Shire of Perenjori

MINUTES

Ordinary Council Meeting

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on
19th July 2012, to commence at 1.30pm

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12071 PRELIMINARIES

12071.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
Cr King officially opened the meeting at 2.36pm.

12071.2 OPENING PRAYER
Cr Harold Wass led council in the Opening Prayer.

12071.3 DISCLAIMER READING

12071.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:
Cr Chris King
Cr Laurie Butler
Cr Graeme Reid
Cr John Cunningham
Cr Rodney Desmond
Cr Harold Wass
Cr Jenny Hirsch
Kevin O'Connor – A/Chief Executive Officer
Doug Stead – Deputy Chief Executive Officer
Ken Markham – Works Supervisor
Kimberley Wheeler – Executive Assistant

Apologies:
Cr Lisa Smith

12071.5 PUBLIC QUESTION TIME

12071.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

12071.7 NOTATIONS OF INTEREST
Financial Interest – Local Government Act s 5.60A
Proximity Interest – Local Government Act s 5.60B
Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

12071.8 APPLICATIONS FOR LEAVE OF ABSENCE
CONFIRMATION OF MINUTES

Minutes of Ordinary Council meeting held 22nd June 2012 are attached.

COUNCIL RESOLUTION

Moved: Cr Desmond
Seconded: Cr Hirsch
That the minutes from ordinary Council Meeting held on the 22nd of June 2012 are seen as a true and accurate record.

Carried: 7/0

ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS
Executive Summary:

As required by the Local Government Act and Financial Management Regulations a Monthly Statement of Financial Activity is required to be presented to each monthly meeting. This statement is used with Councils adopted 10% variance or $5000 figure which was adopted by Council at its July meeting. A report detailing the variances is also included.

Other Financial statements are also attached as per the Finance Committee preferences.

Statutory Environment: N/A
Policy Implications: N/A
Financial Implications: N/A
Strategic Implications: N/A
Consultation: N/A

UHF Haines Norton

Voting Requirements: Simple Majority

Officers Recommendation:

1. **Statement of Financial Activity**
   
   That the Statement of Financial Activity for the period ended 30th June 2012 including report on variances be accepted as presented.

2. **Finance Report**
   
   That the Finance Report for the period ended 30th June 2012 be accepted as presented.
3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 30th June 2012 with a balance of $2,035,316.00 as presented be received.

4. Reserves Report
That the Reserves Report for the period ended 30th June 2012 with a balance of $926,323.00 as presented be received.

5. Net Current Assets
That the Net Current Assets report for the period ended 30th June 2012 with a balance of $2,209,134.00 as presented be received.

6. Bank Reconciliation's
That the balances of the Municipal Fund of $2,036,133.79 and the Trust Fund of $42,310.37 as at 30th June 2012 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 30th June 2012 with a balance of $100,553.35 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 30th June 2012 with a balance of $366,375.85 as presented be received.

9. Accounts for Payment
That the Accounts paid from the Municipal Account consisting of Cheque Numbers 18178 - 18331 and EFT Numbers 3653 - 3753 for $645,985.39 and the Trust Account consisting of Cheque Number 831 and EFT Number 3715 - 3716 for $3331.50 for the period ended 30th June 2012 as presented be accepted.

10. Rates Outstanding
That the Rates Outstanding Report for the period ended 30th June 2012 as presented be received.

2.39pm Trevor brandy entered the Chambers

COUNCIL RESOLUTUION
Moved: Cr Desmond Seconded: Cr Hirsch
That items 1-10 of the Financial Activity Report be seen as a true and accurate record.
Carried:7/0
Executive Summary:
Council is in receipt of an application to place a care taker residence on lot 159 England Cr, Perenjori. The purpose of the application for a care takers residence is have personnel on site for security reasons and to also provide transient accommodation for employees.

Applicants Submission:

Background:
Traditionally Town planning scheme have deterred away from this type of activity on industrial sites but the Modern Scheme Text which all new schemes are based around have now accepted this use and leave it up to Councils discretion to approve if it sees fit.

Statutory Environment:
Shire of Perenjori Town Planning Scheme No 2

Policy Implications:
Nil

Financial Implications:
Planning and Building Fees are applicable in this case.

Strategic Implications:
Councils Town Planning Scheme No 2 is designed around the Model Scheme Text that gives Council discretionary powers to approve this type of application if it feels a need for it.

Consultation:
Nil

Comment:
Council will note that apart from the Care Takers Residence, two other accommodation units are on the site plan. The two units are for transient staff and will only be utilized when required and not used for full time occupancy.

This is a slight variation to the intent of the scheme but is consistent with the Patience Bulk Haulage, Downer st complex that appears to be operating satisfactorily.

The Town Planning Scheme zoning tables recognises the use as a “D” use giving Council the discretionary power to approve.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Mine Trades and Maintenance Electrical Pty Ltd application to have a Care Takers residence on Lot 159 England Crescent, be approved

COUNCIL RESOLUTION
Moved: Cr Wass Seconded: Cr Hirsch
That Mine Trades and Maintenance Electrical Pty Ltd application to have a Care Takers residence on Lot 159 England Crescent, be approved
Carried: 7/0
12074  PLANT & WORKS
12075  GOVERNANCE
Cr RP Desmond and Cr HC Wass Declared on Interest in item 12075.1 Uranium Exploration.
2.45pm Cr Wass and Desmond left the Chambers

12075.1  URANIUM EXPLORATION

APPLICANT:  SHIRE OF PERENJORI
FILE:  0
DISCLOSURE INTEREST:  OF 4 Elected Members have disclosed interest on previous occasions.
AUTHOR:  KEVIN O’CONNOR – ACTING CEO
RESPONSIBLE OFFICER  STAN SCOTT – CEO
REPORT DATE:  12 June 2012
ATTACHMENTS  Tengraph Maps

Executive Summary:
M&M Walter Consulting, on behalf of Enterprise Uranium Pty Ltd has lodged 4 applications for exploration leases that cover parts of the Shire of Perenjori

Applicants Submission:
M&M Walter Consulting, on behalf of Enterprise Uranium Pty Ltd has lodged 4 applications for exploration leases that cover parts of the Shire of Perenjori. While mining companies are required to declare to the department what minerals they are exploring for, the name of the mining company does suggest that uranium could be a target.

All exploration activity on private land is subject to stringent requirements and should leases be granted the company will have to adhere to these processes.

Background:
Every month new applications for exploration licenses are lodged, and in most cases are not referred to Council unless there is a sensitive issue in play.

The 200 blocks applied for by the proponent is the maximum allowable.

This item has been on Council Agendas on 3 previous occasions, and on each occasion the item could not be considered because of lack of a quorum.

Following closer examination of the maps by Cr Cunningham, it has been established that the boundary of the exploration area does not impact on any neighbouring property, therefore members will now be able to consider this item without Ministerial approval.

Statutory Environment:
Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.
Policy Implications:
Nil

Financial Implications:
All mining leases generate rates income.

Strategic Implications:
It is a long way between an exploration lease and a mining project. Council may eventually need to form a view on uranium mining.

Consultation:
The CEO spoke with the consultant who lodged the claims on the miner’s behalf.

Comment:
There is an opportunity to object to the issue of an exploration lease, though it would not necessarily result in a lease not being granted. As Council is aware there is a long and intensive approval process that will be required should the applicant find and prove up a resource and seek to develop that resource into a mine. These processes provide ample opportunity for comment, particularly in relation to environmental issues.

Council may:
- Object to the issue of the exploration leases;
- Do nothing at this stage and await further developments; or
- Commence a consultation process with the community to determine a policy position.

In the CEO’s view issue of exploration licenses is a first step in a very long process, and it would be premature to jump to a policy position without further consultation. If no resource is identified it may be a moot point. The community’s view on uranium mining may be one of the issues canvassed as part of the development of the Community Strategic Plan, but we will need to be careful that it does not dominate wider discussions.

Voting Requirements:
Simple Majority

Officers Recommendation:
1. That Council not object to the issue of the proposed exploration licenses;
2. That Council consult with the community to gauge views on future uranium mining in the Shire of Perenjori.

COUNCIL RESOLUTION

Moved: Cr Butler  Seconded: Cr Hirsch
1. That Council not object to the issue of the proposed exploration licenses;

Carried: 5/0

Moved: Cr King  Seconded: Cr Butler
2. That Council consult with the community to gauge views on future uranium mining in the Shire of Perenjori

Lost: 3/2
2.47pm Cr Wass and Cr Desmond returned to the Chambers

12075.2  PERENJORI BUSINESS INCUBATOR

APPLICANT:    SHIRE OF PERENJORI
FILE:         0
DISCLOSURE OF INTEREST:
AUTHOR:      KEVIN O’CONNOR – ACTING CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 14 JUNE 2012
ATTACHMENTS Plans - SK 02, 03 and A.01

Executive Summary:
Draft plans have now been provided by the Architects with two options for the redevelopment of the old Depot site as a Business Incubator. Council is asked to endorse one of the options so that the project can be further progressed.

Applicants Submission:
The Architect was asked to prepare two preliminary designs for the site, SK 02 and 03 are attached. SK 02 in the preferred option, as it provides better definition between the buildings on the three different lots and will be a better option in terms of power segregation between the sites.

Background:
The old Shire Depot at the rear of the Shire Office is being redeveloped as a business incubator. The existing park-up shed will be converted to 3 individual tenancies as stage 1. Subsequent stages will see the old workshop demolished and new buildings developed to replace it.

Statutory Environment:
All necessary statutory approvals will be required as normal.

Policy Implications:
Nil

Financial Implications:
The project is being funded across two years of CLGF, the 2012/13 Budget includes CLGF funds totalling $420,000.

Strategic Implications:
The business incubator project will provide the infrastructure necessary for new business start-ups in a low cost environment that will encourage employment growth within the Shire.

Consultation:
Karara mining, RD and Lands
Comment:
At this preliminary stage we have approached Western Power for a cost estimate of the power upgrade and investigated the best method of dealing with the septic system and storm water.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council endorse preliminary design SK 02 for the Business Incubator project, so that further investigations can be progressed.

COUNCIL RESOLUTION
Moved: Cr Desmond Seconded: Cr Cunningham
That Council endorse preliminary design SK 02 for the Business Incubator project, so that further investigations can be progressed

Carried: 7/0
Executive Summary:
The Regional Sub Group of the Shires of Mingenew, Perenjori and Three Springs, has identified the provision of Shire employee housing as a project of regional significance.

Applicants Submission:
The Business Case proposal details a plan to construct one residence in each of the three Shires.

Background:
Due to the substantial increase in mining activity in the region, the level of local government services has grown and is expected to grow further in the future, creating increased need for staff housing as the number of employees in the areas of infrastructure works and services as well as administration, is expected to increase.

Statutory Environment:
All necessary statutory approvals will be required as normal.

Policy Implications:
Nil

Financial Implications:
The project is being funded through the CLGF Regional component of $933,111 and a contribution of cash and land from the three Shires.
The 2012/13 Budget includes $35,700 contribution towards this project

Strategic Implications:
The addition of new employee housing will provide an upgrade to our asset base which is seen as a strategic priority in rural areas to attract and retain suitably qualified and experienced staff and their families.

This project will need to be added to our Forward Capital Works Plan

Consultation:
Regional Sub Group of Councils
Comment:
There is a low vacancy rate for residential properties in Perenjori, additional housing will result in more people being able reside within the towns, which will in turn builds social and economic capacity. Achieving a stable and skilled workforce is necessary in order for local government to effectively deliver its services.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council receives the CLGF Regional Business Case for Employee Housing and includes this project in its Forward Capital Works Plan for 2012/13.

COUNCIL RESOLUTION
Moved: Cr Hirsch Seconded: Cr Wass
That Council receives the CLGF Regional Business Case for Employee Housing and includes this project in its Forward Capital Works Plan for 2012/13.

Carried: 7/0
Executive Summary:
Council is requested to adopt the 2011 / 2012 Revised Annual Budget as presented

Applicants Submission:
The State Administrative Tribunal has quashed rates imposed by the Shire of Perenjori for 2011/12 as the Ministerial approvals required for these under s.6.33(3) of the Local Government Act 1995 (the Act) were not obtained prior to the rates being imposed.

The Shire of Perenjori is now required to reimpose rates under s.6.32(3)(b) of the Act and has requested the approval of the Minister under s 6.33(3) for a differential general rate which is more than twice the lowest differential general rate imposed.

Background:
The State Administrative Tribunal quashed the rates imposed by the Shire of Perenjori on Friday 29th June 2012 as per the “Order” between the Minister for Local Government (Applicant) and Shire of Perenjori (Respondent).

The 2011/2012 rates failed to comply with the act due to the following:

- The differential general rate imposed on properties categorised as UV – Mining (24.5422) was not imposed in accordance with the Local Government Act 1995. The act specifies Ministerial approval under s 6.33(3) is required for a differential rate that is more than twice the lowest rate. Council had previously sought and received permission to impose a mining rate of 24.425, which is 0.5% lower than the rate actually imposed. The adoption of a higher rate than that approved was the result of a clerical error.

- The minimum payment imposed on properties categorised as GRV Townsite – Perenjori, Latham, Other and Mining, was not imposed in accordance with the Local Government Act. Section 6.35 (2) and (3) require the general minimum (higher minimum) to be imposed on at least 50% of properties on the minimum payment. Our general minimum payment was imposed on less than 50% of the properties and therefore contrary to S 6.35 of the Act.
Statutory Environment:


The general rate and minimum payments were quashed by SAT under s 6.82 as the local government had levied minimum payments that did not comply with s 6.35(2) and (3) of the Act for which Ministerial approval is not available.

The general rate was quashed by SAT under s 6.82 as the local government had not obtained the required Ministerial approval under s 6.33(3) for a general rate more than twice the lowest general rate.

Policy Implications:

Nil

Financial Implications:

The revised adopted budget includes a minor reduction of $121.00 due to adjusting the GRV minimum for Mining from $305.00 to the same as Perenjori Townsite $184.00. To achieve a balanced budget the expenditure associated with Transport was reduced accordingly.

Strategic Implications:

The ability to raise rates for the 2012/2013 Financial year is dependent on the State Administrative Tribunal quashing the 2011/2012 rates and the re-adoption of the 2011/2012 rates with corrected minimum rates and Ministerial approval for the Differential General UV Mining Rate of 24.5422 cents in the $.

Consultation:

Department of Local Government, McLeod’s Solicitors.

Comment:

The budget has been amended to incorporate the reduced rate revenue associated with the GRV Mining minimum changing from $305 to $184 for one property.

In conjunction with the State Administrative Tribunal quashing the Shires 2011/2012 rates on Friday the 29th June, the Shire has requested that the Minister approve the applicable differential general rate for mining to enabling the adoption of the budget under s 6.3 and reimpose rates under s 6.32(3)(b) to ensure the 2011/2012 rates are validated.

Voting Requirements:

Absolute Majority

Officers Recommendation:

That Council;

1. Notes that the State Administrative Tribunal has quashed the general rate and minimum payments imposed by the Shire of Perenjori on 18th August 2011 in accordance with s 6.82 of the Local Government Act 1995, as the GRV Townsite – Perenjori, Latham, Other and Mining, minimum payments did not comply with s 6.35(2) and (3) of the Act as the general minimum was applied to less than 50% of properties on the minimum payment.
2. Adopts a budget for 2011/2012 in accordance with section 6.3 of the Act which:

(a) subject to the modifications set out in resolution 3, is in the same form and manner as the annual budget adopted at the Council meeting held on 18 August 2011 (recorded as item 11085.7-1, Rates, and included in the minutes of that meeting and tabled herewith);

(b) reduces the amount to be yielded by the GRV Mining minimum payments to $184.00, which equates to a reduction in Rates Revenue of $120.00. To achieve a balanced budget Transport Expenditure has been reduced by $120.00 accordingly.

3. Notes that the modifications referred to in resolution 2 change the following schedules and notes:

a) Statement of Comprehensive Income by Nature and Type
b) Statement of Comprehensive Income by Program
c) Statement of Cash Flows
d) Rate Setting Statement
e) Note 7 – Net Current Assets
f) Note 8 – Rating information
g) Note 15 – Note to the Statement of Cash Flows

4. In accordance with s 6.32(3)(b) of the Act, imposes the following general rates and minimum payments:

<table>
<thead>
<tr>
<th>Differential General Rate (Rate in $)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>UV – Rural</td>
<td>$1.6042</td>
</tr>
<tr>
<td>UV – Mining</td>
<td>$24.5422</td>
</tr>
<tr>
<td>GRV – Townsite Perenjori</td>
<td>$12.0854</td>
</tr>
<tr>
<td>GRV – Townsite Latham</td>
<td>$12.0854</td>
</tr>
<tr>
<td>GRV – Townsite Other</td>
<td>$12.0854</td>
</tr>
<tr>
<td>GRV – Mining</td>
<td>$12.0854</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Minimum Rates (Payments)</th>
</tr>
</thead>
<tbody>
<tr>
<td>UV – Rural</td>
</tr>
<tr>
<td>UV – Mining</td>
</tr>
<tr>
<td>GRV – Townsite Perenjori</td>
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</tr>
<tr>
<td>GRV – Townsite Other</td>
</tr>
<tr>
<td>GRV – Mining</td>
</tr>
</tbody>
</table>
5. Notes that resolutions 2, 3 and 4 above are required to validate the general rate and minimum payments levied and that a credit will be allocated to those ratepayers affected by the amended ‘GRV – Mining’ Minimum Payment” whose minimum payments reduce as a consequence of this reimposition.

COUNCIL RESOLUTION

Moved: Cr Wass  
Seconded: Cr Hirsch

That Council;

1. Notes that the State Administrative Tribunal has quashed the general rate and minimum payments imposed by the Shire of Perenjori on 18th August 2011 in accordance with s 6.82 of the Local Government Act 1995, as the GRV Townsite – Perenjori, Latham, Other and Mining, minimum payments did not comply with s 6.35(2) and (3) of the Act as the general minimum was applied to less than 50% of properties on the minimum payment.

2. Adopts a budget for 2011/2012 in accordance with section 6.3 of the Act which:

(a) subject to the modifications set out in resolution 3, is in the same form and manner as the annual budget adopted at the Council meeting held on 18 August 2011 (recorded as item 11085.7-1, Rates, and included in the minutes of that meeting and tabled herewith);

(b) reduces the amount to be yielded by the GRV Mining minimum payments to $184.00, which equates to a reduction in Rates Revenue of $120.00. To achieve a balanced budget Transport Expenditure has been reduced by $120.00 accordingly.

3. Notes that the modifications referred to in resolution 2 change the following schedules and notes:

a) Statement of Comprehensive Income by Nature and Type
b) Statement of Comprehensive Income by Program
c) Statement of Cash Flows
d) Rate Setting Statement
e) Note 7 – Net Current Assets
f) Note 8 – Rating information
g) Note 15 – Note to the Statement of Cash Flows

4. In accordance with s 6.32(3)(b) of the Act, imposes the following general rates and minimum payments:
Differential General Rate (Rate in $)

<table>
<thead>
<tr>
<th>Type</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>UV – Rural</td>
<td>$1.6042</td>
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<td>UV – Mining</td>
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<tr>
<td>GRV – Townsite Perenjori</td>
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<tr>
<td>GRV – Townsite Latham</td>
<td>$12.0854</td>
</tr>
<tr>
<td>GRV – Townsite Other</td>
<td>$12.0854</td>
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<td>GRV – Mining</td>
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Minimum Rates (Payments)

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<tr>
<th>Type</th>
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</tr>
</thead>
<tbody>
<tr>
<td>UV – Rural</td>
<td>$184.00</td>
</tr>
<tr>
<td>UV – Mining</td>
<td>$307.00</td>
</tr>
<tr>
<td>GRV – Townsite Perenjori</td>
<td>$184.00</td>
</tr>
<tr>
<td>GRV – Townsite Latham</td>
<td>$110.00</td>
</tr>
<tr>
<td>GRV – Townsite Other</td>
<td>$56.00</td>
</tr>
<tr>
<td>GRV – Mining</td>
<td>$184.00</td>
</tr>
</tbody>
</table>

5. Notes that resolutions 2, 3 and 4 above are required to validate the general rate and minimum payments levied and that a credit will be allocated to those ratepayers affected by the amended ‘GRV – Mining Minimum Payment’ whose minimum payments reduce as a consequence of this reimposition

Carried: 7/0
12075.5 EXTRAORDINARY ELECTION

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE INTEREST: OF 0

AUTHOR: KEVIN. O’CONNOR ACTING CEO

RESPONSIBLE OFFICER KEVIN O’CONNOR ACTING CEO

REPORT DATE: 16 MAY 2012

ATTACHMENTS

Executive Summary:

Following the close of Nominations on the 4th July 2012, there were no nominations received to fill the vacancy left following the resignation of Cr Robyn Benton. It is a requirement that nominations again be called to fill this vacancy for the Maya Ward.

Applicants Submission:

To complete all the requirements for an election, If Council were to set the Election Date of 13th September 2012, the resulting statutory dates are as follows:
<table>
<thead>
<tr>
<th>Days to Poling Day</th>
<th>Election Activities/Events</th>
<th>References to Acts/Regs</th>
<th>Day</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>273</td>
<td>If a member’s office becomes vacant between these dates, the council may, with the approval of the Electoral Commissioner, allow the vacancy to remain unfilled until</td>
<td>LGA 4.17 (2)</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>91</td>
<td></td>
<td></td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>First day for candidates to lodge completed nomination papers, in the prescribed form, with the Returning Officer. Nominations are open for 8 days.</td>
<td>LGA 4.49(a)</td>
<td>Tue</td>
<td>31/07/2012</td>
</tr>
<tr>
<td>56</td>
<td>Advertising may begin for nominations from 56 days and no later than 45 days before election day.</td>
<td>LGA 4.47(1)</td>
<td>Thu</td>
<td>19/07/2012</td>
</tr>
<tr>
<td>50</td>
<td>Close of rolls 5.00 pm</td>
<td>LGA 4.39(1)</td>
<td>Wed</td>
<td>25/07/2012</td>
</tr>
<tr>
<td>45</td>
<td>Last day for advertisement to be placed calling for nominations.</td>
<td>LGA 4.47(1)</td>
<td>Mon</td>
<td>30/07/2012</td>
</tr>
<tr>
<td>38</td>
<td>The preparation of any consolidated roll under subregulation 16(1) to be completed on or before 22nd day before election day.</td>
<td>Reg. 19(2)</td>
<td>Wed</td>
<td>22/08/2012</td>
</tr>
<tr>
<td>36</td>
<td>Returning Officer to give Statewide public notice of the election as soon as practicable but no later than on the 13th day before election day.</td>
<td>LGA 4.64(1)</td>
<td>As soon as practicable</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Closing of the election. Nominations are open for 8 days.</td>
<td>LGA 4.7</td>
<td>As soon as practicable</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Last day for the Returning Officer to give Statewide public notice of the election.</td>
<td>LGA 4.64(1)</td>
<td>25/09/2012</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Close of early voting 4.00 pm</td>
<td>LGA 4.68(c)</td>
<td>9/09/2012</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Close of roll 6.00 pm</td>
<td>LGA 4.7</td>
<td>13/09/2012</td>
<td></td>
</tr>
</tbody>
</table>

**Elections Timetable Template**

Local Government
Extraordinary/Other Elections

Enter election date>> 13/09/2012

Note: Please manually adjust dates in the Date column which fall on a public holiday to the next business day.
Postal Election

If Council wishes a postal election it must first make the Electoral Commissioner responsible for conduct of the Election.

The Electoral Commissioner will then appoint a Returning Officer.

In Person Election

If Council does not make a declaration that the election is to be a postal election and that the Electoral Commissioner is to run the election, the election will be a voting in person election.

Council, for a voting in person election, may:

- Appoint the Electoral Commissioner to run the election;
- Appoint a person other than the CEO to be the Returning Officer; or
- Appoint the CEO as returning Officer.

If Council makes no contrary decision, the default position under the Act is that the CEO is the Returning Officer and the Election is voting in person.

Background:

In accordance with Section 4.49 of the Local Government Act 1995, nominations opened on the 27th June 2012 and closed on 4th July 2012, no nominations were received during this period.

Statutory Environment:

Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.

Local Government Act 1995 Sect. 4.8; Extraordinary Elections and Sections 4.47-53; Nominations of candidates

The earliest date that advertising for nominations can commence is the 19th July 2012, advising potential candidates that nominations will open on the 31st July and close on the 7th August 2012.

Policy Implications:

Nil

Financial Implications:

If the Electoral Commission were to conduct the poll, there would be a significant cost involved.

Strategic Implications:

Nil

Consultation:

A Statewide public notice will appear on the 20th July, followed by a notice calling for nominations in the local paper on the 24th July.
Comment:
There have been no occasions in the last few years when there have been more candidates than vacancies. If that trend continues, the election could be determined by 13th September 2012.

Voting Requirements:
Simple Majority

Officers Recommendation:
1. That Council set the 13th September 2012 as election day for an Extraordinary Election for the Maya Ward of the Shire of Perenjori
2. That the election will be a voting in person election
3. That the Acting CEO be appointed as the Returning

COUNCIL RESOLUTION
Moved: Cr Reid Seconded: Cr Cunningham
1. That Council set the 13th September 2012 as election day for an Extraordinary Election for the Maya Ward of the Shire of Perenjori
2. That the election will be a voting in person election
3. That the Acting CEO be appointed as the Returning
Carried: 7/0
Executive Summary:

A Draft 2012-13 Budget is attached for Councils consideration.

Applicants Submission:

Surplus

The 2011/12 Surplus amounted to almost $2,166,739. This included the advance payment from Financial Assistance Grants of $828,788 and payment in June of $415,548 in Country Local Government Fund grants.

The projected 2012/13 Surplus will be $86,961

The surplus is limited by the requirements of the Local Government Act s6.34 which limits the surplus to 10% of rate collections – the maximum surplus we can budget for is $238,500

Rates Revenue

There has been a substantial increase in GRV valuations for the Shire of Perenjori which will affect the rate in the dollar for the 2012/13 budget.

In accordance with the requirements of the Local Government Act the Shire advertised its proposed rates for 2012/13. Subsequent to the adoption of the differential rates Landgate advised of a substantial revaluation of GRV property in the Shire of Perenjori.

In response to the advertisement Karara lodged a submission by email suggesting (correctly) that the combination of the proposed GRV rate in the dollar and the revaluation would result in its GRV rates almost doubling. The same would be true for residential and commercial properties throughout the Shire.

Council, when it adopts its budget may adopt a lower rate than that advertised so long as the budget documents include an explanation, and advertise the changed rate.

Valuations changes are as follows:
The 3 Karara accommodation villages are collectively valued at $7,761,000. This means all other commercial properties have a total GRV of $155,908.

If Council continues its previous approach of applying the same rate in the dollar to all categories of GRV a rate of 7.2000 cents in the dollar would result in collection of virtually no change in non-mining GRV, and a 15% increase in mining GRV. This would also result in a windfall for industrial ratepayers as they have a far less significant increase in value, and therefore the actual rate imposed would be less than in the current year. Given Council’s attempts to attract this kind of investment, the lower rate may be appropriate.

The Rating models shown in the draft Budget papers, show the difference in rate revenue pre the new valuations and then including the new values with a reduced GRV rate from 12.5688 to 7.2000 cents in the dollar. As explained above this has the effect of increasing the Mining GRV revenue by approx. 15% and reducing the other GRV Residential/Commercial/Industrial revenue by approx. 9%.

The major increase this year is in the Mining UV revenue with a 22% change to 30.0000 cents in the dollar however, this is well in line with the other local governments within the region.

Rates Discounts

Council is asked to consider changing its position on the provision of discounts on the payment of current rates. The existing arrangement provides a discount of 10% on all current rates paid within 35 days from the date of issue, this is a common arrangement amongst local governments. Council also provides a discount of 5% on all current rates paid between the day following the first due date and close of business on the 13th January.

If Council was to dispense with the additional 5% discount the net effect would be an increase in budget revenue of approx. $20,000. Alternatively Council could choose to have only one discount amount of 5% for the 35 days, this would be an increase in budget revenue of approx. $80,000.

For comparison purposes the Rates Discount provided by some neighbouring Shire is shown below:

- Morawa 5% (35days)
- Mingenew 0%
- Three Springs 7% (35days)
- Dalwallinu 5% (35days)
The budget provides for Rates revenue to increases from $2,201,584 to $2,416,613 This includes the 4.0% general rate rise.

**Financial Assistance Grants (FAGS) – General Purpose**

FAGS grants are Federal Grants to Local Government delivered via a State based Local Government Grants Commission. Funding is distributed in two components, the first of which is General purpose funding.

General Purpose funding which is delivered by a complex series of calculations based around “horizontal equalisation” to ensure that small local governments retain the capacity to deliver services.

The methodology is under review and this year’s allocation will be based on the new formula. At the Northern Country Zone Conference the Grants Commission revealed that Perenjori can expect the maximum 15% increase for each of the next 3 years.

For the third year in succession part of the grant has been paid in advance before the end of the previous financial year. For this year the advance will be 50% of the allocation based on the previous formula. Based on this information the expected General Purpose grant is as follows.

<table>
<thead>
<tr>
<th></th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>FAGS Grant</td>
<td>$715,928</td>
<td>$741,460</td>
<td>$852,679</td>
<td>15.00%</td>
</tr>
<tr>
<td>Advance Paid</td>
<td>$178,982</td>
<td>$185,365</td>
<td>$391,172</td>
<td></td>
</tr>
<tr>
<td>Balance</td>
<td>$536,946</td>
<td>$556,095</td>
<td>$461,507</td>
<td></td>
</tr>
</tbody>
</table>

**Financial Assistance Grants (FAGS) – Untied Road Grant**

Untied Road Grants are provided based on the asset preservation model. The information provided by Local Governments to Main Roads through the Roman’s Road Database is collated by the Grants Commission. The funding required to maintain that asset base is calculated and Local Governments receive a share based on their proportion of the asset base. The Perenjori asset base now includes the upgraded Wanarra and Mungada Roads. For the third year in succession 25% of the grant has been paid in advance before the end of the previous financial year.

<table>
<thead>
<tr>
<th></th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Untied Road Grant</td>
<td>$657,604</td>
<td>$743,648</td>
<td>$875,232</td>
<td>17.69%</td>
</tr>
<tr>
<td>Advance Paid</td>
<td>$164,401</td>
<td>$185,912</td>
<td>$437,616</td>
<td></td>
</tr>
<tr>
<td>Balance</td>
<td>$493,203</td>
<td>$557,736</td>
<td>$437,616</td>
<td></td>
</tr>
</tbody>
</table>
Significant Projects
Significant projects in the coming year include:

i. Investment in the renewal of sporting facilities including Sports Cubs and Bowling.

ii. Tourism and Culture infrastructure including Museum, ArtBelt and Streetscape projects.

iii. One new staff houses

iv. Flat Pack Mining housing for lease to Karara

v. Installation of new ablution block at the Caravan Park

vi. Vehicle parking shed at Depot

vii. Caron Dam roofing

viii. Latham Ambulance/Fire Station shed

ix. Stage 1 of the old depot redevelopment

x. Perenjori Early Childhood Centre

Roads Program
The roads program for 12/13 totals $2.7m and includes:

- Regional Rd Group funding of $737,727
- Roads to Recovery funding of $363,163
- Black Spot funding of $108,000
- Council funds of $1,507,541

This brings the total cost of the program for 2012/13 to $2,716,431, details of the program are provided in the draft budget papers.

Plant Replacement Program
Plant replacement is in accordance with the 10 year plan and includes:

- Replacement of Skid Steer Loader
- Replacement of Western Star (lease arrangement)
- Replacement of Admin Light vehicles
- New tri-axle Water Tanker
- Replacement of Mitsubishi Triton ute
- New Community Bus

Fees and Charges
Following a review of the schedule, the increases for 2012/13 range from 0 to 10%

Debentures
The Budget does not include any new loans
Mid West Regional Council

Two recent meetings have been held to deal with the 12/13 draft Budget, at this stage the only new service that members Councils have endorsed, is the provision of Engineering and Technical Services. The cost for this is minimal as we already include a figure for contracting out these services. The financial support and training services are on going and are provided to non-member Councils on a fee for service basis.

Mid West Chamber of Commerce

The provision of Procurement Officer services has previously been included in the Budget for an annual contribution of $10,000. The new contract for a three year service has been received requesting an annual contribution of $15,000. This amount has not been included in the draft budget, as there has been some discussion as to the value of this service to the Shire of Perenjori business community.

Background:

The draft budget has been developed by the administration to reflect decisions taken by Council, our strategic priorities and the efficient and effective management of our assets.

Statutory Environment:

Local Government Act 1995 S6.2 sets out the requirement for an annual budget as follows:

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

* Absolute majority required.

(2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —

(a) the expenditure by the local government;
(b) the revenue and income, independent of general rates, of the local government; and
(c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

(3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.

(4) The annual budget is to incorporate —
(a) particulars of the estimated expenditure proposed to be incurred by the local government;
(b) detailed information relating to the rates and service charges which will apply to land within the district including —
   (i) the amount it is estimated will be yielded by the general rate; and
   (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
(c) the fees and charges proposed to be imposed by the local government;
(d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
(e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
(f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
(g) such other matters as are prescribed.

(5) Regulations may provide for —
   (a) the form of the annual budget;
   (b) the contents of the annual budget; and
   (c) the information to be contained in or to accompany the annual budget.

Policy Implications:
Nil

Financial Implications:
The annual budget is the instrument by which all activities of the local government are authorised.

Strategic Implications:
The budget reflects decisions taken by Council through its strategic plan and during the year.

Consultation:
Advertising of the proposed Differential Rates

Comment:
The Rates proposed are in line with Council's advertised intention in April 2011, apart from the GRV, which has been reduced to offset the impacts of the recent valuation changes.
Rubbish Charges remain the same as last year at $200.00 per service Instalment arrangements and discounts are in line with previous years.
Meeting Fees remain unchanged. Comparison with the limits set in regulation are as follows:

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Meeting</th>
<th>Maximum</th>
<th>Minimum</th>
<th>Perenjori</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillor</td>
<td>Council</td>
<td>$140.00</td>
<td>$60.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>President</td>
<td>Council</td>
<td>$280.00</td>
<td>$120.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>President or Councillor</td>
<td>Committee</td>
<td>$70.00</td>
<td>$30.00</td>
<td>$50.00</td>
</tr>
</tbody>
</table>

Voting Requirements: Absolute Majority

Officers Recommendation:

1. **RATES**
That Council adopts the following Rate and Rubbish Charges for the Shire of Perenjori for the year ending 30 June 2013.

**DIFFERENTIAL GENERAL RATES:**
- Gross Rental Value: 7.20000 cents in the dollar
- Rural Rate – Unimproved Value: 1.6684 cents in the dollar
- Mining Rate – Unimproved Value: 30.0000 cents in the dollar
- Mining Accommodation – GRV: 7.20000 cents in the dollar

**MINIMUM RATES:**
- Rural – UV: $195.00 per assessment
- Mining - UV: $370.00 per assessment
- Perenjori Townsite – GRV: $195.00 per assessment
- Latham Townsite – GRV: $115.00 per assessment
- Other Townsite – GRV: $60.00 per assessment
- Mining - GRV: $195.00 per assessment

**RUBBISH CHARGES:**
- Domestic: $200.00/bin
- Commercial: $200.00/bin
- Pensioners – Domestic bin: $100.00/bin

2. **PAYMENT OF RATES**
That Council adopts the following payment dates for the payment of rates.
Option 1 – Payment in full by a single instalment within 35 days from date of issue.
Option 2 – Payment by four equal instalments. The first instalment 35 days from the date of issue of the rates notice and that instalments 2, 3 and 4 become due not less than 60 days following the previous instalment.

3. **DISCOUNT**

That a discount of 10% be given on all current rates paid within 35 days from date of issue.

That a discount of 5% be given on all current rates paid between the day following the first due date and close of business on 9 January 2013.

4. **FEES AND CHARGES**

That the schedule of fees and charges as set out in the budget for the year ended 30 June 2013 be adopted.

5. **MEETING FEES**

That fees, expenses and allowances be paid to each Councillor as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>$200</td>
<td>full Council meetings</td>
</tr>
<tr>
<td></td>
<td>$50</td>
<td>Committee meetings</td>
</tr>
<tr>
<td>Councillors</td>
<td>$100</td>
<td>full Council meetings</td>
</tr>
<tr>
<td></td>
<td>$50</td>
<td>Committee meetings</td>
</tr>
<tr>
<td>Travelling 1600cc and under</td>
<td>$0.61</td>
<td>cents per kilometre</td>
</tr>
<tr>
<td>Travelling 1600cc to 2600cc</td>
<td>$0.711</td>
<td>cents per kilometre</td>
</tr>
<tr>
<td>Travelling Over 2600cc</td>
<td>$0.815</td>
<td>cents per kilometre</td>
</tr>
<tr>
<td>Communication Allowance</td>
<td>$400</td>
<td>per annum</td>
</tr>
<tr>
<td>Info Technology Allowance</td>
<td>$100</td>
<td>per annum</td>
</tr>
</tbody>
</table>

6. **ADOPTION OF BUDGET**

That the Annual Budget for the Shire of Perenjori for the year ending 30 June 2013 comprising of Income Statement, Operating Statement, Statement of Cashflows, Rate Setting statement and associated notes be adopted.

**Note:** No resolution adopted. Item to be taken to the next Ordinary Council Meeting.
12076 OTHER BUSINESS

12076.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

- Mid-West Local Government Services Agreement – Joint process Management team Meeting Minutes
- MWAC Information Bulletin – Issue 162 June 2012
- WALGA Local Government News Issue 25.12, 26.12 and 27.12
- WALGA Info Page – Western Australian Water in Mining Guideline
- EMAIL from CBH Group regarding Perenjori North Site Update

12076.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

12076.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

12076.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

MOTION

Moved: Cr Desmond                     Seconded: Cr Hirsch

That item 12076.4.1 Perenjori Post Office and CRC, be accepted as urgent business.

Carried: 7/0
Executive Summary:
The Shire has received a request from the Perenjori Community Resource Centre Inc. (PCRC) for administrative support. The resolution passed by the PCRC requests “back office support” and a desire to maintain their independence.

Applicants Submission:
The Post Office is a vital part of our community life and due to a lack of supervision over the past few months is in danger of losing its licence. Council staff is willing to take on the extra work entailed. The DCEO is currently Chairman of the PCRC committee and would be in a position to provide ongoing guidance and management. The DCEO has made contact with the Australia Post Network Manager who has indicated that Auspost would be comfortable with the Shire’s involvement in the administration and management of the Centre.

Background:
The Coordinator of the PCRC is likely to be off work for the foreseeable future. It would appear that the origins of this indefinite absence lie in a lack of support and adequate training in all aspects of the job.

Statutory Environment:
Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.

Policy Implications: NIL

Financial Implications:
Council has budgeted $25 000 in the 2012 – 2013 year as part of their funding agreement.

Strategic Implications:
Involvement of the Shire would ensure that Perenjori retained a Post Office and PCRC presence in the town.

Consultation:
Jim Caratti Regional Manager Australia Post
Karen Chappel
Current and past committee members of the PCRC

Comment: NIL

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council approve the request from the Perenjori Community Resource Committee Inc. to provide back office and management services.

COUNCIL RESOLUTION
Moved: Cr Reid Seconded: Cr Cunningham
That Council approve the request from the Perenjori Community Resource Committee Inc. to provide back office and management services.

Carried: 7/0
12076.5 MATTERS BEHIND CLOSED DOORS

12076.6 DATE OF NEXT MEETING / MEETINGS
The next Ordinary Council Meeting will be held on the 16th August 2012

12076.7 CLOSURE
With no further business the Ordinary Council Meeting was closed by Cr King at 3.57pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held 19th July 2012

Signed: _______________
Presiding Elected Member
Date: _________________