

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, 23 Antares Street Southern Cross, Friday 31st January 2014.

PRESENT

Cr O Truran, Shire President

Crs J Della Bosca, D J Pasini, G Guerini, K L Chrisp, B G Close

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
 J F Guerini, Finance Manager

INFORMATION SESSION –

The meeting was declared open for business at **1.30pm**

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

Cr W Della Bosca

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

1/2014

Moved Cr Guerini Seconded Cr Pasini. That the Minutes of the previous Meeting of Council held on Friday 20th December 2013, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

2/2014

Moved Cr J Della Bosca Seconded Cr Pasini. That the minutes from the Health Agencies of the Yilgarn Meeting held on Tuesday 3rd December 2013, be confirmed as a true and correct record of the meeting.

CARRIED (6/0)

3/2014

Moved Cr Pasini Seconded Cr J Della Bosca. That the minutes from the WALGA Great Eastern Country Zone Meeting held on Wednesday 11th December 2013, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:

- That she attended the Australia Day Celebrations and was very pleased with the turnout and that a lot of people stayed for the Time Capsule Ceremony and the Swimming Pool. She also wanted to thank all of the volunteers and Shire employees for all of their help on the day.
- That she had received comments from the community that the Shire Office was closed for too long over Christmas and Council will need to discuss closer to Christmas to have a skeleton staff on to do the basic services e.g. train tickets, licencing.

Submission to:	Ordinary Meeting of Council – Friday 31 st January 2014
Agenda Reference:	7.1
Subject:	Department of Local Government – 2013 Compliance Audit Return
File Reference:	1.6.6.4
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	22 nd January 2014

Background

The Director General of the Department of Local Government and Regional Development has forwarded the 2013 Compliance Audit Return for completion. This process involves completing a checklist of requirements under the Act and regulations and comparing these to what the council has done over the past 12 months.

Comment

The Director General advises that local governments in Western Australia are required to carry out a compliance audit in relation to the period 1 January 2013 to 31 December 2013 against the requirements set out in the Compliance Audit Return.

Amending Regulations concerning the Annual Compliance Audit Return were gazetted on 30th December 2011 that included significant changes to the report, and a requirement that the compliance return be submitted to the Council's Audit Committee prior to adoption by the Council.

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

In accordance with the Local Government (Audit) Regulations 1996:

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) ***The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.***

The return must be submitted prior to 31st March 2014 and on that basis it would be in order to refer the completed return to a special meeting of the Audit committee which is proposed to be convened at 11.15am on the day of the February Council meeting – 21st February 2014.

Statutory Environment

Local Government (Audit) Regulations 1996 s14.3A

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council convene a meeting of the Audit Committee on Friday 21st February 2014 at 11.15am to review the 2013 Compliance Audit Return prior to consideration by Council on that day.

Voting Requirements

Absolute Majority

4/2014

Moved Cr Guerini Seconded Cr J Della Bosca. That Council convene a meeting of the Audit Committee on Friday 21st February 2014 at 11.15am to review the 2013 Compliance Audit Return prior to consideration by Council on that day.

CARRIED BY ABSOLUTE MAJORITY (6/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Submission to:	Ordinary Meeting of Council – Friday 31 st January 2014
Agenda Reference:	7.2
Subject:	Council Meeting Dates - Amendment
File Reference:	2.1.2.4
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	22 nd January 2014

Background

Section 12 of the Local Government (Administration) Regulations 1996 requires a

Local Government to at least once a year give local public notice of the dates on

which and the time and place at which –

- (a) The ordinary council meetings; and
- (b) The committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.

Comment

At the November meeting Council endorsed the below dates for the 2014 monthly Council meetings:

SHIRE OF YILGARN COUNCIL MEETING DATES FOR 2014	
31st January 2014	18th July 2014
21st February 2014	15th August 2014
21st March 2014	19th September 2014
18th April 2014	17th October 2014
16th May 2014	21st November 2014
20th June 2014	19th December 2014

It has been identified that the April Council meeting date of the 18th April 2014 will fall on Good Friday which is a public holiday and will need to be changed. In setting a new date the CEO has considered the school holidays (12/4 – 27/4) and public holidays for Easter (18/4 – 21/4) and would like to suggest the following dates; Friday the 11th April 2014 (previous Friday) or Wednesday the 16th April 2014.

Statutory Environment

Section 12 of the Local Government (Administration) Regulations 1996 relating to advertising meeting dates and times.

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council make an amendment to the Council meeting dates for 2014, in relation to the April Council meeting and re-advertise the revised date.

Voting Requirements

Simple Majority

5/2014

Moved Cr J Della Bosca Seconded Cr Close. That Council make an amendment to the Council meeting dates for 2014, in relation to the April Council meeting and re-advertise the revised date being Wednesday 16th April 2014.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday 31 st January 2014
Agenda Reference:	7.3
Subject:	Senior Staff Review
File Reference:	1.1.10.63
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	22 nd January 2014

Background

The CEO is required to report to Council annually on the completion of the performance and remuneration review of Senior Staff (other than the CEO) that are employed by the Council.

Comment

Mrs M Dohnt has been in a Senior Position at the Shire of Yilgarn for the past 12 months, as the Deputy Chief Executive Officer and her Performance review will be conducted on the 28th January 2014. The CEO will give a verbal report at the Council meeting in relation to the outcome of Mrs Dohnt's performance review. It is worth mentioning, that Mrs Dohnt has successfully completed her first budget and Annual Report with the Shire of Yilgarn, showing the extent of her experience in her designated role.

In 2013 with the endorsement of the Shire of Yilgarn Employee Collective Agreement, the whole of the organisation was captured in the agreement in respect to general entitlements, including Senior Staff except when relating to salary structure and annual leave.

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Statutory Environment

Division 4 of the Local Government Act 1995

Policy Implications

Employment is subject to policies of Council

Financial Implications

If an increase is recommended an allowance has been made in the Gross Wages Budget.

Recommendation

That Council receives the verbal report from the Chief Executive Officer in relation to the Deputy Chief Executive Officer's Performance Review and endorses the suggested changes in remuneration.

Voting Requirements

Simple Majority

6/2013

Moved Cr Pasini Seconded Cr Close. That Council receives the report from the Chief Executive Officer in relation to the Deputy Chief Executive Officer's Performance Review and endorses a 4% overall increase in remuneration.

CARRIED (6/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Submission to:	Ordinary Meeting of Council – Friday 31 st January 2014
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:	22 nd January 2014

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 December 2013:

- Rates Receipt Statement (prepared to 21 January 2014)
- Statement of Investments,
- Monthly Statement of Financial Activity
- Own Source Revenue Ratio

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.

During the 2012/2013 audit it was noted by the Shire's Auditors that the own source revenue was below acceptable. Council asked for the ratio to be monitored and is therefore included as part of this report.

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 required

Recommendation

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

7/2014

Moved Cr Chrisp Seconded Cr J Della Bosca .That the Various Financial Reports for the period ending 31st December 2013 as presented be received.

CARRIED (6/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Submission to:	Ordinary Meeting of Council – Friday 31 th January 2014
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:	9 th January 2014

Background

Municipal Fund – Cheque Numbers 38945 to 39020 totalling \$261,000.71, Municipal Fund EFT numbers 2000 to 2122 totalling \$854,353.29, Municipal Fund – Cheque Numbers 1130 to 1135 totalling \$151,392.64, Trust Fund – 402041 to 402045 totalling \$1,554.25 and Trust Fund – Cheque Numbers 5878 to 5880 (DPI Licensing), totalling \$74,899.90 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 38945 to 39020 totalling \$261,000.71, Municipal Fund EFT numbers 2000 to 2122 totalling \$854,353.29, Municipal Fund – Cheque Numbers 1130 to 1135 totalling \$151,392.64, Trust Fund – 402041 to 402045 totalling \$1,554.25 and Trust Fund – Cheque Numbers 5878 to 5880 (DPI Licensing), totalling \$74,899.90 are presented for endorsement as per the submitted list.

8/2014

Moved Cr Chrisp Seconded Cr Pasini. That Municipal Fund – Cheque Numbers 38945 to 39020 totalling \$261,000.71, Municipal Fund EFT numbers 2000 to 2122 totalling \$854,353.29, Municipal Fund – Cheque Numbers 1130 to 1135 totalling \$151,392.64, Trust Fund – 402041 to 402045 totalling \$1,554.25 and Trust Fund – Cheque Numbers 5878 to 5880 (DPI Licensing), totalling \$74,899.90 are presented for endorsement as per the submitted list.

CARRIED (6/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Submission to:	Ordinary Meeting of Council – Friday 31 st January 2014
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:	22 nd January 2014

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



Prepared by: Ronice Blair
01.12.2013 – 31.12.2013
Southern Cross Community Resource Centre

Monthly Statistics

Southern Cross Singers	38
Junior Singers	18
Seniors Exercises	52
Seniors Carpet Bowls/lunch	13
Max Employment	42
Library	62
Centrelink	43
Internet	\$323.00
Print/scan	\$243.10
Send/receive fax	\$20.00
Advertising	\$1,609.00
Crosswords sales	\$374.00
Secretarial	\$5.00
Room Hire	\$200.00
Donations	\$5.00

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

The month of December began with the Southern Cross Singers rocking it at the Shire's annual Seniors Lunch. A group of 12 entertained the crowd, this time with some changes to the type of songs performed, including an exuberant rendition of Jail House Rock. The applause has certainly encouraged the group to be a little more adventurous in 2014 with their choice of music.

The Singers also participated in the Hospital Auxiliary's Carols by Candlelight event 15 December, and wound up the year with Carols on the Bus on 18 December. The visit to Carinaville was cancelled when we arrived, so we were a little earlier than expected when we headed out to visiting a number of houses in Southern Cross. The evening concluded with a light supper at the Railway Tavern.

The CRC had a number of interactions with school students during December, with years 3-4 and Kindy/Pre Primary classes visiting the Community Centre along with a small group of seniors. Games played included dominos, carpet bowls, indoor golf, floor bobs and giant connect four. We also had a trial run of the bean bag target toss which is one of the modified games played at the Seniors Games. All in all both age groups enjoyed themselves, and we are hoping to be able to schedule in extra intergenerational activities in 2014 and they are beneficial to both.

I delivered Better Beginnings Packs to the kindy and pre primary students at St Joseph's School on Tuesday 10th. The Better Beginnings Program was expanded last year, and all pre primary and kindy kids receive a pack which includes a book, a library bag, and folder and activities and information for parents. The packs are intended to foster good reading habits in children.

SXDHS kindy and pre primary students visited the library in the CRC Thursday 12 where a story was read and the packs distributed, and I visited Moorine Rock Primary School Tuesday 17 November to distribute their packs and read a story.

A further interaction with children happened over lunch Tuesday 10 December when the CRC organised a Santa for the YOCCC and transported Santa to and from the Child Care Centre.

The CRC's Christmas Street Party was held 7 December. Numbers this year were noticeably down on previous years, this was evident in the number of sausages given away and also in the number of kids who were on hand to welcome Santa.

Stall holders also reported it was very quiet, I have requested feedback from community members via Crosswords and the CRC's facebook page and will give some serious thought to what can be done differently next year. Games were organised for the kids to participate in, in the days prior to the event interest and even some excitement had been expressed, but on the day I think everybody was "too cool" to participate in front of their friends, apart from a few stalwarts and the younger crowd who enjoyed a number of carpet bowls games with members of the Movers and Groovers Seniors exercise group.

This year the event was again supported financially by IGA and W Metzke and Son.

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

The WASO simulcast was again offered in December, but cancelled in the week prior due to a lack of interest.

Support Officer, Monica Fairless, was on leave from Wednesday 11 December, and with changes to Trainee, Jenna Carlson's hours to fit in with seasonal CRC activities, there was some need to postpone or cancel some seniors activities, in particular carpet bowls. Extra days have been scheduled during January to compensate.

The CRC, like the Shire, was without internet access from Monday 9 to Wednesday 18 December due to a shut down by PCS to avoid a nasty computer virus. This meant a decrease in takings for computer usage. We needed to cancel a scheduled online examination and a scheduled Skype medical appointment for customers.

The CRC was contacted by Geoff Metzke of W Metzke and Son and asked to act in the capacity of intermediary in the "Shop Local" campaign which was run over the last three weeks of December, we were responsible for contacting prize donors and winners each week, and advertised the campaign via the CRC's facebook page. I also co-opted a community member to make the final draw on 31 December and acted in the capacity of one of the scrutineers. If the campaign is run again in 2014 the CRC would like to be more involved.

Local calendars which the CRC was contracted to organise on behalf of the Shire have been well received in the community, and we are currently researching legalities and other issues associated with running a photography competition for this year's calendar.

Statutory Environment

Nil

Financial Implications

Expenses are allowed for in the 2013-2014 Budget

Voting Requirements

Simple majority required.

<p>Recommendation</p>

<p>For Council information only.</p>

Information Received

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Submission to:	Ordinary Meeting of Council Friday 31 st January 2014
Agenda Reference:	Works 9:1
Subject:	Driver Reviver Caravan
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.3.1.2
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	13th January 2014

Comment

A successful Driver Reviver campaign was once again run in Southern Cross over the 2013 Christmas Year period. The Driver Reviver campaign was run in conjunction with the Health Agencies of the Yilgarn (HAY committee), Road Wise committee and Shire of Yilgarn on Saturday 21st, Sunday 22nd, Monday 23rd, Tuesday 24th, December 2013. The Driver Reviver Caravan was manned for 28 hours over this period.

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

The Health Agencies of the Yilgarn (*HAY committee*) through Mrs. Pat Dal Busco organized volunteers and rosters for the running of the Driver Reviver campaign.

Eighteen members (*as listed below*) of the Yilgarn district generously gave up there valuable time to assist with the running of this campaign:

Carla Della Bosca, Pauline Eiffler, Talei M^cBeath, Josie Pollard, Patricia, Laurita Symes, Rolly & Shelley Blair, Lisa and Pat Boso, Wayne and Dianne Della Bosca, Cheryl and Adelle Auld, Malcom Teale, Ronice Blair, Bev Guerini and Ella Collins.

Over the 28 hour period the Driver Reviver campaign was running, a total of 26 vehicles stopped with 38 drivers and passengers taking advantage of refreshments and hospitality offered by volunteers manning the van and the amenity rooms made available by Mr. Bernie Dorazio. Motorist and passengers passing through made favorable comments on how the driver reviver was set up and how this was one of the only few Driver Reviver Campaigns still operating through out the state during holiday periods.

Correspondence has been forward to Mr. Bernie Dorazio (Bernie's Mobile Mechanic Services) and Mrs. Pat Dal Busco (Health Agencies of the Yilgarn) thanking them for their much appreciated involvement in the Driver Reviver campaign both through the organizing of volunteers and the use of amenity rooms and area for the set up of the Driver Reviver Caravan.

Submitted for Councils information
Information Received

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Submission to:	Ordinary Meeting of Council – Friday 31 January, 2014
Agenda Reference:	10.1
Subject:	Application to Conduct Exploration Drilling Activities on Mineral Deposits
Location/Address:	Yilgarn Shire
Name of Applicant:	Hetherington Exploration & Mining Title Services on behalf of WA Mining Resources Pty Ltd; M & M Walter Consulting Mining Titles and Native Title Management on behalf of Bullseye Mining Limited; 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:	23 rd January, 2014

Background

- 1) Hetherington Exploration & Mining Title Services on behalf of WA Mining Resources Pty Ltd for Exploration Licence E77/2175 which is located south-west of Marvel Loch townsite and east of Edwards Find mine site, and includes sections of the following Council controlled roads - Forrestania-Southern Cross Road, Edwards Find Marvel Loch Road, Parker Range Road, Bennett Road, and Panizza Road. Within this Licence there are several private houses on farms and a couple of sand pits.
- 2) M & M Walter Consulting Mining Titles and Native Title Management on behalf of Bullseye Mining Limited for Exploration Licence E77/2178 which is located north of Strawberry Rocks and Moonargidding Rock, and includes sections of the following Council controlled roads – Southern Cross South Road, Ghooli South Road, and Panizza Road. Within this Licence there is 1 private house on a farm and a couple of sand pits.
- 3) McMahon Mining Title Services Pty Ltd on behalf of Sammy Resources Pty Ltd for Exploration Licence E77/2177 which north of and over part of E77/2178 above, and includes sections of the following Council controlled roads – Nicholson Road, Posa Road, Southern Cross South Road, Ghooli-Greenmount Road, and Ghooli South Road. Within this Licence there is 1 private house on a farm and a couple of sand pits.

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.

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

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

- 1) That dust suppression is carried out so that others are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
- 3) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;
- 6) A firefighting 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 un-aware of these applications at the time of writing this report but will have provided comments prior to the Council Meeting. I am unaware of any gravel pits in this area, however, if there are the applicants should be advised that the Shire retains all rights to access and remove gravel from these pit(s).

Statutory Environment

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

Policy Implications

Nil

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Financial Implications

Nil

Recommendation

That Council grants approval to Hetherington Exploration & Mining Title Services on behalf of WA Mining Resources Pty Ltd (E77/2175); M & M Walter Consulting Mining Titles and Native Title Management on behalf of Bullseye Mining Limited (E77/2178); and McMahon Mining Title Services Pty Ltd on behalf of Sammy Resources Pty Ltd (E77/2177) to carry out drilling along sections of Council controlled road reserves with their 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 firefighting 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 applicant is to discuss and obtain approval to access private property prior to the company or its contractors accessing this land;

Plus all applicants are to be advised, if applicable, that any Shire sand and/or gravel pits located within their Licences are to remain accessible to the Shire for the accessing and removal of sand or gravel when required.

Voting Requirements

Simple Majority.

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

9/2014

Moved Cr Pasini Seconded Cr Close. That Council grants approval to Hetherington Exploration & Mining Title Services on behalf of WA Mining Resources Pty Ltd (E77/2175); M & M Walter Consulting Mining Titles and Native Title Management on behalf of Bullseye Mining Limited (E77/2178); and McMahon Mining Title Services Pty Ltd on behalf of Sammy Resources Pty Ltd (E77/2177) to carry out drilling along sections of Council controlled road reserves with their 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 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 firefighting 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 applicant is to discuss and obtain approval to access private property prior to the company or its contractors accessing this land;*

Plus all applicants are to be advised, if applicable, that any Shire sand and/or gravel pits located within their Licences are to remain accessible to the Shire for the accessing and removal of sand or gravel when required.

CARRIED (6/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Submission to:	Ordinary Meeting of Council – Friday 31 st January, 2014
Agenda Reference:	10.2 Late Item
Subject:	Planning Application – Proposed New Storage Shed - Oversized
Location/Address:	Lot 713 Cnr Arcturus Street, Southern Cross–Koorda Road, and Draconis Street, Southern Cross
Name of Applicant:	Mr Rodney Taylor
File Reference:	3.1.3.6 & 3.1.3.5
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	30 th January, 2014

Background

Mr Rodney Taylor who lives at Lot 713 (deceased estate of Mr Gregory Taylor) with his partner Ms Libby Rapana has written to the Shire seeking approval to erect a second-hand 135.0 square metres (9.0m wide x 15.0m long x 4.0m wall height) shed towards the rear of Lot 713 cnr Arcturus St, Southern Cross-Koorda Rd, & Draconis St, Southern Cross. The shed was purchased from the Kalgoorlie Pony Club and is constructed of steel frame, Zincalume walls and roof, and will have a new concrete floor. The proposed shed will be setback 84.0 metres from the rear/Draconis Street boundary, and 43.0 metres from the side/Southern Cross-Koorda Road boundary. The purpose of the shed is to provide storage for the various vehicles that Mr Taylor and Ms Rapana own (5 cars/utes, 6 motorbikes, 1 horse float, 1 caravan camper, and 3 box trailers), provide a workshop for Mr Taylor to work on his vehicles, and an area for Ms Rapana to store and maintain her horse equipment. See attached letter, proposed site plan, and aerial view of the property.

Comment

Lot 713 Arcturus Street is zoned “Industrial” however, it is occupied by a residential dwelling and there is no industry carried out on the property. I believe that originally Council granted approval for the dwelling to be located on the lot secondary to a garden nursery and orchard. The nursery and orchard have not been active for more than 12 years, and the property has basically been used as a residential property. As the dwelling faces onto Arcturus Street I am referring to the street address as Arcturus Street rather than Draconis Street which is how it is described on the Shire’s records.

The proposed shed will be 135.0 square metres in area and will be setback a good distance from the 2 closest lot boundaries. Mr Taylor has advised that he does not intend to carry out any mechanical repairs for other people and therefore will not be operating a business from the shed.

In October 2008 Council granted approval to Mr Phil Rafferty to construct a 145.140m² shed at the rear of his duplex buildings on Lot 183 Spica Street, and in April 2011 Council granted approval to Mr & Mrs Gary & Josie Kent to erect a 150.0m² garage/shed on their property of Lot 10 Leo Street.

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Under the Town Planning Scheme zoning of “Industrial” there is not maximum size shed size, but there are controls regarding setbacks from property boundaries due to the nature of the activity being conducted inside the shed, plus the need to provide landscaping and off-road car parking areas.

Technically Lot 713 is neither “Industrial” as there is no industry being conducted on the property, or “Residential” as the dwelling is located on land zoned “Industrial”.

The proposed shed will have very little impact on neighbouring properties in that it will be situated behind the dwelling and the existing shed which is used for storage of household items, and therefore should not be visible from the dwelling on Andromeda Court and Libra Place. Lot 713 is bounded by vacant land to the east (Lot 724 Arcturus Street), to the north (the “Rural/Mining” zoned land of Lot 714 Draconis Street), and to the west off Beaton Road.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council grants planning approval to Mr Rodney Taylor to erect a second-hand shed in the rear yard of Lot 713 corner Arcturus Street, Southern Cross – Koorda Road, and Draconis Street, Southern Cross for the purpose of storage of residential vehicles, carrying out mechanical servicing of his own personal vehicles, and the storage of horse equipment and materials in the location applied for on the condition that no business is operated from the shed without first seeking and obtaining approval from the Shire Council, that the second-hand building is to be made to “look as good as new”, and that this approval is given on the merits of this application and any similar application in the future will be assessed on its merits but not necessarily approved.

Voting Requirements

Simple Majority.

10/2014

Moved Cr Guerini Seconded Cr Chrisp. That Council grants planning approval to Mr Rodney Taylor to erect a second-hand shed in the rear yard of Lot 713 corner Arcturus Street, Southern Cross – Koorda Road, and Draconis Street, Southern Cross for the purpose of storage of residential vehicles, carrying out mechanical servicing of his own personal vehicles, and the storage of horse equipment and materials in the location applied for on the condition that no business is operated

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

from the shed without first seeking and obtaining approval from the Shire Council, that the second-hand building is to be made to “look as good as new”, and that this approval is given on the merits of this application and any similar application in the future will be assessed on its merits but not necessarily approved.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday 31 st January, 2014
Agenda Reference:	10.3 Late Item
Subject:	Proposed Change of Purpose of Reserve 23237 – Southern Cross Caravan Park
Location/Address:	Reserve 23237 Lots 755 & 921 Coolgardie Road, Southern Cross
Name of Applicant:	Manager Environmental Health & Building Services
File Reference:	
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	30 th January, 2014

Background

Further to the Chief Executive Officer’s Agenda Item 7.3 to the December 2013 Council Meeting, in working through the process of organising new lease documents for the Southern Cross Caravan Park, it has been identified that Council needs to request the Minister for Lands to amend or change the purpose of Reserve 23237 from “Caravan Park” to “Caravan Park and Tourist Accommodation”. Under the purpose of “Caravan Park” the site can have caravan, camper trailer, and tent areas within the caravan park, however, as the Shire has installed self-contained units (Sandalwood Lodge) the term “Tourist Accommodation” needs to be added to the described purpose of this reserve.

Under the current lease the land described in the lease documents for the caravan park only refers to Reserve 23237 Lot 755 which is the main lot of tis reserve. In working through the new lease documents it was found that Reserve 23237 Lot 921 may also be part of the caravan park site. Checking an aerial view of the park and inspecting the site it is believed that Lot 921 is located within the fenced area of the caravan park and should also be included in the new tender land description. See attached cadastral map and aerial view of the Southern Cross Caravan Park site.

Comment

The Department for Lands has recommended that Council request this change of purpose due to the fact that self-contained units have been installed on the site. Council has previously discussed the possibility of installing more self-contained units, thereby changing the nature of the standard caravan park services/facilities.

Lot 921 is part of the over-flow area for the Southern Cross Caravan Park. When there are large numbers of vans at the Park, such as when John Holland was staying at the Park in 2012, this area was used for the storage of large vehicles/trucks and

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

materials. While this lot was not included in the current lease, the fact that it is within the existing fenced area of the Park and has been used over the years in some capacity, is reasonable grounds to now include this land within the new lease area.

Statutory Environment

Compliance with Section 49 of the Land Administration Act 1997.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council writes to the Department for Lands requesting that the purpose of Reserve 23237 Lots 755 and 921 Coolgardie Road, Southern Cross for the Southern Cross Caravan Park is changed from “Caravan Park” to “Caravan Park and Tourist Accommodation”.

Voting Requirements

Simple Majority.

11/2014

Moved Cr Chrisp Seconded Cr J Della Bosca. That Council writes to the Department for Lands requesting that the purpose of Reserve 23237 Lots 755 and 921 Coolgardie Road, Southern Cross for the Southern Cross Caravan Park is changed from “Caravan Park” to “Caravan Park and Tourist Accommodation”.

CARRIED (6/0)

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Submission to:	Ordinary Meeting of Council – Friday 31 st January, 2014
Agenda Reference:	10.4 Late Item
Subject:	Application to Clear Native Vegetation – Mining Lease – CPS 5596/1
Location/Address:	Mining Leases M77/996 & M77/997 Bullfinch Evanston Road, Jackson area.
Name of Applicant:	Department of Mines and Petroleum – Ms Tricia Hudgell, Administrative Coordinator
File Reference:	7.2.1.4
Author:	Manager Environmental Health & Building Services – W J Dallywater
Disclosure of Interest:	Not applicable
Date of Report:	31 st January, 2014

Background

The Department of Mines and Petroleum (DMP) has received an application for a permit to clear 1.2Ha of native vegetation under the Environmental Protection Act 1986 from Cliffs Asia Pacific Iron Ore Pty Ltd – Mt Jackson Operations for the installation of dewatering pipeline and associated activities. The area to be cleared is located east of the Bullfinch Evanston Road following an existing access road from the minesite to the Bullfinch Evanston Road. The Department is seeking comment from the Shire on this application by 3rd February 2014.

See attached copy of the letter, maps of the site, and an aerial view of the site.

Comment

The area to be cleared is located in Reserve 3114 Lot 639, east and south of Boondine Hill, south-west of Mt Jackson. This area is zoned “Rural/Mining” under the Shire of Yilgarn Town Planning Scheme No 2.

The area to be cleared is on the west side of the existing cleared access road from the minesite to the Bullfinch Evanston Road, and does not appear to have been cleared before.

Statutory Environment

Compliance with the Environmental Protection Act 1986, and the Shire of Yilgarn Town Planning Scheme No 2.

Policy Implications

Nil

Financial Implications

Nil

MINUTES
ORDINARY COUNCIL MEETING
Friday, 31st January 2014

Recommendation

That Council advise the Department of Mines and Petroleum that it has no objections to Cliffs Asia Pacific Iron Ore Pty Ltd – Mt Jackson Operations being granted permission to clear 1.2Ha of native vegetation within its Mining Leases M77/996 & M77/997 for the purpose of installing dewatering pipeline and associated activities.

Voting Requirements

Simple Majority.

12/2014

Moved Cr Chrisp Seconded Cr Close. That Council advise the Department of Mines and Petroleum that it has no objections to Cliffs Asia Pacific Iron Ore Pty Ltd – Mt Jackson Operations being granted permission to clear 1.2Ha of native vegetation within its Mining Leases M77/996 & M77/997 for the purpose of installing dewatering pipeline and associated activities.

CARRIED (5/1)

As there was no further business to discuss, the Shire President declared the meeting closed at 3.15pm.

I, Onida T Truran confirm the above Minutes of the Meeting held on Friday, 31st January 2014, are confirmed on Friday 21st February 2014 as a true and correct record of the January Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT