Licence adjoins the west boundary of the Southern Cross townsite. See attached application and map.
- 18) Hetherington Exploration & Mining Title Services has submitted on behalf of Mings Mining Resources Pty Ltd for Exploration Licence E77/2064 which lies near the border with the Shire of Narembeen, includes a section of the State Forrest on the east side of Emu Fence Road, and includes sections of Soldier Road, Calzoni Road, Emu Fence Road, and the Rabbit Proof Fence Road. See attached letter, application and map.

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:-

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- 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.;
- 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.

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.

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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 Hetherington Exploration & Mining Title Services on behalf of Mings Mining Resources Pty Ltd (E77/2064-1), Austwide Mining Title Management Pty Ltd on behalf of Gold & Mineral Resources Pty Ltd (P77/4135 - 4148), M & M Walter Consulting on behalf of Southern Cross Goldfields Ltd (L77/242) and on behalf of P R Gianni (E77/2060 & P77/4133) to carry out drilling along sections of Council controlled road reserves with their respective Exploration, Prospecting and Miscellaneous 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;
- 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;

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- 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

133/2012

Moved Cr Pasini Seconded Cr Guerini that Council grants approval to Hetherington Exploration & Mining Title Services on behalf of Mings Mining Resources Pty Ltd (E77/2064-1), Austwide Mining Title Management Pty Ltd on behalf of Gold & Mineral Resources Pty Ltd (P77/4135 - 4148), M & M Walter Consulting on behalf of Southern Cross Goldfields Ltd (L77/242) and on behalf of P R Gianni (E77/2060 & P77/4133) to carry out drilling along sections of Council controlled road reserves with their respective Exploration, Prospecting and Miscellaneous 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;*
- 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;*

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- 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)

As there was no further business to discuss, the Shire President declared the meeting closed at 4.30 pm.

I, Peter Romolo Patroni confirms the above Minutes of the Meeting held on Friday, 15th June 2012, are confirmed on Friday the 20th July 2012 as a true and correct record of the June Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT