Shire of Perenjori

Ordinary Council Meeting

MINUTES

17TH AUGUST 2017

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17081  PRELIMINARIES

17081.1  DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
Cr L Butler declared the meeting open at 3.02 pm.

17081.2  OPENING PRAYER
Cr L Butler led the opening prayer.

17081.3  DISCLAIMER READING

17081.4  RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Cr L Butler – Presiding Member
Cr J Smith
Cr K Pohl
Cr R Spencer
Cr R Desmond
Cr J Cunningham
Cr P Waterhouse
Cr G Reid
Stephen Tindale – Acting CEO
Rose Jones – SFO
Bianca Plug – Minute Taker

Apology;
Cr J Cunningham

17081.5  RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

17081.6  PUBLIC QUESTION TIME

17081.7  NOTATIONS OF INTEREST
FINANCIAL INTEREST – LOCAL GOVERNMENT ACT S 5.60A
PROXIMITY INTEREST – LOCAL GOVERNMENT ACT S 5.60B
INTEREST AFFECTING IMPARTIALITY – LOCAL GOVERNMENT - CODE OF CONDUCT.
17081.8 APPLICATIONS FOR LEAVE OF ABSENCE

17081.9 CONFIRMATION OF MINUTES

Minutes from the Ordinary Council Meeting held on the 20th July 2017 are attached.

**Officers Recommendation – Item 17081.9.1**

That Council accepts the Minutes from the Ordinary Meeting of the 20th July 2017 as a true and correct record of that Meeting.

**Council Resolution – Item 17081.9.1**

Moved: Cr J Hirsch  Seconded: Cr R Desmond
That Council accepts the Minutes from the Ordinary Meeting of the 20th July 2017 as a true and correct record of that Meeting.  Carried: 8/0

Minutes from the Special Meeting held on the 9th August 2017 are attached.

**Officers Recommendation – Item 17081.9.2**

That Council accepts the Minutes from the Special Meeting of the 9th August 2017 as a true and correct record of that Meeting.

**Council Resolution – Item 17081.9.2**

Moved: Cr J Hirsch  Seconded: Cr R Desmond
That Council accepts the Minutes from the Special Meeting of the 9th August 2017 as a true and correct record of that Meeting.  Carried: 8/0

17081.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

17081.11 PETITIONS / DEPUTATIONS / PRESENTATIONS

17082 CORPORATE AND DEVELOPMENT SERVICES

17082.1 FINANCIAL STATEMENTS – JULY 2017

APPLICANT: SHIRE OF PERENJORI
FILE: ADM 0081
DISCLOSURE OF INTEREST: NIL
AUTHOR: ROSE JONES - SFO
RESPONSIBLE OFFICER: PETER MONEY - MCDS
REPORT DATE: 17TH AUGUST 2017
ATTACHMENTS: MONTHLY FINANCIAL REPORT
Executive Summary
This item recommends that Council accepts the Financial Activity Statement for the period ending 31st July 2017.

Background
Each month officers are required to prepare monthly financial reports, covering prescribed information, and present these to the Council.

Details

The following statements are presented to Council:
- Monthly Summary Information - Charts
- Statement of Financial Activity (Program and Nature & Type) - This provides the budget and actual income and expenditure for operating and non-recurrent as well as the closing surplus to date. (FM Reg 34(1))
- Statement of Capital Acquisitions and Capital Funding
- Net Current (Assets) Funding Position (Note 3). This provides the amount of assets over liabilities within the Balance Sheet. (FM Reg 34 (1)(e))
- Notes to the Financial Statements include:
  - Note 1.- Significant Accounting Policies
  - Note 2. - Explanation of Material Variances
  - Note 3. – Net Current Funding Position
  - Note 4. – Cash & Investments
  - Note 5. – Budget Amendments
  - Note 6. – Receivables
  - Note 7. – Cash Back Reserves
  - Note 8. – Capital Disposals
  - Note 9. – Rating Information
  - Note 10. – Information on Borrowings
  - Note 11. – Grant and Contributions
  - Note 12.- Trust Fund
  - Note 13.- Details of Capital Acquisition

Legal Compliance
Regulation 34 (Financial activity statement report) of the Local Government (Financial Management) Regulations 1996 states –
(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
(a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
(b) budget estimates to the end of the month to which the statement relates;
(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
(e) the net current assets at the end of the month to which the statement relates.
(2) Each statement of financial activity is to be accompanied by documents containing —
   (a) an explanation of the composition of the net current assets of the month to
       which the statement relates, less committed assets and restricted assets;
   (b) an explanation of each of the material variances referred to in subregulation (1)
       (d); and (c) such other supporting information as is considered relevant by the
       local government.

(3) The information in a statement of financial activity may be shown —
   (a) according to nature and type classification; or
   (b) by program; or
   (c) by business unit

(4) A statement of financial activity, and the accompanying documents referred to in
    subregulation 34 (2), are to be —
   (a) presented at an ordinary meeting of the council within 2 months after the end of
       the month to which the statement relates; and
   (b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value,
    calculated in accordance with the AAS, to be used in statements of financial activity
    for reporting material variances.

Section 6.8 of the Local Government Act 1995 (Expenditure from municipal fund not included
in annual budget) states —
   (1) A local government is not to incur expenditure from its municipal fund for an
       additional purpose except where the expenditure —
       a. is incurred in a financial year before the adoption of the annual budget by the
          local government; or
       b. is authorised in advance by resolution; or
       c. is authorised in advance by the mayor or president in an emergency.

Policy Implications
Nil

Financial Implications
Nil

Strategic Implications
Area 5: Investing in Councils Leadership

Goal: Strengthen the Shire’s position as an innovative, independent local government
providing excellence in all areas of governance, management and leadership.

Consultation
Liaison with MCDS, SFO, & MIS.

Voting Requirements - Simple Majority

Committee Recommendation – Item 17082.1

That Council, pursuant to Regulation 34 of the Local Government (Financial Management)
Regulations 1996, accepts the Financial Activity Statement Report for the period ending 31st
Council Resolution – Item 17082.1

Moved: Cr L Smith  
Seconded: Cr R Spencer


Carried: 8/0

17082.2 ACCOUNTS FOR PAYMENT – JULY 2017

APPLICANT:  SHIRE OF PERENJORI  
FILE:  1306P  
DISCLOSURE OF INTEREST:  NIL  
AUTHOR:  LIZ MARKHAM - AO  
RESPONSIBLE OFFICER:  PETER MONEY – MCDS  
REPORT DATE:  17TH AUGUST 2017  
ATTACHMENTS:  ACCOUNTS FOR PAYMENT

Executive Summary

This item recommends that the schedule of accounts for payment for the month ending 31st July 2017 be confirmed.

Background

The Schedule of Accounts is presented pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.

The report identifies payments made from the Municipal and Trust Fund.

Council has delegated to the Chief Executive Officer the authority to make payments from the Municipal and Trust funds in accordance with the Local Government (Financial Management) Regulations 1996.

Under Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal fund or the Trust fund, each payment from the Municipal fund or the Trust fund is to be noted on a list compiled for each month showing:

a) The payee’s name;
b) The amount of the payment;
c) The date of the payment; and
d) Sufficient information to identify the transaction.

That list should then be presented at the next Ordinary Meeting of the Council following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.

Legal Compliance

Section 6.10 (d) of the Local Government Act 1995 refers, i.e.-

6.10. financial management regulations

Regulations may provide for —
(d) the general management of, and the authorisation of payments out of —
   (i) the municipal fund; and
   (ii) the trust fund,
   of a local government.

Regulation 13(1), (3) & (4) of the Local Government (Financial Management) Regulations 1996 refers, i.e. -

13. Lists of Accounts
   (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
      (a) the payee’s name;
      (b) the amount of the payment;
      (c) the date of the payment; and
      d) sufficient information to identify the transaction.
   
   (3) A list prepared under subregulation (1) is to be —
      (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
      (b) recorded in the minutes of that meeting.

Policy Implications
All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures.

Financial Implications
Ongoing management of Council funds by providing Council with sufficient information to monitor and review payments made.

Strategic Implications
Area 5: Investing in Councils Leadership

Goal: Strengthen the Shire’s position as an innovative, independent local government providing excellence in all areas of governance, management and leadership.

Consultation
Nil

Comment
All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures.

Voting Requirements – Simple Majority
Committee Recommendation – Item 17082.2

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 31st July 2017 as attached to and forming part of this report.

### Municipal Account

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$479,851.83</td>
</tr>
<tr>
<td>Direct Debits</td>
<td>$134,755.04</td>
</tr>
<tr>
<td>Cheques</td>
<td>$22,423.70</td>
</tr>
<tr>
<td>Corporate MasterCard</td>
<td>$3255.49</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$276.85</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$640,562.91</strong></td>
</tr>
</tbody>
</table>

### Trust Account - Shire

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$</td>
</tr>
<tr>
<td>Cheques</td>
<td>$</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$</td>
</tr>
</tbody>
</table>

### Trust Account – Mt Gibson Public Benefit Funds

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$</td>
</tr>
<tr>
<td>Cheques</td>
<td>$</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 0</strong></td>
</tr>
</tbody>
</table>

**Totalling $640,562.91 from Municipal and Trust Accounts for** the month ending 31st July 2017.
Council Resolution – Item 17082.2

Moved: Cr J Hirsch
Seconded: Cr K Pohl

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 31st July 2017 as attached to and forming part of this report.

Carried: 8/0

<table>
<thead>
<tr>
<th>Municipal Account</th>
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<tr>
<td>EFT</td>
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</tbody>
</table>

<table>
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<tr>
<th>Trust Account - Shire</th>
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<tr>
<th>Trust Account – Mt Gibson Public Benefit Funds</th>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 0</strong></td>
</tr>
</tbody>
</table>

Totalling $640,562.91 from **Municipal and Trust Accounts** for the month ending 31st July 2017.
Executive Summary
This item recommends Council agrees to waive the fee for the hire of the Town Hall for a community event.

Background
The Perenjori Community Resource Centre are planning on holding an event which is a Ball to raise funds for the benefit of our local emergency services.

Part of Council’s donations eligibility policy states “Any Not For Profit, Community service, groups or welfare or charitable organisations or groups providing programs or services to residents of Perenjori” are subject to the Policy.

This event meets further criteria in that the beneficiaries are local services, and there could be a considerable number of people benefiting from the funds raised from this event.

Statutory Environment
Local Government Act 6.15

Policy Implications
Policy 1011 – Donations and Grants.

Financial Implications
The cost for a night event in the Hall is $180.

Strategic Implications
Area 3: People and place – Our Community

Goal: Demonstrating a high quality of life for all, offering relevant activities, facilities, and services to enable people to meet their needs and achieve their potential.

Risk Management

<table>
<thead>
<tr>
<th>Risk Statement</th>
<th>Level of Risk</th>
<th>Risk Mitigation Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is always some risk that damage could occur to the building and equipment therein or at worst people could be injured while attending.</td>
<td>Low</td>
<td>A well-managed vent will minimise any risk to the building or persons attending. The building is also insured and Council is covered by public liability insurance.</td>
</tr>
</tbody>
</table>
Consultation
CRC
Comment
Nil
Voting Requirements – Simple Majority

Officers Recommendation – Item 17082.3
That Council agrees to waive the fee for the hire of the Town Hall for the CRC event that is to raise funds for local emergency services groups and to be held on 7th October 2017.

Council Resolution – Item 17082.3
Moved: Cr P Waterhouse
Seconded: Cr K Pohl
That Council agrees to waive the fee for the hire of the Town Hall for the CRC event that is to raise funds for local emergency services groups and to be held on 7th October 2017.
Carried: 8/0

Cr P Waterhouse declared a proximity interest in item 17082.4 Application for Exploration Licence 70/5007. Cr P Waterhouse did not partake in the voting of the item and left the room at 3.26 pm.

17082.4 APPLICATION FOR EXPLORATION LICENCE 70/5007
APPLICANT: SHIRE OF PERENJORI
FILE: NIL
DISCLOSURE OF INTEREST: NIL
AUTHOR: PETER MONEY - MCDS
RESPONSIBLE OFFICER: PETER MONEY - MCDS
REPORT DATE: 17TH AUGUST 2017
ATTACHMENTS APPLICATION LETTER

Executive Summary
This report recommends that Council acknowledges the application and recommends to the Department of Mines and Petroleum that conditions be imposed if the license is granted.

Background
Correspondence has been received from McMahon Mining Title Services on behalf of Brine Processors WA advising of an Application for a mining tenement Exploration Licence for an area at Wanara.
Below are listed the standard conditions for a mining licence and Council wish to request the addition of more conditions if the licence is granted.
All applicants are required to notify the respective local government of the application for the licence. Location plans detailing the subject land are attached.

Statutory Environment
Minning Act 1978

29. Granting of mining tenements in respect of private land

(2) Except with the consent in writing of the owner and the occupier of the private land concerned, a mining tenement shall not be granted in respect of private land —

(a) which is in bona fide and regular use as a yard, stockyard, garden, orchard, vineyard, plant nursery or plantation or is land under cultivation; or

(b) which is the site of a cemetery or burial ground; or

(c) which is the site of a dam, bore, well or spring; or

(d) on which there is erected a substantial improvement; or

(e) which is situated within 100 m of any private land referred to in paragraph (a), (b), (c) or (d); or

(f) which is a separate parcel of land and has an area of 2 000 m$^2$ or less, unless the mining tenement is granted only in respect of that part of that private land which is not less than 30 m below the lowest part of the natural surface of that private land.

33. Application for mining tenement by permit holder

1) Subject to subsection (1a), where an application is made in accordance with this Act for a mining tenement that relates to private land notice of the application shall be given in the prescribed manner by the applicant to —

a) The Chief Executive Officer of the local government;

b) The owner and occupier of the private land; and

c) Each mortgagee of the land under a mortgage endorsed or noted on the title or land register or record relating to that land, but if there is no occupier of the land, or no such occupier can be found, the notice of the application shall be affixed in some conspicuous manner on the land

Policy Implications
Nil

Financial Implications
Nil

Strategic Implications

Area 1: Infrastructure and Natural Assets - Our Natural and Built Environment

Goal: A community that develops and lives sustainably in a thriving natural and quality built environment, which meets current and future community need.

Risk Management

Local governments are invited to ask for conditions to be applied to any mining application and the Department of Mines will generally consider any conditions but does not necessarily
impose those conditions. In this instance the subject land is private land and the Council may wish to apply for more than usual conditions to protect the interests of the land owner.’

<table>
<thead>
<tr>
<th>Risk Statement</th>
<th>Level of Risk</th>
<th>Risk Mitigation Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local governments are invited to comment on any mining application. The DMP may or may not consider any local government preferred conditions or objections to the licence if it is granted.</td>
<td>Low</td>
<td>By making comment or seeking the applying of any conditions the local government may have some input into the application.</td>
</tr>
</tbody>
</table>

**Consultation**

Nil

**Comment**

Council has minimal power over whether licences are approved or not but can request that certain conditions be applied.

**Voting Requirements – Simple Majority**

**Officers Recommendation – Item 17082.4**

That Council acknowledges the application for an Exploration Licence from McMahon Mining Title Services on behalf of Brine Processors WA being licence number E70/5007 and requests the following conditions be imposed by the Department of Mines and Petroleum if the licence is to be issued:

1. All surface holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.

2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six (6) months after excavation unless otherwise approved in writing by the district mining engineer.

3. Abandoned equipment and temporary buildings being removed from the tenement prior to or at the termination of the exploration program.

4. No activities taking place to the detriment of any roads, streets or verges.

5. Minimum disturbance being made to natural vegetation.

6. Adequate dust suppression control methods and practices being used.

7. All works comply with the Environmental Protection (Noise) Regulations 1997.

All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.
<table>
<thead>
<tr>
<th>Council Resolution – Item 17082.4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved: Cr G Reid</td>
</tr>
<tr>
<td>Seconded: Cr J Hirsch</td>
</tr>
<tr>
<td>That Council acknowledges the application for an Exploration Licence from McMahon Mining Title Services on behalf of Brine Processors WA being licence number E70/5007 and requests the following conditions be imposed by the Department of Mines and Petroleum if the licence is to be issued:</td>
</tr>
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<td>1. All surface holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.</td>
</tr>
<tr>
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<td>3. Abandoned equipment and temporary buildings being removed from the tenement prior to or at the termination of the exploration program.</td>
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<td>7. All works comply with the Environmental Protection (Noise) Regulations 1997.</td>
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<tr>
<td>All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.</td>
</tr>
<tr>
<td>Carried: 7/0</td>
</tr>
</tbody>
</table>

Cr P Waterhouse returned to Council at 3.28 pm.
1 August 2017

THE SHIRE CLERK
SHIRE OF PERENJORI
PO BOX 22
PERENJORI WA 6620

Attention: Chief Executive Officer

Registered Post: 944023427010

Dear Sir/Madam,

RE: APPLICATION FOR EXPLORATION LICENCE 70/5007

On behalf of our client, Brine Processors (WA) Pty Ltd, an application has been made for the above mentioned Exploration Licence 70/5007.

In accordance to requirements set out in the West Australian Mining Act, notification must be forwarded to the appropriate local government authority affected by the application.

As the land affected lies within your shire, please find attached a copy of the application and a plan showing the area of the application.

Should you have any queries, please do not hesitate to contact our office.

Yours Faithfully,

Celeste Patricio
McMahon Mining Titles
APPLICATION FOR MINING TENEMENT

(a) Type of tenement
(b) Time & Date recorded out (where applicable)
(c) Mineral Field

For each applicant:
(d) Full Name and
(e) Address
(f) No. of shares
(g) Total No. of shares

DESCRIPTIO OF GROUND APPLIED FOR:
(For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)

(h) Locality
(i) Datum Peg
(j) Boundaries
(k) Area (ha or km²)

(l) Signature of applicant or agent (state full name and address)

Official Use

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 1st day of September 2017 (See Note 4).

Where an objection to this application is lodged the hearing will take place on a date to be set.

Received at 10:28:18 on 28 July 2017 with fees of

Application $1,362.00
Rent $28,803.00
TOTAL $28,162.00
Receipt No: 75618745450

NOTES

Note 1: EXPLORATION LICENCE
(i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (ii), (iii), (iv) and (v) above.
(ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE
(i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

Note 3: GROUND AVAILABILITY
(i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
(ii) The following action should be taken to ascertain ground availability:
(a) public plan search; (b) register search; (c) ground inspection.

Note 4: ALL APPLICATIONS OVER PRIVATE LAND

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.
<table>
<thead>
<tr>
<th>PLAN NAME</th>
<th>PRIMARY NUMBER</th>
<th>GRATICULAR SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERTH</td>
<td>1185</td>
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TOTAL BLOCKS: 209
Executive Summary
This item seeks Council’s acceptance of the road maintenance report for July 2017.

Background
Listed are the roads graded for the month of July.

Grant Road
Metcalfe Road
Syson Road
Parnham Road
Waugh Road
Summers Road
Morton Road
Forrest Road
Lookout Road
Farris Road

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

Financial Implications
As per road maintenance budget

Strategic Implications
Area 1: Infrastructure and Natural Assets – Our Natural and Built Environment
Goal: A Community that develops and lives sustainably in a thriving natural and quality built environment, which meets current and future community needs.
Shire of Perenjori  
**Ordinary Council Meeting**  
**MINUTES**  
**17TH AUGUST 2017**

<table>
<thead>
<tr>
<th>Risk Statement</th>
<th>Level of Risk</th>
<th>Risk Mitigation Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not maintaining roads will lead to deterioration of the asset and safety issues for users</td>
<td>High</td>
<td>To maintain roads to a standard and implementation of a Road Maintenance Plan.</td>
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</table>

**Consultation**
NIL

**Comment**
Maintenance grading has been carried out from pickups and requests.

**Voting Requirements – Simple Majority**

**Officers Recommendation – Item 17084.1**
That the road maintenance report for July 2017 be accepted as presented.

**Council Resolution – Item 17084.1**

Moved: Cr R Desmond  
Seconded: Cr R Spencer
That the road maintenance report for July 2017 be accepted as presented.
Carried: 8/0
Executive Summary
The item recommends that Council support the proposed Tom O'Toole Presentation & Business Networking Opportunity to be hosted by the Shire of Morawa with a financial contribution of $1,500.

Background
Details of the proposed event are attached.

Statutory Environment
Sec. 3.1 of the *Local Government Act 1995* provides the following:

3.1. General function
(1) The general function of a local government is to provide for the good government of persons in its district.
(2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.
(3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

Policy Implications
Nil

Financial Implications
Funding for the event can be found from within the Community Functions account.

Strategic Implications
Area 2: Industry and Business Development – Our Economy

*Goal: Fostering and maximising growth across the economy, embracing opportunities for diversifying and strengthening our economic base.*

Risk Management
Risk Statement | Level of Risk | Risk Mitigation Strategy
---|---|---
There is always some risk that people attending the event could be injured. | Low | The Shire of Morawa to confirm that it will manage the event to minimise any risk to persons attending.

Consultation
The Acting CEO has spoken with the Shire of President and confirmed in-principle support for worthy joint ventures with other local governments.

Comment
The Shire of Morawa is seeking funding from other local governments as well. Depending on the level of support that is found, the Shire of Perenjori’s may be lessened.

Voting Requirements – Simple Majority

Officers Recommendation – Item 17085.1
That Council support the proposed Tom O’Toole Presentation & Business Networking Opportunity to be hosted by the Shire of Morawa with a financial contribution of $1,000.

Council Resolution – Item 17085.1
Moved: Cr J Hirsch
Seconded: Cr R Desmond
That Council support the proposed Tom O’Toole Presentation & Business Networking Opportunity to be hosted by the Shire of Morawa with a financial contribution of $1,000.
Carried: 5/4 on the casting vote of the Presiding Member

The above resolution was passed with President L Butler having the casting vote.

17086 PROJECT STATUS REPORT

APPLICANT: SHIRE OF PERENJORI
FILE: NIL
DISCLOSURE OF INTEREST: NIL
AUTHOR: STEPHEN TINDALE – ACTING CEO
RESPONSIBLE OFFICER: STEPHEN TINDALE – ACTING CEO
REPORT DATE: 17TH AUGUST 2017
ATTACHMENTS PROJECT STATUS REPORT

Executive Summary
The project status report is provided to Council in order that actionable items are recorded and results reported to council. Although this is information only, the status report is to be accepted by Council and recorded in the minutes to ensure councils are kept informed on the progress of the work undertaken by the Shire of Perenjori.
Background
Nil

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
Nil

Strategic Implications
Area 5: Investing in Councils Capacity – Our Leadership
Goal: Strengthen the Shire’s position as an innovative, independent local Government providing excellence in all areas of governance, management and leadership.

Consultation
Staff

Comment
Nil

Officer Recommendation – Item 17086
Council accepts the Project Status Report as presented for the month of July 2017.

Council Resolution – Item 17086
Moved: Cr G Reid          Seconded: Cr P Waterhouse
Council accepts the Project Status Report as presented for the month of July 2017.
Carried: 8/0

17087 STATUS REPORT
APPLICANT: SHIRE OF PERENJORI
FILE: NIL
DISCLOSURE OF INTEREST: NIL
AUTHOR: STEPHEN TINDALE – ACTING CEO
RESPONSIBLE OFFICER: STEPHEN TINDALE – ACTING CEO
REPORT DATE: 17TH AUGUST 2017
ATTACHMENTS STATUS REPORT
Executive Summary
The status report is provided to Council in order that actionable items are recorded and results reported to council. Although this is information only, the status report is to be accepted by Council and recorded in the minutes to ensure councils are kept informed on the progress of the work undertaken by the Shire of Perenjori.

Background
Nil

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
Nil

Strategic Implications
Area 5: Investing in Councils Capacity – Our Leadership

Goal: Strengthen the Shire’s position as an innovative, independent local Government providing excellence in all areas of governance, management and leadership.

Consultation
Staff

Comment
Nil

Officer Recommendation – Item 17087

Council Resolution – Item 17087
Moved: Cr P Waterhouse  Seconded: Cr R Spencer
Carried: 8/0

17088  OTHER BUSINESS

17088.1  MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

17088.2  QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

17088.3  URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION
Council Resolution – Item 17088.3

Moved: Cr R Desmond  Seconded: Cr L Smith
That Council accepts to move and second late item 17088.3.1.
Carried: 8/0

17088.3.1 LATE ITEM - REQUEST FOR LETTER SUPPORTING LAND RE-ZONING

APPLICANT: LEAH WATKINS
FILE: A620
DISCLOSURE OF INTEREST: NIL
AUTHOR: PETER MONEY – MCDS
RESPONSIBLE OFFICER: PETER MONEY – MCDS
REPORT DATE: 17TH AUGUST 2017
ATTACHMENTS: APPLICANT’S LETTER

Executive Summary
This item recommends Council considers a request to support the re-zoning of 3 Carnamah Perenjori Road currently zoned as Chalet Development.

Background
Council has received a request from a potential purchaser of Lot 3 Carnamah Perenjori Road requesting Council to support a re-zoning process for the land. The applicant has asked to use the land for a residence and also to keep “a couple” of horses.

Currently the Planning Scheme No 2 gazetted in July 2011, has 3 Carnamah Perenjori Road (in the Scheme as 3 Oversby Road) Perenjori zoned as a Special Use Zone Chalet Development (CD).

The Planning Scheme is quite specific about uses in Special Use Zones:

4.7.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

Council’s consultant planner agrees that any development other than a Chalet Development is not possible without a scheme amendment.

There have been a number of enquiries from people interested in purchasing the land but the zoning of Chalet Development is restricted to that purpose. This has resulted in a number of enquiries not proceeding.

It is probable at the time the Scheme was gazetted the idea of a Chalet Development on that site may have been feasible but it is unlikely that such a development will take place on the site in the foreseeable future.

At this time the applicant is seeking written support from Council in the form of a letter that if she was to purchase the land, Council would support re-zoning to Rural which gives some flexibility to have a residence and rural activities.
If the Council were to support a re-zoning the following is relevant;

- a) It is up to the purchaser to engage a suitable consultant, formally request a re-zoning and pay all the costs for the various stages of re-zoning;
- b) While the Council may support rezoning and provide a letter to that effect, there is no certainty the Planning Commission will support rezoning;
- c) Should the State planning Commission reject the rezoning there is no comeback on the Council in any way.
- d) All these factors will be conveyed to the applicant should Council agree to support a rezoning application.

Alternatively Council may also determine that it wants to retain this land for future chalet development as was originally intended when the Planning Scheme was adopted. It could suggest that the proposed purchaser seeks to purchase other land within or close to the Perenjori townsite already appropriately zoned for her proposed activities.

**Statutory Environment**

Shire of Perenjori Planning Scheme No 2. Item 4.7 and Schedule 4 Special use zones

**Policy Implications**

Nil

**Financial Implications**

Nil.

**Strategic Implications**

Area 3: People and place – Our Community

Goal: Demonstrating a high quality of life for all, offering relevant activities, facilities, and services to enable people to meet their needs and achieve their potential.

**Risk Management**
Risk Statement

The risk to the Council is that the land may lay vacant for an extended period of time and an opportunity for further development is lost.

<table>
<thead>
<tr>
<th>Level of Risk</th>
<th>Risk Mitigation Strategy</th>
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</thead>
<tbody>
<tr>
<td>Low</td>
<td>By agreeing to support a rezoning Council will not be implicated in costs though there will be some administrative work. There is no cost to the Council in monetary terms.</td>
</tr>
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</table>

Consultation

Landgate
Simon Lancaster – Consultant Planner

Comment

Nil

Voting Requirements – Simple Majority

Officers Recommendation – Item 17088.3.1

Option 1.
That Council advises the applicant that;

a) Council will support a re-zoning of 3 Carnamah Perenjori Road, Perenjori to Rural with all costs being met by the applicant;
b) Council cannot guarantee the State Planning Commission will support rezoning;
c) Council does not accept responsibility for decisions made by the State Planning Commission.

Option 2. Council advises the Applicant that it declines to support rezoning of Lot 3 Carnamah Perenjori Road Perenjori and intends to retain the land for use as future Chalet Development.

Council Resolution – Item 17088.3.1

Moved: Cr G Reid  Seconded: Cr K Pohl

Option 1.
That Council advises the applicant that;

a) Council will support a re-zoning of 3 Carnamah Perenjori Road, Perenjori to Rural with all costs being met by the applicant;
b) Council cannot guarantee the State Planning Commission will support rezoning;
c) Council does not accept responsibility for decisions made by the State Planning Commission.

Carried: 8/0
Hi my name is Leah Watkins and I am interested in 3 Carnamah Perenjori rd property to buy, but at the moment it is zoned chalet. I was wondering as I would like to live there either building a house or renovate the building on site, and have a couple of horses. As it would take 12 – 18 months to rezone could it be zoned rural, or residential. I think rural would be better as I have horses.

I would like to start to putting in gardens and either renovate or building with the shires approval of course, with in the next month or so. It is no use to me if I can’t live there if I have to wait 12 months. As I have bought the roadhouse I would like nothing better than for everything to be sorted within the next couple of months. It would be very much appreciated if this could happen.

As the bank won’t lend me money to buy the property as is zoned under chalet or special usage. If this can be done could I have a letter stating that the property would be rezoned, so I can give to my broker.

Thank you
Leah Watkins

17088.4 MATTERS BEHIND CLOSED DOORS

17088.5 DATE OF NEXT MEETING
The date of the next Council meeting will be held on Thursday 21st September 2017 commencing at 3.00 pm.

17088.6 CLOSURE

Cr L Butler declared the meeting closed at 3.58 pm.