

MINUTES
ORDINARY COUNCIL MEETING
Friday, 16th August 2013

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, Antares Street Southern Cross, Friday 16th August 2013

PRESENT

Cr P R Patroni, Shire President

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

Council Officers: V Piccoli, Chief Executive Officer
M N Dohnt, Deputy Chief Executive Officer
W J Dallywater, Manager Environmental Health & Building
R J Bosenberg, Manager of Works

The meeting was declared open for business at **2.00pm**

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

J Guerini, Finance Manager

DISCLOSURES OF INTEREST

Cr Gary Guerini declared a **Financial Interest – ITEM 10.1**

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

163/2013

Moved Cr W Della Bosca Seconded Cr Guerini. That the Minutes of the previous Meeting of Council held on Friday 19th July 2013, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

164/2013

Moved Cr Truran Seconded Cr Auld. That the Minutes from the Great Eastern District Operations Advisory Committee Meeting held on 11th March 2013, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

165/2013

Moved Cr W Della Bosca Seconded Cr Truran. That the Minutes from the Special Meeting of Council held 28th June 2013, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

166/2013

Moved Cr J Della Bosca Seconded Cr Guerini. That the minutes from the Central East Aged Care Alliance Meeting held on Thursday 11th July 2013, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

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167/2013

Moved Cr Auld Seconded Cr W Della Bosca. That the minutes from the WEROC Executive Meeting held on Wednesday, 24th July 2013, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

168/2013

Moved Cr Pasini Seconded Cr Truran. That the minutes from the Tourism Advisory Committee Meeting held on Monday, 12th August 2013, be confirmed as a true and correct record of that meeting.

CARRIED (7/0)

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:-

- That he attended the Farmers Breakfast which ran smoothly with about 70 people in attendance. Dr Graham Jacobs, Rick Wilson, Tony Crooks and members of the press were also there. There has also been tremendous support from neighbouring shires with donations of Hay and Feed being received.
- That he attended the Local Government conference, not a lot was said in regards to reform by Tony Simpson, reform of the city Councils are to take place by 2015, next they will be focusing on regional councils, and then a focus on rural councils in 2018. Other areas of concern from the Minister was the calling of differential rating, the department will set out guidelines for the differential settings of GRV Minesite.
- That he attended the King of the Cross and it was a successful event, BGC is no longer sponsoring them although Cliffs Natural Resources has supported them financially this year.
- The Ministers visit in July was successful.
- That he will be attending the Mt Walton Integrated Waste disposal facility committee meeting which is scheduled to be held on the 10th September 2013.
- That he attended the launch of the Defibrillator that was donated by CBH at the Senior Citizens Centre on the 5th August 2013.

Cr Truran advised council that she attended Local Government week and that they had interesting presenters and the AGM was controversial. That she attended the AG Care Session, speakers were from the Manjimup Shire and the Melville Shire where they talked about the same issues that rural councils are currently facing.

Cr J Della Bosca gave a report on the AGM and presenters during LG Week and that she thoroughly enjoyed the week's events.

Cr W Della Bosca advised council that the fire trucks have received their pre-season service. That the Skeleton Weed Co-ordinator Robbie Della Bosca has nearly completed winter spraying. That he will calling a Skeleton Weed LAG committee meeting soon and is asking that farmers complete the Skeleton Weed Survey regarding existing programs. He also reported that Robbie is having issues with his GPS system and is looking into the best option of whether it should be repaired or replaced.

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Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	7.1
Subject:	CEO Performance Review
File Reference:	1.1.10.2
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	31 st July 2013

Comment

In accordance with section 5.38 of the Local Government Act, Council is required to review the performance of each Senior employee who is employed for a term of more than one year, including the CEO on an annual basis. The CEO's contract commenced on the 19th August 2012 and she is now due her Performance Review. The Shire President advised the CEO of the review in writing on the 19th July 2013, giving reasonable notice that the review will be conducted.

Within the CEO's contract section 5.3 outlines the "Conduct of Performance Review" which mentions the use of a facilitator, the option was discussed at the July Ordinary meeting and it was decided that the Performance review will be conducted in-house without the use of a facilitator.

Statutory Environment

S5.38 Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council receives the Performance Review report and endorses the overall performance rating for the Chief Executive Officer for the review period August 2012 to August 2013, and schedules the next review date for August 2014.

Voting Requirements

Simple Majority

169/2013

Moved Cr Guerini Seconded Cr Pasini. That Council expresses their satisfaction of the CEO's performance over the past twelve months and authorises a 4% increase in her salary package.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	7.2
Subject:	Medical Provision Agreement & Use of Common Seal
File Reference:	1.3.12.7, 1.1.12.1
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	31 st July 2013

Background

Dr Patrick Bushe has been the Medical Practitioner in Southern Cross since April 2013 working for Wheatbelt GP Network and the feedback that Council has received from the community is that the community are very happy with his approach to patients and impressed with his professionalism to the job.

At Council's Ordinary meeting held on the 21st June 2013 it was resolved to offer Dr Bushe the option of running the Medical Practice as a private practice. The CEO and Dr Bushe have been in negotiations over the past month to determine the parameters of the Agreement for Provision of Medical & Management Services.

Comment

The signing of the Medical Provision Agreement was undertaken prior to the Council Meeting on the 16th August 2013 which finalises the negotiation between the Shire of Yilgarn and Bushe Medicine Pty Ltd.

The Southern Cross Family Practice will be run by Dr Bushe and his partner Kelsey Ball and will commence trading on the 1st September 2013.

As part of the contract processes it was necessary to use the common seal which will need to be endorsed by Council.

Statutory Environment:

Nil

Policy Implications:

Councils Policy 1.4 deals with the use of Council's Common Seal

Financial Implications:

In 2013/14 budget there is an allocation of \$50,000 (excl gst) to be transferred into trust for equipment and set up costs relating to the Medical Practice.

Recommendation

That Council endorses the signing of the Agreement for Provision of Medical and Management Services between the Shire of Yilgarn and Bushe Medicine Pty Ltd for a 5 year term and endorses the use of the Common Seal on the afore mentioned agreement.

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Voting Requirements

Simple Majority

170/2013

Moved Cr J Della Bosca Seconded Cr Truran .That Council endorses the signing of the Agreement for Provision of Medical and Management Services between the Shire of Yilgarn and Bushe Medicine Pty Ltd for a 5 year term and endorses the use of the Common Seal on the afore mentioned agreement.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 19 th July 2013
Agenda Reference:	7.3
Subject:	Goldfields Gliding Club Inc
File Reference:	1.3.9.18
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	31 st July 2013

Background

The CEO received correspondence from Mr John Hall and Mr Phillip Nolan representing the Goldfields Gliding Club Inc which has operated in the Goldfields since 1973.

The club has had assistance over the years from a number of mining companies and state politicians. It has been inactive for some time because of lack of a suitable airfield and facilities.

The Southern Cross area has been acknowledged to be one of the prime gliding areas of Australia. The area is flat, has numerous out landing areas and the flying conditions are superb. A number of record flights have been flown in the area over recent years.

Comment

The Goldfields Gliding Club would like to operate out of Southern Cross Airfield, and is requesting the Shire's approval to use the hangers and operate gliders on the Southern Cross airstrip. The Club would be undertaking aero towing and winch launching. They have a mobile winch that would be operated adjacent to the main runway. They explain that this is an approved and highly efficient launch operation that is used in numerous Australian clubs and extensively throughout the world. The method is performed in accordance with a precise procedure approved by the Gliding Federation of Australia (GFA) which in turn operates under the supervision of the Civil Aviation Safety Association (CASA). All persons involved are trained by approved persons and operate under GFA rules and regulations as does any visiting clubs; namely the Beverley Soaring Society.

These operations will have all the appropriate VHF radio communication and comply with all CASA Registered Aerodrome requirements under which Southern Cross Aerodrome operates.

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They advised that the Club will provide all information for NOTAMS either in conjunction with Mr Robert Bosenberg or either directly to CASA whatever the requirement or Shires preferred methods. Other users, such as private operations, charter, RFDS etc will not be inconvenienced by gliding operations because launching operations are suspended while other aircraft are in the circuit for landing. Likewise, for departing aircraft, launching operations are suspended for the brief period that departing aircraft need use of the duty or alternate runway.

They believe by providing this activity from Southern Cross Airfield, it will attract a number of visitors to Southern Cross who wish to have joy flights or trial introduction flights, which could have a beneficial flow on effect to the town's economy.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorses the use of Southern Cross Airfield to Goldfields Gliding Club in principle, in accordance with all regulatory procedures and for representatives from the Club to liaise with the Manager for Works in relation to operations. Should the use of the airstrip for Gliding involve any upgrades or additional maintenance to the airstrip, the Goldfields Gliding Club will need to contribute towards these works.

Voting Requirements

Simple Majority

171/2013

Moved Cr Pasini Seconded Cr Auld .That Council endorses the use of Southern Cross Airfield to Goldfields Gliding Club in principle, in accordance with all regulatory procedures and for representatives from the Club to liaise with the Manager for Works in relation to operations. Should the use of the airstrip for Gliding involve any upgrades or additional maintenance to the airstrip, the Goldfields Gliding Club will need to contribute towards these works.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	7.4
Subject:	DFES Emergency Services Levy (ESL) Administration & Use of Common Seal
File Reference:	5.1.6.8, 1.1.12.1, 10.2.5.6
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	31 st July 2013

Comment

The CEO has reviewed how Council pays the ESL levy to the Department of Fire and Emergency Services (DFES) and currently the Shire is paying DFES on a monthly basis (Option A) and the CEO suggests that payment of collected ESL be made instead on a quarterly basis (Option B) which will be more efficient use of Administration resources.

As part of the contract process it was necessary to use the common seal which will need to be endorsed by Council. Council endorsement has been done retrospectively due to the urgency of having the agreement returned back to DFES for processing in time for 2013/14 rate notices being issued.

Statutory Environment:

Nil

Policy Implications:

Councils Policy 1.4 deals with the use of Council's Common Seal

Financial Implications:

Quarterly payment of ESL to be made to DFES of collected ESL levy from rate payers.

Recommendation

That Council endorses the signing of the Agreement between Department of Fire and Emergency Services in relation to changing Council's ESL payment from Option A to Option B and endorses the use of the Common Seal on the afore mentioned agreement.

Voting Requirements

Simple Majority

172/2013

Moved Cr Truran Seconded Cr J Della Bosca. That Council endorses the signing of the Agreement between Department of Fire and Emergency Services in relation to changing Council's ESL payment from Option A to Option B and endorses the use of the Common Seal on the afore mentioned agreement.

CARRIED (7/0)

Council adjourned at 3.20pm and reconvened 3.35pm

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Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	7 th August 2013

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 July 2013:

- Rates Receipt Statement (prepared to 7th August 2013)
- 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

Recommendation

That the Various Financial Reports for the period ending 31st July 2013 as presented be received.

Voting Requirements

Simple majority required

173/2013

Moved Cr Truran Seconded Cr Auld .That the Various Financial Reports for the period ending 31st July 2013 as presented be received.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th August 2013

Background

Municipal Fund – Cheque Numbers 38694 to 38722 totalling \$90,847.88, Municipal Fund EFT numbers 1555 to 1622 totalling \$210,776.32, Municipal Fund – Cheque Numbers 1108 to 1110 totalling \$140,134.51, Trust Fund – 402026 to 402027 totalling \$2,878.20 and Trust Fund – Cheque Numbers 5855 to 5857 (DPI Licensing), totalling \$20,210.35 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

Recommendation

Municipal Fund – Cheque Numbers 38694 to 38722 totalling \$90,847.88, Municipal Fund EFT numbers 1555 to 1622 totalling \$210,776.32, Municipal Fund – Cheque Numbers 1108 to 1110 totalling \$140,134.51, Trust Fund – 402026 to 402027 totalling \$2,878.20 and Trust Fund – Cheque Numbers 5855 to 5857 (DPI Licensing), totalling \$20,210.35 are presented for endorsement as per the submitted list.

Voting Requirements

Simple Majority

174/2013

Moved Cr W Della Bosca Seconded Cr Guerini. That Municipal Fund – Cheque Numbers 38694 to 38722 totalling \$90,847.88, Municipal Fund EFT numbers 1555 to 1622 totalling \$210,776.32, Municipal Fund – Cheque Numbers 1108 to 1110 totalling \$140,134.51, Trust Fund – 402026 to 402027 totalling \$2,878.20 and Trust Fund – Cheque Numbers 5855 to 5857 (DPI Licensing), totalling \$20,210.35 are presented for endorsement as per the submitted list.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	8.3
Subject:	Community Resource Centre Coordinators Report
File Reference:	1.3.4.1
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th August 2013

Purpose of Report

For Council information on what activities, planning and training the Community Resource Centre has under taken in the previous month.

Background

To advise what activities, planning and training the Community Resource Centre has under taken in the previous month.

Discussion



COORDINATOR'S REPORT

Prepared by: Ronice Blair
01.07.2013 – 31.07.2013
Southern Cross Community Resource Centre

Monthly Statistics

Full statistics for the month are not available.

Southern Cross Singers	38
Junior Singers	8
Gym Circuit	22
Seniors Exercises	47
Seniors Carpet Bowls/lunch	14
School Holiday Activities	9
Christmas in July event	50
Yilgarn Explorer bus trip	16
Internet	\$81.00
Print/scan	\$296.70
Send/receive fax	\$25.40

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Advertising	\$997.00
Crosswords sales	\$453.65
Activities	\$1460.00
Items for resale	\$1.00
Invoice paid at CRC	\$20.00
Room Hire	\$70.00

Support Officer/Librarian Monica Fairless was on leave for the first week of July.

The CRC's takings are down for July, especially for Internet due to the Shire admin staff using the public access computers, with a result we were unable to provide this service from the afternoon of Thursday 11 July through to Tuesday 30 July.

Centrelink services were also reduced, initially it was hoped we would be able to offer the phone to Centrelink clients with CRC staff faxing clients paperwork, but the phone line was required for Shire purposes and this service was not available for some three days prior to a Centrelink client travelling to Kalgoorlie and making an official complaint about the lack of service. The complainant actually misinformed Centrelink because at no time was the CRC unwilling or unable to fax documents on behalf of customers. A telephone call from Centrelink advised according to the contract between Centrelink and the Shire a phone was required to be available for Centrelink clients at all times. The problem was overcome by plugging the Centrelink phone into the Centrelink fax line.

When the telephone diversion was removed the CRC's telephone service was cut completely and was not restored for almost two full days. When the CRC telephone service was restored it was found the Centrelink phone line was dead. Because the phone line belongs to a very large Federal Government Department it took PCS some time to locate the appropriate person to talk to regarding reinstalling the service. A technician attended the CRC after 5 days and found cables in the server cupboard had been switched around and not returned to their appropriate ports.

CRC staff are still locating items that were moved to accommodate the shared office arrangement, this is not a major issue, it is simply frustrating to have to hunt up items eg A3 laminating pouches.

The CRC was disappointed not to be asked to print King of the Cross Programs this year. We were not advised our services were not required until CRC support officer enquired directly with SXMCC President the week prior to the event. Cliffs Natural Resources donated 10 pairs of tickets to the event which were offered as prizes in a competition run on the CRC's facebook page.

It was interesting to note how quickly the tickets were won, which backed up previous anecdotal evidence facebook is the best means to reach a certain demographic in the community.

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A group of 14 took advantage of a Yilgarn Explorer Bus Trip to Mt Hampton. We stopped for morning tea at Mavis and Peter Goodhill's farm, to see the work they have done for their Hampton View Farm Stay. What an eye opener and what a great facility to have in the Shire of Yilgarn. Peter and Mavis joined the group for lunch at Mt Hampton. Those who attended all remarked what a great day it was. A number of comments were received after the event about it being held on a Friday, which precluded many from being able to attend. As the CRC relies on volunteer bus drivers the days we are able to offer bus trips are determined by when the volunteers are available.

Numbers attending the CRC Gym Circuit remain steady. Evaluation of the circuit is due to take place mid-September and a decision will be made as to whether it should be available seasonally or on a more permanent basis.

Numbers attending Seniors Exercises also remain steady, and numbers attending Carpet Bowls twice monthly fluctuate depending on usual participants other commitments.

Two craft sessions were held during the school holiday period, we had 6 booked in for the first session, and only three attended. We had 7 booked in for the second session, 6 attended. We had calls wanting to book kids in 1 hour prior to the activity commencing. Because equipment and the area had already been set up we declined. We will be reminding interested parents prior to the next school holidays pre bookings are essential. Craft activities held involved lots of paint and a little bit of glue.

Support Officer Monica Fairless attended a Business Plan workshop in Kalgoorlie 23 July. The CRC's business plan was forwarded to the Regional Coordinator once figures had been approved at Councils Budget meeting. The Business Plan was returned with a request for more detail in the Action Plan section. This was completed and forwarded Wednesday 7 August. The updated action plan has been okayed by the Regional Coordinator and forwarded to head office at DRD. As outlined previously, the business plan needs to be accepted before funding is received.

Further communication was received 31 July, following on from the request for further information received 26 June from WA Social Enterprise Fund Grants Program wanting to know if we intended clarifying the governance/structure issues and provide some high level financial forecasts for the CRC. This information is required for the grant application process to continue. As with the previous email the request was forwarded to the Shire and I am waiting on a response.

Some background on the SEF grants. Social enterprise funding is available for Not For Profit organisations to investigate and set up a commercial enterprise, the profits from which are then used to fund the not for profit activities.

The CRC conducted a successful Christmas in July event 27 July, at the Seniors Centre with 50 people attending. Overall response on the night was positive, with follow up comments in the weeks since also being positive.

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Finally, the CRC is organising a Morale Booster on behalf of the Shire, to be held 14 September. The Goose Cafe/Restaurant is providing a three course meal featuring Western Australian Products. There will also be complimentary wine on each table.

The CRC has been fortunate to secure one of Australia's best known speakers Mr Tom O'Toole to speak at the event. Target audience for the dinner are the farming community and business proprietors. Invitations will be sent to ensure this group of people have ample opportunity to book a seat before the event is advertised to the general public. Cost to attend is \$20.00 per person. It is not often we are able to have somebody of Tom's calibre here in Southern Cross so I urge all counsellors to contact the CRC and ensure your place as soon as possible.

Ronice Blair
7 August 2013

Statutory Environment

Nil

Financial Implications

Expenses are allowed for in the 2013-2014 Budget

Voting Requirements

Simple majority required.

Recommendation

For Council information only.

Information Received

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Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	8.4
Subject:	Revised Rating Timetable
File Reference:	1.3.4.1
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th August 2013

Purpose of Report

To inform Council of the changes in the rating timetable that was endured at the June 2013 Council meeting.

Background

The below rating timetable was endorsed at the June 2013 Council meeting.

RATING TIMETABLE 2013/2014	
Council Meeting	Friday 19 th July 2013
Run off rate notices	Monday 29 th July 2013
Issue Date	Wednesday 31st July 2013
1 Payment Only / Payment in Full	
Last Day for Discount	Wednesday 4 th September 2013
1 st Instalment Due	Wednesday 4 th September 2013
Penalty Commences	Thursday 5 th September 2013
Final Notices (First Round)	Friday 20 th September 2013
Final Notices (Second Round)	Monday 7 th October 2013
Recovery Letters	Friday 25 th October 2013
Load with Recovery Agents	
2 nd Instalment	
Run Off	Monday 30 th September 2013
Post	Wednesday 2 nd October 2013
Issue Date	Wednesday 2 nd October 2013
Due Date	Wednesday 6 th November 2013
3 rd Instalment	
Run Off	Monday 2nd December 2013
Post	Wednesday 4 th December 2013

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Issue Date	Wednesday 4 th December 2013
Due Date	Friday 10 th January 2014
4 th Instalment	
Run Off	Monday 4 th February 2014
Post	Wednesday 5 th February 2014
Issue Date	Wednesday 5 th February 2014
Due Date	Friday 14 th March 2014

Discussion

Due to having to vacate the Administration Office whilst building maintenance was undertaken, there was a delay in issuing the 2013/2014 rate notices by one week. Below is the amended rating timetable

RATING TIMETABLE 2013/2014	
Council Meeting	Friday 19 th July 2013
Run off rate notices	Monday 5 th August 2013
Issue Date	Wednesday 7 th August 2013
1 Payment Only / Payment in Full Last Day for Discount	Wednesday 11 th September 2013
Penalty Commences	Thursday 12 th September 2013

There have been no changes to the 2nd, 3rd, and 4th instalment dates.

Statutory Environment

Nil

Financial Implications

Slight delay in receiving rates income for 2013/2014

Voting Requirements

Simple majority required.

Recommendation

For Council information only

Information Received

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Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	8.5
Subject:	Community Resource Centre Business Plan
File Reference:	1.3.4.1
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th August 2013

Purpose of Report

For Council to endorse the 2013-14 Community Resource Centre Business Plan.

Background

To be eligible to receive funding from Department of Regional Development the Community Resource Centre must complete a business plan for the financial year funding in which funding is being requested.

Discussion

Community Resource Centre Coordinator, Ronice Blair has completed the 2013/2014 business plan as attached. The executive summary of the plan reads as follows;

The Southern Cross CRC was established in 1994 in response to a need within the Shire of Yilgarn to provide a place where residents and visitors to the area could have access to computers, computer training and internet services.

Since then the centre has seen a number of changes, including, in 2005, the Shire of Yilgarn assuming responsibility for the CRC, including governance, HR and financial management.

The CRC offers services in information technology, access to computers and internet, access to government services, production and distribution of the local fortnightly news publication, Crosswords, secretarial services, video conferencing, advocacy for community members, meeting room hire and community events and activities.

The CRC initiates and manages a program of events and activities for seniors in the community and also houses and manages the day to day running of the public library on behalf of the Shire of Yilgarn.

This business plan will provide the CRC staff and Shire of Yilgarn with a clear direction for the coming year and will assist the centre to capture opportunities and develop services. In addition to this it will assist in preparing for upcoming risks, threats and opportunities for the CRC and the Shire of Yilgarn.

In the coming 12 months the CRC has goals to be involved in Shire of Yilgarn's plans for a Visitor Centre to be established in Southern Cross with the end result being a relocation and co-location for the CRC. The CRC also has plans to simplify current financial management systems with the eventual goal being for finances to be completely separate from those of the Shire of Yilgarn. The CRC will continue to up skill staff, to build on community relationships, to explore new opportunities as they arise and to provide and promote services to the community and visitors to our area alike.

Statutory Environment

Nil

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Financial Implications

Income and expenses are allowed for in the 2013-2014 Budget

Recommendation

For Council to endorse the 2013/2014 Community Resource Centre Business Plan.

Voting Requirements

Simple majority required.

175/2013

Moved Cr Truran Seconded Cr Guerini. That Council endorses the 2013/2014 Community Resource Centre Business Plan.

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday 16 th August 2013
Agenda Reference:	8.6 – Late Item
Subject:	Replacement of the DCEO's Vehicle – YL-50
File Reference:	6.1.1.4
Author:	Mia Dohnt – Deputy CEO
Disclosure of Interest:	Not Applicable
Date of Report:	7 th August 2013

Background

Included in Councils 2013/2014 Financial Year Budget a monetary allocation has been allowed for the changeover of the Toyota Kluger utilised by Council's Deputy Chief Executive Officer.

In accordance to Council's "Staff Policy 7.9" it is proposed to replace the Deputy Chief Executive Officer's Vehicle at intervals of 30,000 to 40,000 kilometres. The current Toyota Kluger was purchased in August 2011 and has a speedometer reading of 59,000km

Comment

Quotations were sought for the replacement of the current Toyota Kluger with a similar type of motor vehicle from Toyota Merredin.

The vehicle quoted, and submitted for consideration, as follows, with the cost (*GST inclusive*):

Toyota Merredin:

1 x 2013 Toyota Kluger V6 Wagon for an amount of \$41,656.41, with a trade price on the Mazda CX9 (existing community car) of \$20,506.41 resulting in a change-over cost of \$21,150.

Summary

The 2011 Toyota Kluger utilised by the Deputy Chief Executive Officer was retained and will now be used by Dr Patrick Bushe.

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Policy Implications

In line with Council's Policies, "*Finance 3.5 Purchasing Quotes and Tenders and Motor Vehicle Use 7.9*"

Financial Implications

Expenditure for the replacement of this vehicle will be funded from account E14750 – Purchase Plant – Administration

Recommendation

That Council endorses the purchase order to Toyota Merredin for the purchase of the 2013 Toyota Kluger Wagon for the quoted amount of \$41,656.41 (*GST inclusive*) and trade Councils Mazda CX 9 for the quoted trade price of \$20,506.41, (*GST inclusive*) resulting in a changeover cost of \$21,150 (*GST inclusive*)

Voting Requirements

Simple Majority required

176/2013

Moved Cr Guerini Seconded Cr Pasini. That Council endorses the purchase order to Toyota Merredin for the purchase of the 2013 Toyota Kluger Wagon for the quoted amount of \$41,656.41 (GST inclusive) and trade Councils Mazda CX 9 for the quoted trade price of \$20,506.41, (GST inclusive) resulting in a changeover cost of \$21,150 (GST inclusive)

CARRIED (7/0)

Submission to:	Ordinary Meeting of Council – Friday, 16th August 2013
Agenda Reference:	Works 9.1
Subject:	Tender: 1/2013-2014 Hot Sprayed Bitumen
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.6.2.3
Author:	Robert Bosenberg - Manager for Works
Disclosure of Interest:	N.A.
Date of Report:	30 th July 2013

Background

Tenders were invited for the supply and spraying of hot bitumen for the 2013/2014 Financial Year Road Construction Program. Bitumen required for the 2013/2014 Road Construction Program is for the Moorine Rock South Road, Bodallin North Road, Parker Range Road, Southern Cross South Road, Marvelloch Forrestania Road, Southern Cross and Bullfinch Townsites.

It is estimated 407,000 litres of bitumen is required for 2013/2014 of which 363,000 litres will be sprayed in lots of above 25,000 litres and the remaining 44,000 litres will be sprayed in lots off between 10,000 to 25,000 litres.

Also included in the form of tender is a requirement for companies tendering to submit a cost per tonne to carry out pre-coating of 3000 tonnes of aggregate.

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Comments

The following two tenders from Bitutek Pty Ltd and RnR Contracting were received (GST exclusive): -

1. Bitutek (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.45 per litre	\$ 1.45 per litre
10,000 25,000	\$ 1.20 per litre	\$ 1.20 per litre
over 25,000	\$ 1.15 per litre	\$ 1.15 per litre
<i>Adhesive Agent -</i>	<i>\$ 0.0055 per litre</i>	
<i>Pre-coating Aggregate</i>	<i>\$ 1.00 per tonne</i>	

Expected total cost to Council's Construction Program

44,000 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 52,800.00
363,000 litres in job lots above 25,000 litres of 98/2:	\$ 417,450.00
407,000 litres x \$0.0055 per litre adhesive agent	\$ 2,238.00
3000 tonnes aggregate x \$1.00 per tonne	\$ 3,000.00
<i>Total</i>	<u>\$ 475,488.00</u>

Rates for pre-coating are based on the following:

Bitutek will supply the following:

- 1) *Pre-coater with operator*
- 2) *Accommodation and meals*

Shire of Yilgarn to supply at no cost to Bitutek:

- 1) *Loader*
- 2) *Wetting agent (diesel) for the pre-coating*

2. RnR Contracting (GST exclusive)

<u>Hot Sprayed Bitumen</u>	<u>95/5-Primer Seal</u>	<u>98/2-Seal</u>
up to 10,000	\$ 1.75 per litre	\$ 1.73 per litre
10,000 25,000	\$ 1.33 per litre	\$ 1.31 per litre
over 25,000	\$ 1.23 per litre	\$ 1.22 per litre
<i>Adhesive Agent -</i>	<i>\$ 0.006 per litre</i>	
<i>Pre-coating Aggregate</i>	<i>\$ 2.57 per tonne</i>	

Expected total cost to Council's Construction Program

44,000 litres in job lots of 10,000 to 25,000 litres of 95/5:	\$ 58,520.00
363,000 litres in job lots above 25,000 litres of 98/2:	\$ 442,860.00
407,000 litres x \$0.006 per litre adhesive agent	\$ 2,442.00
3000 tonnes aggregate x \$2.57 per tonne	\$ 7,710.00
<i>Total</i>	<u>\$ 511,532.00</u>

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Rates for pre-coating are based on the following:

RnR Contracting will supply the following:

- 1) *Pre-coater with operator*
- 2) *Accommodation and meals*

Shire of Yilgarn to supply at no cost to RnR Contracting:

- 3) *Loader*
- 4) *Wetting agent (diesel) for the pre-coating*

As it can be seen from the above calculations the tender by Bitutek (\$475,488) is the lowest tender submitted.

When setting the 2013/2014 Financial Year Construction Budget a monetary allocation of \$508,625 was allowed for in councils construction program for the supply and spray of hot bitumen and pre-coating of aggregate.

Policy Implications: In line with Council's Policy, "*Finance 3.5 Purchasing Quotes and Tenders*"

Financial Implications: Monetary costs associated for the supply, and spraying of hot bitumen has been allowed for in councils 2013/2014 Construction Program Budget

Strategic Implications: 2013/2014 Construction Program

Recommendation

That Council accepts the tender submitted by Bitutek Pty Ltd for the supply and spraying of hot bitumen and pre-coating of aggregate for the 2013/2014 Financial Year.

Voting Requirements

Simple Majority

176/2013

Moved Cr Pasini Seconded Cr Auld .That Council accepts the tender submitted by Bitutek Pty Ltd for the supply and spraying of hot bitumen and pre-coating of aggregate for the 2013/2014 Financial Year.

CARRIED (7/0)

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Cr G Guerini has declared an interest in Item 10.1 and left the meeting at 4.10pm and returned 4.15pm

Submission to:	Ordinary Meeting of Council - Friday 16 th August, 2013
Agenda Reference:	10.1
Subject:	Planning Application - Development of a Solar Farm
Location/Address:	Lot 84 Bullfinch Road (Koorda - Southern Cross Road), Southern Cross
Name of Applicant:	Solar Farm Southern Cross Pty Ltd - Ms Meg Delahoy, Project Engineer
File Reference:	3.1.3.4
Author:	Manager Environmental Health & Building Services - W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th August, 2013

Background

Ms Meg Delahoy on behalf of Solar Farm Southern Cross Pty Ltd, which is a joint venture between EMC Solar Construction Pty Ltd (Energy Made Clean) of West Perth and Grupo T-Solar, has submitted a planning application for the development of a new solar farm installation on part of Lot 84 Bullfinch Road, Southern Cross. The 5 megawatt installation will cover approximately 10-12 hectares of land, and is part of a broader roll-out of solar farms across the Wheatbelt region. It will generate 8.76 gigawatt hours per annum, offsetting 6,570 tonnes of carbon and will be sufficient to power approximately 1500 homes each year.

The solar panels will consist of 16 solar modules mounted on frames which are fixed to concrete footings. Each panel will be approximately 4 x 4 x 4 metres including the concrete foundations and will be on an incline of 16° to the north and azimuth of 0°. Typical modules used for terrestrial applications contain up to 72 silicon solar cells. The modules will be connected in series, grouped in parallel, and combined at two levels before connection to the inverters and transformers. Due to the proposed solar farm's proximity it will feed power into the Western Power Southern Cross Sub-station for use by the grid.

See attached Application for Planning Approval form, the Planning Approval Application Additional Details produced by EMC, and a location map.

Comment

Lot 84 Bullfinch Road is zoned "Rural/Mining" under the Shire of Yilgarn Town Planning Scheme No 2. Under Table 1 Zoning Table of the Scheme,

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utility services has an 'AA' symbol against this land use for the zoning "Rural/Mining" which means that this proposed development is not permitted without obtaining Council approval.

The proposed setback for the installation will be equal to or greater than 7.5 metres from the property boundary. Under Table 2 Development Table of the Scheme there is no utility services, however, the most similar development listed is "Industrial Services" which specifies a setback of 7.5 metres from the front and rear boundaries, with the side boundaries to be determined by Council. This proposed development complies with this setback.

Solar Farm Southern Cross Pty Ltd intends to lease approximately 10-12Ha of land for this purpose which will include the frontage onto Bullfinch Road. Lot 84 is 32.5259Ha in area and is owned by Mr Joseph Guerini.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants planning approval to Solar Farm Southern Cross Pty Ltd to develop a 5 megawatt solar farm installation on part of Lot 84 Bullfinch Road, Southern Cross with the intension to feed power back into the main power supply grid at the Southern Cross Sub-station.

Voting Requirements

Simple Majority.

177/2013

Moved Cr Pasini Seconded Cr Auld. That Council grants planning approval to Solar Farm Southern Cross Pty Ltd to develop a 5 megawatt solar farm installation on part of Lot 84 Bullfinch Road, Southern Cross with the intension to feed power back into the main power supply grid at the Southern Cross Sub-station.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 16 th August, 2013
Agenda Reference:	10.2
Subject:	Request to Ring Church Bells for Church Services
Location/Address:	Our Lady of Montserrat Catholic Church, Lot 438 (H/No 52) Altair Street, Southern Cross
Name of Applicant:	Mrs Lisa Granich, Parish Council Chairperson
File Reference:	1.3.3.1
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	7 th August, 2013

Background

Mrs Lisa Granich has written on behalf of the Our Lady of Montserrat Parish Council of Southern Cross to the Shire Council seeking permission to ring the church bell in the tower at the Our Lady of Montserrat Catholic Church to signal the beginning of church services. The bell would be rung:-

- at 12 noon daily to signal Angelus (a call to prayer and to spread goodwill to everyone),
- at 6:00 p.m. on Saturday evening, and
- at 8:30 a.m. on Sunday morning.

The duration of the ringing would be the time taken to ring the bell in a sequence of 3 x 3 successive times (a total of 9 rings of the bell).

Comment

Regulation 15 of the Environmental Protection (Noise) Regulations 1997 deals with bellringing and calls to worship. This regulation allows for bellringing or the call of people to worship but has certain conditions which in the majority the Church and Parish Council will comply with. However, there are some that the proposal does not comply with which are:-

- ❖ Reg 15 (3) (c) (i) bellringing is to be conducted only between 0800 hours and 1900 hours on Monday to Friday inclusive, or between 0900 hours and 1900 hours on Saturday, Sundays and public holidays;
- ❖ Reg 15 (3) (c) (iv) bellringing is not to take place on more than 12 occasions in any period of 2 months; and
- ❖ Reg 15 (3) (c) (v) bellringing is not to take place on more than 8 occasions in any one month.

In order for there to be only 8 occasions of bellringing in any one month the bell can only be rung on 2 days per week, assuming that there are only 4 weeks in a month.

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In order for there to be only 12 occasions of bellringing in any period of 2 months the bell can only be rung once a week, assuming that there are only 4 weeks in a month, plus on 4 additional days within that 2 month period.

The ringing of the bell at 8:30 a.m. on Sunday morning is not allowed as it needs to be between 0900 hours and 1900 hours.

See attached copy of Regulation 15 and 7 of the Environmental Protection (Noise) Regulations 1997 and Section 6.26 (2) of the Local Government Act 1995 which pertain to this matter.

Statutory Environment

Compliance with the Environmental Protection (Noise) Regulations 1997 and the Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advises the Our Lady of Montserrat Parish Council that it can re-commence ringing the bell at the Southern Cross Catholic Church on the condition that they comply with the requirements of Regulation 15 of the Environmental Protection (Noise) Regulations 1997 as outlined above.

Voting Requirements

Simple Majority.

178/2013

Moved Cr Pasini Seconded Cr Truran. That Council advises the Our Lady of Montserrat Parish Council that it can re-commence ringing the bell at the Southern Cross Catholic Church on the condition that they comply with the requirements of Regulation 15 of the Environmental Protection (Noise) Regulations 1997 as outlined above.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 16 th August, 2013
Agenda Reference:	10.3
Subject:	Possible Re-lease of Former Diemals Pastoral Station
Location/Address:	Lot 355 on Deposited Plan 56287, Mt Jackson Road, Mt Jackson
Name of Applicant:	Department of Lands, Regional and Metropolitan Services – Mr George Poppas
File Reference:	1.6.17.1
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	8 th August, 2013

Background

The Department of Lands has written to the Shire advising that the former Diemals Pastoral Station land is currently unallocated Crown land of around 265,166 hectares, with the majority of the land located in the Shire of Menzies, and a small portion located within the Shire of Yilgarn. This land has been subject to a lease from 2nd August 1978 to 3rd October 2011 when the Minister for Lands cancelled the lease due to improper management of the land.

The Department of Lands is now investigating the possible re-lease of the land under the Land Administration Act 1997 for pastoral purposes and is suggesting two options for Council's comment:-

- The public release of the land as a stand-alone pastoral lease under Section 102 of the Land Administration Act; or
- Amalgamation of all of it, or parts of it, into either adjoining Lake Barlee and/or Mt Jackson pastoral lease under Section 87 of the Land Administration Act.

Note: Lot 38 located at the south eastern end of the land, which is Crown land, was part of the former pastoral lease but is not being considered for re-release.

Comment

Looking at the coloured map of the area you can readily see the former Diemals Pastoral Station and the Mt Jackson Pastoral Station. It would seem logical for the portion of Diemals Station situated within the Shire of Yilgarn to be amalgamated into the Mt Jackson Station, especially if Lot 38 is not included in any new lease. The remained of the Diemals Pastoral Station which is located within the Shire of Menzies should continue as a stand-alone

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lease or could be amalgamated with the Lake Barlee Pastoral Station, but this Station is located in the Shire of Sandstone.

Mt Jackson Pastoral Station is currently leased to Cliffs Asia Pacific Iron Ore.

Lot 38 and Reserve 9644 Lot 1596 are zoned as "Nature Reserve" under the Shire of Yilgarn Town Planning Scheme No2 and due to its proximity to the Mount Manning Range, the Department of Lands may wish to amalgamate Lot 38 and Reserve 9644 with the Mount Manning Range.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise the Department of Lands that it would prefer to see the portion of the former Diemals Pastoral Station located within the Shire of Yilgarn amalgamated with the Mt Jackson Pastoral Station, or as a second choice that the former Diemals Pastoral Station land is released as a stand-alone pastoral lease.

Voting Requirements

Simple Majority.

179/2013

Moved Cr Pasini Seconded Cr Guerini. That Council advise the Department of Lands that it would prefer to see the portion of the former Diemals Pastoral Station located within the Shire of Yilgarn amalgamated with the Mt Jackson Pastoral Station.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 16 th August, 2013
Agenda Reference:	10.4
Subject:	Request to Use Old Pony Club Site for Riding Lessons
Location/Address:	A Class Reserve 7478 Lot 606 “Recreation”, off Castor Street, Southern Cross
Name of Applicant:	Mrs Toni Hatch
File Reference:	10.4.1.17
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	8 th August, 2013

Background

Mrs Toni Hatch has written to the Shire seeking permission to operate a horse riding school from the area of land was the original Pony Club site in Southern Cross and was later leased by Mr & Mrs Lyn & Glenys Emmett of Southern Cross for the keeping of their horses. Mrs Hatch and her husband moved to Southern Cross 15 months and are currently renting a farm house on Great Eastern Highway from Mr Terry Beaton. Mrs Hatch has been advised by Mr & Mrs Beaton that while the horses can be kept on the farm property she cannot operate her proposed riding school from their property and so Mrs Hatch is looking for another place in which to operate the riding school. Mrs Hatch states that she has over a dozen local families showing keen interest in their children participating in the riding school.

Mrs Hatch is aware of the original Pony Club site, has spoken with Mrs Emmett regarding the use of the sheds that are still on the land and has been given permission by Mr & Mrs Emmett to use the sheds for this purpose.

Comment

Unfortunately I cannot any documentation to support my following comments. In 2008 the matter of Mr & Mrs Emmett’s lease of this land was raised as they had only paid one year’s lease fee and nothing afterwards. It was questioned as to why the Emmetts had been allowed to lease this port of Reserve 7478 Lot 606 which is locally known as the Greater Sportsground Site? Council decided that the land should not have been leased for the purpose of keeping horses and the lease was terminated. The Emmetts were requested to clear the area of all man-made material including the sheds, the fencing, and various old vehicle bodies. The old vehicle bodies have been removed. I believe that the sheds were promised to a local community group but they needed to remove them.

In 2010 the Shire agreed to remove the buildings and fencing at the old Pony Club on part of Lot 88 Great Eastern Highway. Over the next 2 years all the

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buildings have been cleared and removed from the site. Locals felt that this site was not suitable for the Pony Club as children needed to cross the Great Eastern Highway, plus travel along Castor Road where they could encounter vehicles.

Mr Terry Beaton has confirmed to me that he is happy for Mrs Hatch's horses to be kept on their farm property that the Hatches are renting, but he does not want a riding school operating from the property due to insurance reasons and the fact that other people will be accessing his land.

While there are several lots either side of Regulus Street north of the extension of Draconis Street and the Industrial Area which are specified for the keeping of horses, I understand that the current leases would not favour or support a riding school operating from this area. The horse owners do not encourage children to visit the area due to damage that has occurred previously to the different lots.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council advise Mrs Toni Hatch that it will not approve the use of the old Pony Club site located within Reserve 7478 Lot 606 off Castor Street, Southern Cross for the use as a riding school site, but would encourage Mrs Hatch to consider approaching an out of townsite landholder with regards to her using their property for the proposed riding school.

Voting Requirements

Simple Majority.

Discussion

The Shire President advised that he had met with Mrs Hatch and the Executive team prior to the Council meeting to discuss the finer details of the proposed Riding school operations. Mrs Hatch advised that she would be running a Not-For-Profit activity, that any funds received from riding lessons would go back into feeding and caring for the horses. In addition she had organised public liability insurance for the activity, and would be teaching students on a one-on-one basis. The SP expressed that Mrs Hatch was advised that Reserve 7478 was an "A" class reserve and the purpose was for

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recreation activities only, which suited the activities that Mrs Hatch was proposing to use the land for. She was advised that at any time when the activity becomes a business venture i.e. no long Not for Profit that she would need to contact Council and advise us of the change. The Shire President went on to say that Council is supportive of Mrs Hatch establishing a Riding School and providing the youth of the Yilgarn another activity that they can enjoy and participate in.

AMENDMENT TO RECOMMENDATION

That Council advise Mrs Toni Hatch that it will approve the use of the old Pony Club site located within Reserve 7478 Lot 606 off Castor Street, Southern Cross for the use as a riding school site. In addition, Mrs Hatch is to advise Council in writing that the Riding school will be run as a not-for-profit activity and that she is aware that any necessary infrastructure needed to run the Riding school will be borne by Mrs Hatch.

180/2013

Moved Cr Pasini Seconded Cr J Della Bosca. That Council advise Mrs Toni Hatch that it will approve the use of the old Pony Club site located within Reserve 7478 Lot 606 off Castor Street, Southern Cross for the use as a riding school site. In addition, Mrs Hatch is to advise Council in writing that the Riding school will be run as a not-for-profit activity and that she is aware that any necessary infrastructure needed to run the Riding school will be borne by her.

CARRIED (7/0)

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Submission to:	Ordinary Meeting of Council – Friday 16 th August, 2013
Agenda Reference:	10.5
Subject:	Application to Conduct Exploration Drilling Activities on Mineral Deposits
Location/Address:	Yilgarn Shire
Name of Applicant:	M & M Walter Consulting Mining Titles and Native Title Management on behalf of Pildappa Resources Pty Ltd (x2); and McMahon Mining Title Services Pty Ltd on behalf of Sammy Resources Pty Ltd
File Reference:	3.2.1.6
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	8 th August, 2013

Background

- 1) M& M Walter Consulting Mining Titles and Native Title Management has submitted an application on behalf of Pildappa Resources Pty Ltd for Prospecting Licence P77/4232 which lies south of Southern Cross over part of Locations 381 and 378, plus a section of the Southern Cross South Road, and small section of Reserve 19940 Lot 382 “Water”.
- 2) M& M Walter Consulting Mining Titles and Native Title Management has submitted an application on behalf of Pildappa Resources Pty Ltd for Prospecting Licence P77/4233 which lies south of Southern Cross over part of Locations 365 and 367, plus a section of the Southern Cross South Road.
- 3) McMahon Mining Title Services Pty Ltd has submitted an application on behalf of Sammy Resources Pty Ltd for Exploration Licence E77/2142 which lies south and south-east of Southern Cross from south of Fraser’s Mine down to a short distance north of Marvel Loch townsite. Licence E77/2142 includes a section of the Southern Cross South Road, Forrestania Southern Cross Road, Ghooli Greenmount Road, Gately Road, Ghooli South Road, Old Marvel Loch Road, and Ben Road, plus all of Reserve 38802 Lot 1521 “Recreation” (Southern Cross Motorcycle Club site) and part of the Western Power High Voltage Line Easement.

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.

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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 banded 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 unaware of these applications at the time of writing this report.

Statutory Environment

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

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Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants approval to M & M Walter Consulting Mining Titles and Native Title Management on behalf of Pildappa Resources Pty Ltd (P77/4232 & 4233) and McMahon Mining Title Services Pty Ltd on behalf of Sammy Resources Pty Ltd (E77/2142) to carry out drilling along sections of Council controlled road reserves with their Prospecting and Exploration 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;
- 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

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- 12) That the applicant is to discuss and obtain approval to access private property prior to the company or its contractors accessing this land;

Plus Sammy Resources Pty Ltd is not to drill anywhere within Reserve 38802 Lot 1521 where it is clearly used by the Southern Cross Motorcycle Club, however, it may carry out exploration drilling in those areas that are not used by the Club, with a setback from Club facilities or areas to be at least 30 metres, and only after discussions with and approval from the Club's Executive Members.

Voting Requirements

Simple Majority.

181/2013

Moved Cr Pasini Seconded Cr Guerini. That Council grants approval to M & M Walter Consulting Mining Titles and Native Title Management on behalf of Pildappa Resources Pty Ltd (P77/4232 & 4233) and McMahon Mining Title Services Pty Ltd on behalf of Sammy Resources Pty Ltd (E77/2142) to carry out drilling along sections of Council controlled road reserves with their Prospecting and Exploration 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;*
- 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.;*

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- 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 applicant is to discuss and obtain approval to access private property prior to the company or its contractors accessing this land;*

Plus Sammy Resources Pty Ltd is not to drill anywhere within Reserve 38802 Lot 1521 where it is clearly used by the Southern Cross Motorcycle Club, however, it may carry out exploration drilling in those areas that are not used by the Club, with a setback from Club facilities or areas to be at least 30 metres, and only after discussions with and approval from the Club's Executive Members.

CARRIED (7/0)

As there was no further business to discuss, the Shire President declared the meeting closed at 4.50pm.

I, Peter Romolo Patroni confirm the above Minutes of the Meeting held on Friday, 16th August 2013, are confirmed on Friday 20th September 2013 as a true and correct record of the August Ordinary Meeting of Council.

Cr Romolo Patroni
SHIRE PRESIDENT