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**Shire of Perenjori**
**MINUTES****Ordinary Council Meeting**


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Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 16<sup>th</sup> May 2013,  
commenced at 7 pm.

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<b>13051</b>	<b>PRELIMINARIES</b>
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**13051.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

Cr C King officially opened the meeting at 7.24 pm.

**13051.2 OPENING PRAYER**

Cr L Smith led Council in the opening prayer.

**13051.3 DISCLAIMER READING**

Nil

**13051.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

Cr CR King  
 Cr LC Butler  
 Cr GK Reid  
 Cr LJ Smith  
 Cr JR Cunningham  
 Cr RP Desmond  
 Cr HC Wass  
 Cr PJ Waterhouse  
 Ali Mills –CEO  
 Sam Parker – CDO (Left at 7.31pm)  
 Carla Sanderson – Executive Assistant

**Leave of Absence**

None

**Apologies**

Cr JH Hirsch  
 Ken Markham  
 David Fong

**13051.5        RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**13051.6        PUBLIC QUESTION TIME**

Nil

**13051.7        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.**

**Declaration of Proximity Interest – Cr L Smith**

Cr L Smith declared a Proximity Interest in Item 13056.7 - Exploration Licence because the lease is directly over her De-facto's property.

**13051.8        APPLICATIONS FOR LEAVE OF ABSENCE**

Cr L Smith requested Leave of Absence for the Ordinary Council Meeting being held on 20<sup>th</sup> June 2013.

**Moved: Cr R Desmond**

**Seconded: Cr J Cunningham**

**That Council accept Cr L Smith's request for Leave of Absence for the Ordinary Council Meeting to be held on 20<sup>th</sup> June 2013.**

**Carried: 8/0**

**13051.9        CONFIRMATION OF MINUTES**

Minutes of Ordinary Council meeting held 18<sup>th</sup> April 2013 are attached.

**COUNCIL RESOLUTION – Item 13051.9**

**Moved: Cr L Smith**

**Seconded: Cr P Waterhouse**

**That the minutes from the Ordinary Council Meeting held on Thursday 18<sup>th</sup> April 2013 be accepted as a true and accurate record.**

**Carried: 8/0**

**13051.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION**

Nil

**13051.11 PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

**13052 FINANCE****13052.1 FINANCIAL STATEMENTS – APRIL 2013**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>ADM 0081</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>DAVID FONG – SENIOR FINANCE OFFICER</b>
<b>RESPONSIBLE OFFICER</b>	<b>ALI MILLS–CEO</b>
<b>REPORT DATE:</b>	<b>16<sup>th</sup> May 2013</b>
<b>ATTACHMENTS</b>	<b>MONTHLY FINANCIAL REPORT</b>

**Executive Summary**

The Local Government Financial Management Regulations, Clause 34 (1) requires that a monthly financial report be presented to Council in a form and manner preferred by the Council. The monthly financial report is provided as a separate attachment. This format has been developed by Haines Norton, in conjunction with the Department of Local Government and is one that is generally adopted by Western Australian Local Governments. Some sheets are still under development, and will be available to Council over the next few months. This format is not mandatory, and is generally flexible, so should Council require further financial information to be included, it can be.

**Background**

The following statements are presented to Council:

- Statement of Financial Activity (Statutory Reporting by Program) - This provides the budget and actual income and expenditure for operating and non- recurrent as well and the closing surplus to date. (FM Reg 34(1))
- 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 4. – Cash & Investments
- Note 5. – Major Variances
- Note 6. – Budget Amendments
- Note 7. – Receivables & Rates Information
- Note 8. – Payables - Borrowings
- Note 9. - Reserves
- Note 10. - Capital Works Program ( under development)
- Note 11. - Trust Fund

The reporting requirements provide Council with a comparison between budget and actual income and expenditure as well as the funding requirements and movements for the reporting period.

#### **Statutory Environment**

Local Government (Financial Management) Regulations 1996

Presentation of a monthly financial activity report is required by the *Local Government Act (section 6.4)* and *Local Government (Financial Management) Regulation 34 (1)*.

Section 6.14 of the *Local Government Act 1995* grants Council the power to invest surplus funds.

#### **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 CEO and External Contractor

#### **Comment**

Nil

#### **Voting Requirements – Absolute Majority**

<b>Officers and Committees Recommendation – Item 13052.1</b>
That the Financial Reports for the period ended 30 April 2013, as attached to the Ordinary Council Agenda of 16 <sup>th</sup> May 2013, be accepted.

**COUNCIL RESOLUTION – Item 13052.1**

Moved: Cr H Wass

Seconded: C R Desmond

That the Financial Reports for the period ended 30 April 2013, as attached to the Ordinary Council Agenda of 16th May 2013, be accepted.

Carried: 8/0

**13052.2 ACCOUNTS FOR PAYMENT**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>1304P</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>DAVID FONG – SENIOR FINANCE OFFICER</b>
<b>RESPONSIBLE OFFICER:</b>	<b>ALI MILLS–CEO</b>
<b>REPORT DATE:</b>	<b>16<sup>th</sup> May 2013</b>
<b>ATTACHMENTS</b>	<b>ACCOUNTS FOR PAYMENT</b>

**Executive Summary**

To present the listing of accounts paid from the Municipal Fund and Trust Fund in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

**Background**

Council delegated to CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund.

**Statutory Environment**

Local Government Act 1995 – Section 5.42

Local Government (Financial Management) Regulations 1996 – Regulations 12 and 13

**Policy Implications**

All accounts are paid as per the Shire of Perenjori's 2012/13 Budget.

**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**

Regulation 13 (3) of the Local Government (Financial Management) Regulations 1996 requires that a list of payments be presented to Council and recorded in the Minutes of Council.

Accordingly, payments made for the period to 30 April 2013 are attached to the financial report. This report contains details of the payments made by the Shire in relation to goods & services received.

A further report is attached relating to Credit card payments deducted by Bankwest between February and April. These are currently being reviewed and full details will be provided to Council at its next meeting.

**Voting Requirements – Simple Majority**

**Officers and Committee Recommendation – Item 13052.2**

That the accounts paid to 30 April 2013 as listed in Schedule covering vouchers numbered from;

EFT and Cheques		
EFT 4560, EFT 4584 - EFT4641	\$ 661,355.14	Muni
Chq 18613, 18615 - 18642	\$81,522.51	Muni
Total EFT and Cheques	\$742,877.65	

Credit Card	\$3,545.51	Muni
Total Credit Card	\$ 3,545.51	

*Totalling \$746,423.16 be endorsed by Council.*

.....(Author)

.....(Manager/CEO)

## COUNCIL RESOLUTION – Item 13052.2

Moved: Cr R Desmond

Seconded: Cr J Cunningham

That the accounts paid to 30 April 2013 as listed in Schedule covering vouchers numbered from;

EFT and Cheques		
EFT 4560, EFT 4584 - EFT4641	\$ 661,355.14	Muni
Chq 18613, 18615 - 18642	\$81,522.51	Muni
Total EFT and Cheques	\$742,877.65	

Credit Card	\$3,545.51	Muni
Total Credit Card	\$ 3,545.51	

*Totalling \$746,423.16 be endorsed by Council.*

.....(Author)

.....(Manager/CEO)

Carried: 8/0

## 13053 COMMUNITY DEVELOPMENT

## 13053.1 MOUNT GIBSON PUBLIC BENEFIT TRUST – FUNDING ALLOCATIONS – APRIL 2013

APPLICANT	SHIRE OF PERENJORI
FILE:	ADM 0430
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	SAMUEL PARKER – CDO
RESPONSIBLE OFFICER:	SAMUEL PARKER -CDO
REPORT DATE: 6 <sup>TH</sup> MAY 2013	6 <sup>TH</sup> MAY 2013
ATTACHMENTS:	NONE

Executive Summary

Council awarded the Mount Gibson Public Benefit Trust Committee delegated authority in the November 2012 council meeting under Section 5.6 of the Local Government Act 1995. This is to table the latest round of funding distributed by the committee for Council's information.

The second round of the Mount Gibson Public Benefit Trust closed in April 2013, with the committee meeting on 17<sup>th</sup> April 2013 to review and discuss the submitted funding applications.

The Committee approved all the funding applications which are detailed below:

***Bush Heritage: \$10,000 for a family fun day and music event*** – conditions that local community is fully engaged, and buses are put on from the Shire to Charles Darwin Reserve.

***Latham Golf Club: \$2120 for new flags and a legal mobile transmitter.***

***Perenjori RSL: \$4820 for maintenance of the RSL Building.***

***Perenjori Sports Club: \$14,850 for repair of the cool room.***

***Perenjori St John Ambulance: \$12,000 for air conditioning.***

***Perenjori Tourist Bureau: \$2793 for a new computer and TV.***

### **Background**

Council supported this initiative at it's April meeting 2011 with the following agreed upon:

#### **3 PUBLIC BENEFIT FUND**

- 3.1 *Subsequent to the Date of Execution, Perenjori will establish a special purpose bank account for the Public Benefit Fund.*
- 3.2 *During the Term, MGM will contribute \$50,000 to the Public Benefit Fund every 6 months in arrears.*
- 3.3 *The annual contribution specified in clause 3.2 relates to the mining of Hematite Ore from the Extension Hill Iron Ore Project.*
- 3.4 *Payments out of the Public Benefit Fund will be subject to the majority approval of a committee comprising:*
  - (a) *the Perenjori Shire President or in his absence the Perenjori Shire Deputy President;*
  - (b) *a resident living within the jurisdiction of Perenjori, as selected by Perenjori; and*
  - (c) *the MGM Representative.*
- 3.5 *Payments out of the Public Benefit Fund must only be made for the public benefit of the citizens of Perenjori.*

Council further agreed to delegate authority to the Mount Gibson Public Benefit Committee on 12<sup>th</sup> November 2012.

Council delegate powers of decision making for the allocation of Mount Gibson Public Benefit Trust Funds to the Mount Gibson Public Benefit Trust Committee in accordance with the funding guidelines.

### **Statutory Environment**

Nil

### **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.

**Consultation**

Mount Gibson Public Benefit Trust Committee.

**Comment**

This item is for information purposes so councillors are Informed of Mount Gibson Public Benefit Trust funding decisions, and the benefits they provide to the community.

**Voting Requirements – None**

<b>Officers Recommendation – Item 13053.1</b>
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Council to receive the information as presented in this report
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<b>COUNCIL RESOLUTION – Item 13053.1</b>
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Moved: Cr G Reid

Seconded: Cr H Wass

Council to receive the information as presented in this report.

Carried: 8/0

<b>13054 HEALTH BUILDING &amp; PLANNING</b>
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NONE

Sam Parker left the meeting at 7.31pm.

<b>13055</b>	<b>PLANT AND WORKS</b>
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<b>13055.1</b>	<b>ROAD MAINTENANCE APRIL 2013</b>
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<b>APPLICANT:</b>	<b>WORKS SUPERVISOR</b>
<b>FILE:</b>	<b>NIL</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>KEN MARKHAM - WORKS SUPERVISOR</b>
<b>RESPONSIBLE OFFICER</b>	<b>KEN MARKHAM – WORKS SUPERVISOR</b>
<b>REPORT DATE:</b>	<b>7<sup>th</sup> MAY 2013</b>
<b>ATTACHMENTS</b>	<b>MAP</b>

**Executive Summary**

Listed are the roads graded for the month of April;

<i>Keogh Road</i>	<i>Otte Road</i>
<i>Keegan Road</i>	<i>Hirsch Road</i>
<i>Cannon East Road</i>	<i>Maya South West Road</i>
<i>Caron Road</i>	<i>Iona Road</i>
<i>James Road</i>	
<i>Waddi Road</i>	
<i>Liebe Road</i>	

**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 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.

**Consultation**

Nil

**Comment**

Nil

**Voting Requirements – Simple Majority**

<b>Officers Recommendation – Item 13055.1</b>
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That the road maintenance report for April be accepted as presented.
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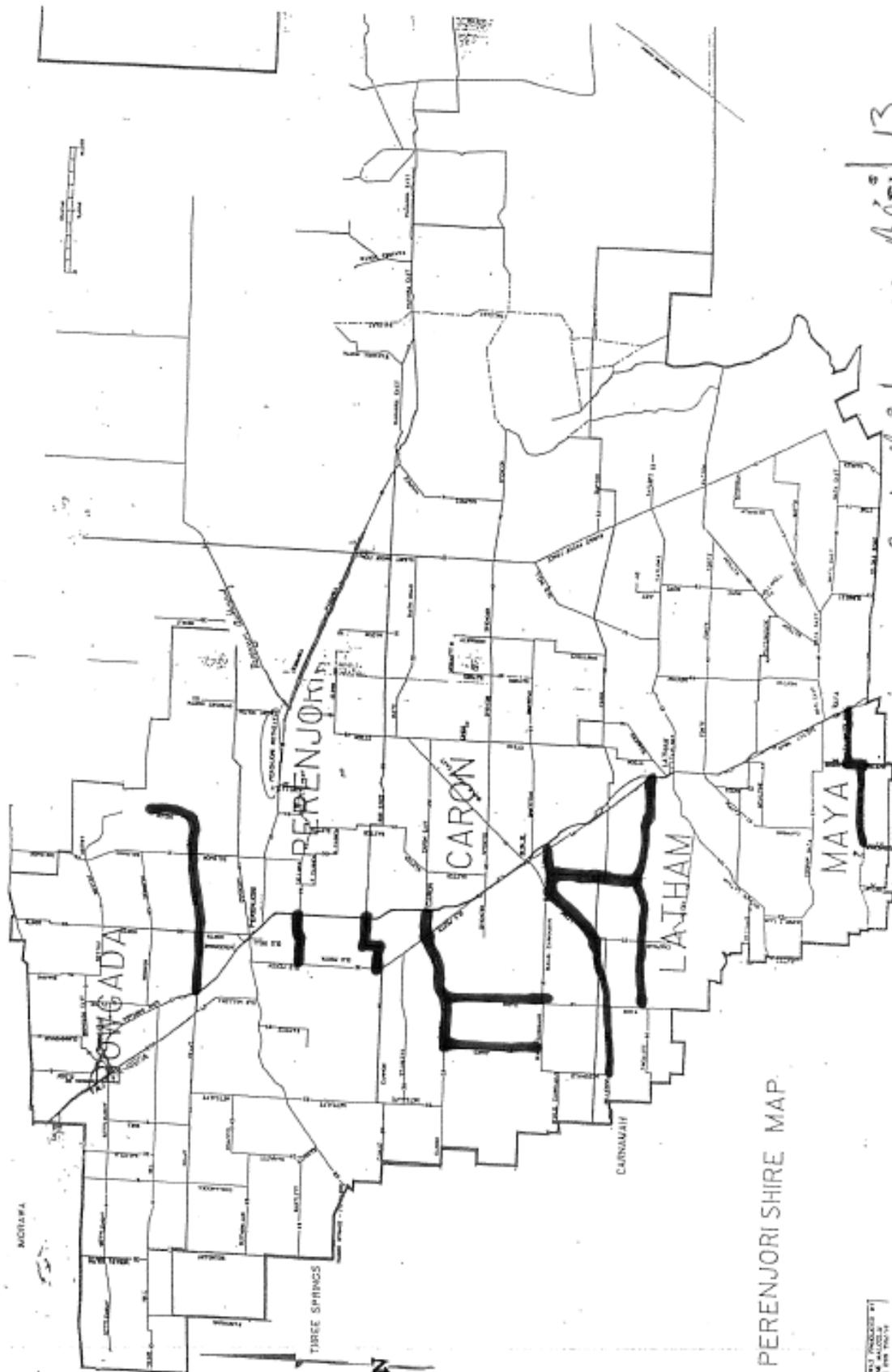
<b>COUNCIL RESOLUTION – Item 13055.1</b>
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**Moved: Cr L Butler**

**Seconded: Cr R Desmond**

**That the road maintenance report for April be accepted as presented.**

**Carried: 8/0**



*Road Maintenance April 13*

PERENJORI SHIRE MAP

<b>13056</b>	<b>GOVERNANCE</b>
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<b>13056.1</b>	<b>ESTABLISHMENT OF CAT POUND</b>
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**APPLICANT:** SHIRE OF PERENJORI

**FILE:** ADM 0442

**DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** ALI MILLS – CEO

**RESPONSIBLE OFFICER** ALI MILLS – CEO

**REPORT DATE:** 16<sup>th</sup> May 2013

**ATTACHMENTS** Nil

**Executive Summary**

The Cat Act requires the Shire to have a suitable compound to contain cats safely in accordance with the Act.

**Background**

The *Cat Act 2011* received Parliamentary assent on 9 November 2011. This Act will be implemented through a two phase approach;

Phase One by 1 November 2012; and  
Phase Two by 1 November 2013.

The development of this legislation follows extensive public consultation in July 2010, through the release of a consultation paper seeking input on the proposed legislation. Five hundred and ninety (590) submissions were received during the consultation period, with overwhelming support (84%) given for the introduction of all three key elements proposed in the consultation paper:

- Compulsory identification through micro-chipping;
- Compulsory registration; and
- Compulsory sterilisation.

Funds were made available by the Department of Local Government to assist Shires in meeting the requirements of the Act. In November 2012 Council supported the application of funds of \$4,741 to the Department of Local Government under the Cat Implementation Grant Program 2012-13. The application was successful, and now requires contributions from the Shire to implement the components.

The Cat Management Facility will have an overall cost of \$8,700 (exc gst) with a cash contribution of \$7,200 (exc gst) required from Council.

Financial Regulation, s6.8(1) states that, 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;

(b) is authorised in advance by resolution; or  
 (c) is authorised in advance by the mayor or president in an emergency. Therefore a budget amendment has been presented to move funds from the Consultancy account to create a new account for the cat Management Facility.

#### **Statutory Environment**

The Shire of Perenjori will be required to implement the Cat Act 2011 by November 2013.

#### **Policy Implications**

There is no policy which relates to this activity.

#### **Financial Implications**

Council's contribution of \$7,200 is unbudgeted for in this financial year and will require a budget amendment to allow this to occur.

#### **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.

#### **Consultation**

Contract Animal Control Officer

Mullewa Engineering Services

#### **Comment**

The opportunity has been provided to capitalise on the current prices for materials for the pound before any price increases are made. The budget can accommodate this expenditure with a reduction of expenditure expected in the consultancy area.

#### **Voting Requirements – Simple Majority**

<b>Officers Recommendation – Item 13056.1</b>			
That the following budget amendment be approved:			
FROM:		TO:	
ACC: 04238 Consultants ORIGINAL BUDGET: \$35,000	NEW BUDGET: \$27,800	ACC NEW (Capital) Cat Management Facility ORIGINAL BUDGET: 0	NEW BUDGET: \$8,700
ACC: 05203 Cat Control ORIGINAL BUDGET: \$1818	NEW BUDGET: \$318		

**COUNCIL RESOLUTION – Item 13056.1**

Moved: Cr R Desmond

Seconded: Cr H Wass

That the following budget amendment be approved:

FROM:		TO:	
ACC: 04238 Consultants ORIGINAL BUDGET: \$35,000	NEW BUDGET: \$27,800	ACC NEW (Capital) Cat Management Facility	NEW BUDGET: \$8,700
ACC: 05203 Cat Control ORIGINAL BUDGET: \$1818	NEW BUDGET: \$318	ORIGINAL BUDGET: 0	

Carried: 8/0

**13056.2 CREDIT CARD POLICY**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>ADM 0082</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>AUTHOR:</b>	<b>ALI MILLS – CEO</b>
<b>RESPONSIBLE OFFICER</b>	<b>ALI MILLS – CEO</b>
<b>REPORT DATE:</b>	<b>16<sup>th</sup> May 2013</b>
<b>ATTACHMENTS</b>	<b>Policy</b>

**Executive Summary**

The recent audit highlighted the need for Council to adopt a Credit Card policy to ensure usage of the credit card is in line with Council's intent for issuing the credit card.

**Background**

The audit report for 2011/2012 included a statement to the Electors of the Shire of Perenjori which identified areas needing attention. The need to have a Credit Card Policy was stated to ensure processes for establishing and documenting internal control procedures were in place.

Council's CEO is the only Officer authorised to have a credit card, with the following recommendation passed on the 10<sup>th</sup> October 2010:

*That council authorise the CEO to obtain a corporate Master card with a \$20 000 credit limit.*

The credit card has been used to purchase various goods and services providing opportunity to secure purchases in instances when credit is not an option.

The policy presented provides the guidance needed to ensure all purchases are accountable and includes the following key aspects:

## **1. Obligations of the Credit Cardholder**

### **1.1 Credit Card Usage**

The Credit Card

- Is only to be used for the purchase of goods and services on behalf of the Shire such
- as, but not limited to, accommodation, meals, fuel, travel expenses, conference/seminar fees, subscriptions to professional memberships, journals, publications and activity cost charges where purchase orders are not usable
- Shall not be used for cash advances
- Shall not be used for expenditure on personal items or services
- Shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward
- If lost, stolen and/or damaged shall be reported immediately to the financial institution
- The following are the approved methods of processing transactions subject to the cardholder, on each occasion, maintaining a documented record of such transactions:
  - Across the counter (the cardholder signs a purchase slip at the time of purchase)
  - By telephone (the transaction is completed by quoting Corporate card details to the supplier)
  - By mail, quoting card details on orders to suppliers
  - By internet (the transaction is completed by quoting credit card details to the supplier)

### **1.2 Acquittals**

It is the responsibility of the respective cardholder to retain purchase/expenditure documentation, tax invoices and reconcile with credit card statements at the end of each month.

Each cardholder must sign the credit card statement in the space provided to validate the transactions shown on the statement and present to the Senior Finance Officer for presentation within Council's monthly reports.

Disputed amounts must be investigated by the cardholder and notification must be

provided  
immediately to the Senior Finance Officer.

#### **Statutory Environment**

The following provisions of the *Local Government Act 1995* (the Act) and associated regulations impact on the use and control of corporate credit cards:

- Section 2.7(2)(a) and (b) of the Act requires the council to oversee the allocation of the local government's finances and resources and to determine the policies of the local government.
- Section 6.5(a) of the Act requires the CEO to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.
- *Local Government (Financial Management) Regulation 11(1)(a)* requires local governments to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisations in place for the use of credit cards.

#### **Policy Implications**

This is a new policy which will need to be reviewed annually to ensure it is implemented as is intended and continues to meet the respective Acts and Regulations.

#### **Financial Implications**

Regular payment will need to be made to minimise interest charges on purchase amounts.

#### **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**

Shire of Morawa

Shire of Mingenew

WALGA

Department of Local Government

#### **Comment**

The policy presented will provide staff with the guidelines and control needed to ensure a consistent and effective approach of use of the credit card.

#### **Voting Requirements – Simple Majority**

**Officers Recommendation – Item 13056.2**

1. That the Credit Card Policy be adopted as presented by Council for immediate use.
2. That the CEO establish and sign an agreement which sets out the cardholders responsibilities and legal obligations when using the card.

**COUNCIL RESOLUTION – Item 13056.2**

Moved: Cr L Smith

Seconded: Cr P Waterhouse

1. That the Credit Card Policy be adopted as presented by Council for immediate use.
2. That the CEO establish and sign an agreement which sets out the cardholders responsibilities and legal obligations when using the card.

Carried: 8/0

**13056.3 INVESTMENT POLICY**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>ADM 0252</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>ALI MILLS – CEO</b>
<b>RESPONSIBLE OFFICER</b>	<b>ALI MILLS – CEO</b>
<b>REPORT DATE:</b>	<b>16<sup>th</sup> May 2013</b>
<b>ATTACHMENTS</b>	<b>Policy</b>

**Executive Summary**

The recent audit highlighted the need for Council to adopt an investment policy in order to meet responsibilities under the Local Government Act 1995 – section 6.14, The Trustees Act 1962 and to comply with the Financial Management Regulation's 1996.

**Background**

The audit report for 2011/2012 included a statement to the Electors of the Shire of Perenjori which identified areas needing attention. The need to have an Investment Policy was stated to not only comply with Financial Management Regulations but also to ensure processes for establishing and documenting internal control procedures were in place.

Within Council's Delegation register item 3003 – Investment of Surplus Funds, gives authority to the Finance committee to: invest money held in any Council fund that is not required for immediate use, in an approved investment.

The new policy recommends:

Limit	Activity	Delegated Authority To Open and Operate Account
Investment decision (within Limit) <\$750,000	Investment Decision	Chief Executive Officer and Finance Committee
	Place Investments	Chief Executive Officer Joint with DCEO
	Transfer Investments to the Municipal Account	Chief Executive Officer Joint with DCEO
Investment decision (exceeding Limit) > \$750,000	Investment Decision	Council Resolution by Absolute Majority (Investment Advisor may be consulted)
	Place Investments	Shire President and Chief Executive Officer
	Transfer Investments to the Municipal Account	Shire President and Chief Executive Officer

The Investment Policy prepared has been adopted and presented by the Department for Local Government as the model sample Investment Policy. The Policy includes details on:

- Purpose of the Policy
- Objective
- Delegated Authority
- Prudent Person Standard
- Authorised Investments
- Prohibited Investments
- Risk management Controls
- Investment Advisor
- Reporting and Review

- Liquidity

**Statutory Environment**

*Local Government Act 1995* – Section 6.14;

The *Trustees Act 1962* – Part III Investments;

*Local Government (Financial Management) Regulations 1996* – Regulations 19, 28 and 49

Australian Accounting Standards

**Policy Implications**

This will be a new policy which will need to be implemented and reviewed.

**Financial Implications**

Implications are minimised by having the policy and ensuring Council and staff are guided by the policy.

**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**

Shire of Morawa

Shire of Mingenew

WALGA

Department of Local Government

**Comment**

The policy presented will provide staff with the guidelines and control needed to ensure a consistent and effective approach to investments occurs.

**Voting Requirements – Simple Majority**

<b>Officers Recommendation – Item 13056.3</b>
<ol style="list-style-type: none"><li>1. That the Investment Policy be adopted as presented by Council for immediate use.</li><li>2. That the CEO adjust the Delegations Register to meet the requirements as detailed in the policy.</li></ol>

**COUNCIL RESOLUTION – Item 13056.3**

Moved: Cr J Cunningham

Seconded: Cr H Wass

1. That the Investment Policy be adopted as presented by Council for immediate use.
2. That the CEO adjust the Delegations Register to meet the requirements as detailed in the policy.

Carried: 8/0

**13056.4 WUBIN – MULLEWA ROAD IMPROVEMENTS LAND ACQUISITION**

<b>APPLICANT:</b>	<b>MAIN ROADS</b>
<b>FILE:</b>	<b>ADM 0364</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>CEO – ALI MILLS</b>
<b>RESPONSIBLE OFFICER</b>	<b>CEO – ALI MILLS</b>
<b>REPORT DATE:</b>	<b>16<sup>TH</sup> MAY 2013</b>
<b>ATTACHMENTS</b>	<b>Letter and maps (2)</b>

**Executive Summary**

Main Roads are requesting Council consider additional land be dedicated as road reserve to allow reconstruction and widening safety improvements on the Wubin – Mullewa Road.

**Background**

Main Roads have provided details of land which needs to be acquired and included in the road reserve to allow for reconstruction and widening safety improvements. There are two Land Dealing Drawings involved being: 1260 184-1 and 1260-183 for Wubin-Mullewa Road, 82 to 100 SLK being approximately 15.5 km north of Perenjori.

To enable the additional land to be dedicated as road reserve it is a requirement of the Land Administration Act that Local Authority concurrence be given to the dedication action. Main Roads have contacted the landowners and sought their consent, which has occurred. Council's CEO has confirmed with the landowners of their consent to the land acquisition.

The State Land services require a copy of the Council meeting minutes relating to the concurrence, and Main Roads will indemnify Council against all costs and charges that relate to this dedication.

**Statutory Environment**

Land Administration Act – Section 56

**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.

**Consultation**

Main Roads  
Land Owner

**Comment**

This item is a matter of due process and is necessary to ensure improvements to the Wubin-Mullewa Road occurs.

**Voting Requirements – Simple Majority****Officers Recommendation – Item 13056.4**

That Council concur to the dedication of the land, the subject of Main Roads' drawings 1260-184-1 and 1260-183, as road under Section 56 of the land Administration Act.

**COUNCIL RESOLUTION – Item 13056.4**

Moved: Cr G Reid

Seconded: Cr P Waterhouse

That Council concur to the dedication of the land, the subject of Main Roads' drawings 1260-184-1 and 1260-183, as road under Section 56 of the land Administration Act.

Carried: 8/0

**13056.5 COMMUNITY STRATEGIC PLAN 2013-2023**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>ADM 0231</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>CEO – ALI MILLS</b>
<b>RESPONSIBLE OFFICER</b>	<b>CEO – ALI MILLS</b>
<b>REPORT DATE:</b>	<b>16<sup>TH</sup> MAY 2013</b>
<b>ATTACHMENTS</b>	<b>Community Strategic Plan – Hard Copy</b>

**Executive Summary**

The Shire of Perenjori Strategic Community Plan 2013 – 2023 has completed extensive community consultations, staff input and review and is now presented for Council to adopt.

**Background**

The *Local Government (Administration) Regulations 1996* has been amended to require each local government to adopt a Strategic Community Plan and a Corporate Business Plan.

Section 5.56(1) and (2) of the Act requires that each local government is 'to plan for the future of the district', by developing plans in accordance with the regulations.

The new regulations specify what a 'plan for the future' should involve. In particular, local governments will be formally required to develop and adopt two new planning instruments:

- A Strategic Community Plan, and
- A Corporate Business Plan.

In February 2012, the previous CEO presented Council with the option of contracting of Sue Middleton from WA Grassroots Development with the following proposal:

- Develop a clear vision of the current economic base and future economic base for the industries and communities within the Shire. It will propose a growth plan for the Shire.
- Detail a response to the unique opportunities and challenges facing the Shire.
- Be a basis for future detailed planning by Council and regional planning with MWDC, RDL, WAPC, DOP and infrastructure agencies/bodies.
- Link to land use plans and processes of the Shire (however it won't be a statutory planning process).
- Detail the social infrastructure (health, education, social service provision, childcare, aged care, police, recreation etc) and services required to ensure the liveability and competitiveness of the Shire.
- Detail the physical infrastructure asset condition and needs for the future.
- Detail environmental issues and needs for the future to ensure the sustainability of the community's future.

**Community Consultation:**

Extensive community consultations have taken place over the year which has included:

- Three workshops targeting different communities of interest and different demographic segments, with 26 people participating.
- Agency Interviews were conducted targeting key agencies based upon the key issues and opportunities emerging
- Regional scenario planning workshop, which involved six Government agencies
- Interviews with industry and business representatives were conducted with ten local businesses
- Two scenario planning workshops were held inviting community and regional participation

- Community prioritisation follow-up workshops for the identification of clear strategic projects
- Council prioritisation involved the fine tuning of these projects and prioritising,
- Public comment has been sought throughout the process inviting input through email, post or verbally through a meeting.

Once the plan is adopted Council will be required to conduct a strategic review within two years of adoption, and a full review within 4 years of adoption.

### **Statutory Environment**

Local Government Act 1995 S 5.56 states:

5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

The new regulations specify what a 'plan for the future' should involve. In particular, local governments will be formally required to develop and adopt two new planning instruments:

- A Strategic Community Plan, and
- A Corporate Business Plan.

### **Policy Implications**

Nil

### **Financial Implications**

The cost of this process has been included in the existing budget

### **Strategic Implications**

Area 5: Investing in Councils Capacity – Our Leadership

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

### **Consultation**

Community  
Department of Local Government  
Business  
Government  
Council

### **Comment**

The process for developing the plan has been very extensive with the benefit of having a very experienced and competent facilitator in Sue Middleton on board to drive this. As a result the plan is very reflective of the community and Council and the aspirations they have to see the community grow and continue to develop. The important process from here is to

ensure the plan remains reflective of the needs and interests across the community with regular reviewing of the plan.

#### Voting Requirements – Absolute Majority

#### **Officers Recommendation – Item 13056.5**

That Council by Absolute Majority, pursuant to Section 5.56 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the Shire of Perenjori Strategic Community Plan 2013-2023
2. Make copies available to the public and the Department of Local Government.

#### **COUNCIL RESOLUTION – Item 13056.5**

**Moved: Cr R Desmond**

**Seconded: Cr L Smith**

**That Council by Absolute Majority, pursuant to Section 5.56 of the Local Government Act 1995 RESOLVES to:**

- 1. ADOPT the Shire of Perenjori Strategic Community Plan 2013-2023**
- 2. Make copies available to the public and the Department of Local Government.**

**Carried by Absolute Majority: 8/0**

#### **13056.6 COMPLIANCE AUDIT RETURN 2012**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>ADM 0081</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>CEO – ALI MILLS</b>
<b>RESPONSIBLE OFFICER</b>	<b>CEO – ALI MILLS</b>
<b>REPORT DATE:</b>	<b>16<sup>TH</sup>MAY 2013</b>
<b>ATTACHMENTS</b>	<b>Compliance Audit Return 2012 and Letters</b>

#### Executive Summary

The purpose of this report is for council to consider and adopt the Compliance Audit Return (CAR) for 2012.

#### Background

It is a requirement of each local government (including regional local governments) to carry out a compliance audit in relation to the period 1 January to 31 December each year against the requirements set out in the CAR.

The return is completed online via the Department of Local Government (DLG) website. After the Compliance Audit Return (CAR) has been presented to council, a certified copy of the return (both in hard copy and electronically) along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit is to

be submitted to the Director General of the Department of Local Government prior to the 31 March each year. Due to the late audit and challenges with staffing this deadline was not able to be achieved.

A change to the regulations requires that the audit committee now reviews the CAR and reports the results of that review to the Council prior to adoption by Council and the March submission to the Department.

A letter was provided to the Department of Local Government providing information on actions being implemented by Council to address matters raised in the Audit Report. This is in the attachments.

#### **Statutory Environment**

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires the local governments Audit Committee to review the CAR and report the results to Council prior to the CAR's adoption by Council and submission to the DLG.

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### **Strategic Implications**

Area 5: Investing in Councils Capacity – Our Leadership

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

#### **Consultation**

#### **Comment**

The Finance area, identified questions regarding matters raised in the auditor's report. Information was required on actions taken and details of any reports provided to Council.

#### **Voting Requirements – Simple Majority**

#### **Officers Recommendation – Item 13056.6**

Council endorse the 2012 Compliance Audit Return as presented, without amendment, for submission to the Executive Director, Department of Local Government.

#### **COUNCIL RESOLUTION – Item 13056.6**

Moved: Cr L Smith

Seconded: Cr L Butler

Council endorse the 2012 Compliance Audit Return as presented, without amendment, for submission to the Executive Director, Department of Local Government.

Carried: 8/0

**Declaration for Proximity Interest – Cr L Smith**

Prior to any consideration of Item 13056.6, Cr L Smith declared a Proximity Interest in Item 13056.7 - Exploration Licence because the lease is directly over her De facto's property

**Moved: Cr J Cunningham**

**Seconded: Cr P Waterhouse**

**That Cr L Smith be allowed to stay and vote for Item – 13056.7 Applications for Exploration Licence 70/4491.**

**Carried: 7/0**

<b>13056.7</b>	<b>APPLICATIONS FOR EXPLORATION LICENCE 70/4491</b>
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**APPLICANT: SWANCOVE ENTERPRISES**

**FILE: ADM 0216**

**DISCLOSURE OF INTEREST: Nil**

**AUTHOR: ALI MILLS – CEO**

**RESPONSIBLE OFFICER ALI MILLS – CEO**

**REPORT DATE: 16<sup>th</sup> May 2013**

**ATTACHMENTS Letters**

**Executive Summary**

Correspondance has been received advising Council of an application from Swancove Enterprises Pty Ltd for an Exploration Licence submitted to the Department of Mines and Petroleum (DMP).

This report recommends that Council acknowledges the applications and recommends to the DMP that certain conditions be imposed.

**Background**

We have been advised this company has applied to the DMP for an exploration licence. All companies have a requirement to notify the respective Shire of the application for the licence. They have provided location plans detailing land area to be explored.

Correspondance received from:

- Swancove Enterprises Pty Ltd

**Statutory Environment**

*Mining Act 1978*

**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 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.

**Consultation**

Nil

**Comment**

Whilst Council has minimal power over whether exploration licences are approved or not it is recommended that certain conditions be presented.

**Voting Requirements – Simple Majority**

**Officers Recommendation – Item 13056.7**

That Council acknowledges the application for exploration Licence 70/4491 and requests the following conditions be imposed by the Department of Mines and Petroleum if the exploration licences are 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 mining tenement prior to or at the termination of 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. Except with the approval of the Shire of Perenjori, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated at the completion of the operation to the satisfaction of the Shire of Perenjori.
8. All works comply with the Environmental Protection (Noise) Regulations 1997.
9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

**COUNCIL RESOLUTION – Item 13056.7**

Moved: Cr J Cunningham

Seconded: Cr L Butler

That Council acknowledges the application for exploration Licence 70/4491 and requests the following conditions be imposed by the Department of Mines and Petroleum if the exploration licences are 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 mining tenement prior to or at the termination of 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. Except with the approval of the Shire of Perenjori, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated at the completion of the operation to the satisfaction of the Shire of Perenjori.
8. All works comply with the Environmental Protection (Noise) Regulations 1997.
9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

Carried: 8/0

<b>13056.8</b>	<b>COUNTRY LOCAL GOVERNMENT FUND – REGIONAL BLACK SPOT MOBILE COVERAGE</b>
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<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>ADM 0142</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NONE</b>
<b>AUTHOR:</b>	<b>CEO – ALI MILLS</b>
<b>RESPONSIBLE OFFICER</b>	<b>CEO – ALI MILLS</b>
<b>REPORT DATE:</b>	<b>16<sup>TH</sup> MAY 2013</b>
<b>ATTACHMENTS:</b>	<b>Maps</b>

**Executive Summary**

The purpose of this report is for the Council to consider the locations of proposed Mobile Towers recommended by the Mid West Regional Committee and Telstra and to consider the allocation of funds from the 2013/14 budget to contribute to the overall costs of the project.

**Background**

A regional committee has met with Telstra representatives on two occasions to review the coverage which may be gained by establishing towers at various locations. The committee has endeavoured to locate the towers so each Shire gains some benefit from the project and the community benefits from a more efficient regional network. The costs of individual towers vary depending on the tower structure required, access to power and the availability of Telstra transmission equipment. The work undertaken to date demonstrates that the best solution for the region cannot be achieved within the \$1m project budget, therefore to achieve the Regions aim to acquire a reliable communications network, further grant funds must be sought and a contribution from each Shire from their own funds. Normal funding for such projects are funded by the Regional Development Commission therefore the Mid West Region may seek to source top up funding from the Commission. This will in turn require funds to be contributed by the member shires.

The base funding for this project became available due to the Solar Thermal Project being delayed while a feasibility study is carried out. The funding is part of the Regional component of the Royalties for the Regions 2012/13 allocation amounting to \$1 m.

The Morawa Shire Council agreed to reallocate these funds at its meeting held 18<sup>th</sup> April 2013 and endorsed the following recommendation:

*“The Morawa Shire Council supports the reallocation of the committed 2012/13 funding from the Country Local Government Fund Regional Component from:-*

1. *The North Midlands Solar Thermal Power Project (Morawa as lead LG) - \$1M to be reallocated to a regional project between the Shires of Morawa, Mingenew, Three Springs and Perenjori to install mobile towers to improve mobile communication in the region.*
2. *Depot Hill Crossing Project (Mingenew as lead LG) - \$333,111 remains the same.”*

Telstra representatives advise that mobile base stations are normally a fixed cost but may vary with the connection of AC power with a high capacity link from a fibre access point. Smart phones demand signals to be close to the hence in many locations the towers have had to move back into towns. There is generally a one off capital cost to establish a reliable network with Telstra covering any ongoing costs to maintain and update the system.

The initial costing's estimated by the Telstra representatives were not discounted as these decisions were required to be undertaken by head office in order to evaluate the benefits the towers will have to the overall network. This evaluation will take approximately two weeks. If the shires where to make their own power connections to the sites selected there is possible cost Saving.

Telstra have now furnished each member Council with an estimated cost to establish the following recommended

**Towers:-**

- Arrino Telephone Exchange ( using the existing 45.5m mast)
- Yandanooka Telephone Exchange (requiring a new 60m mast)
- Three Springs East Exchange (using the existing 57.5m mast)
- Bunjil (using the existing 50m mast at St John Ambulance structure)

- Latham (greenfield site requiring a new 60m mast, water tank site)
- Merkanooka (greenfield site midway between Morawa and Mingenew, requiring a new 60m mast. AC power costs are dependent on the final site location and will not be included in the business case evaluation)
- Morawa East (greenfield site 20kms east of Morawa, requiring a new 60m mast. AC power costs are dependent on the final site location and will not be included in the business case evaluation)

The estimated costs supplied by Telstra are as follows:-

- Arrino \$510,000
- Yandanooka \$700,000
- Three Springs East \$800,000
- Bunjil \$350,000
- Latham \$500,000
- Merkanooka \$780,000  
(Council to meet cost of power connection)
- Morawa East \$780,000  
(Council to meet cost of power connection)
- Total \$4,420,000

The Shire of Morawa has appointed consultants Left of Centre Concepts and Events to prepare the

Business Case for funding, who will complete their documentation once the member councils have determined

The final locations of the towers and method of funding.

### **Statutory Environment**

Local Government Act 1995

### **Policy Implications**

Nil

### **Financial Implications**

An allocation of approx. \$150 000 would need to be considered in the 2013/14 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.

### **Consultation**

Telstra

Shires of Morawa, Mingenew, and Three Springs

Shire President

**Comment**

The phone locations have been selected with guidance from Telstra based upon locations providing best coverage, access to AC power and a fibre access point. These locations are indicated only and may need to be changed in consultation with the Shire's in order to achieve efficiency. Cr King explored the best locations with the maximum coverage particularly of the Highway with Telstra to result in the Bunjil and Latham locations. Power is a cost factor which may impact on the Bunjil site which may require additional funding from Council for this.

**Voting Requirements – Simple Majority****Officers Recommendation – Item 13056.8**

That the Council endorse the tower location selections affecting the Shire of Perenjori, being Latham, (Water Tank), Bunjil (St Johns Ambulance site) and list a Shire funding contribution for consideration in the 2013/14 Budget.

**COUNCIL RESOLUTION – Item 13056.8**

Moved: Cr G Reid

Seconded: Cr P Waterhouse

That the Council endorse the tower location selections affecting the Shire of Perenjori, being Latham, (Water Tank), Bunjil (St Johns Ambulance site) and list a Shire funding contribution for consideration in the 2013/14 Budget.

Carried: 8/0

**13056.9 DIFFERENTIAL RATES FOR 2013-14**

APPLICANT: SHIRE OF PERENJORI

FILE: ADM 0085

DISCLOSURE OF INTEREST:

AUTHOR: CEO – ALI MILLS

RESPONSIBLE OFFICER: CEO – ALI MILLS

REPORT DATE: 16<sup>TH</sup> MAY 2013

ATTACHMENTS: Document

**Executive Summary**

Council is required to advertise its intention to impose a differential rate, and must seek Ministerial permission for Mining Rates.

**Background**

Council must advertise (local public notice) its intention to impose differential rates or differential minimum rates and allow a 21 day comment period before imposing differential rates. The period in which advertising may occur is 1 May 2013 to 30 June 2013.

Whilst it is not the intention at this time to set the rates for the 2013-14 year, to provide some context of the proposed differential rate, the following information is provided:

Basis for Rating	Current Rate in \$	Proposed % Increase	Proposed Rate in \$
Gross Rental Value	6.7210	10%	7.3931
UV – Rural	1.6860	10%	1.8546
UV – Mining	30.00	6%	32.1

Minimum Rates

UV – Rural	220.00	300.00
UV – Mining	370.00	395.00
GRV – Perenjori	220.00	300.00
GRV – Latham	115.00	150.00
GRV – Other Towns	60.00	75.00

The proposed increases are based on two principal factors - the predicted increase in the Local Government Cost Index for 2013-14 and rates charged at neighbouring councils. The Local Government Cost Index is designed to more accurately reflect increases in costs than CPI which is oriented towards household goods and services.

The Shire of Perenjori will likely experience higher costs than the index due to the impact of mining. All employers are experiencing wage cost pressures because of the competition with mining and mining contractors for skilled staff. The rates for Perenjori have been compared with other Shires in the Midwest for whom mining is a significant activity. As can be seen from the table below, Perenjori is now at the lower end of the range for all sectors with the exception of Three Springs. Mingenew have approval to increase their mining rate by 7.5c in 13/14 and 14/15 bringing it to 30c.

The proposed increase will bring Perenjori rates back in line with the general trend within the region.

Local Government	Mining Rate 12-13	UV – Rural Rate 12-13	GRV Rate 12-13
Morawa	50.0	3.63	10.34
Yalgoo	35.75	6.28	7.12
Mount Magnet	27.26	5.83	8.81
Cue	26.00	7.26	9.15
Three Springs	5.7058	1.3033	9.5
Perenjori	30	1.686	6.721
Mingenew	15	1.1697	10.7236

	Mining Minimum	UV Rural Minimum	GRV Minimum
Morawa	\$740	\$248.85	\$248.85
Yalgoo	\$250	\$250	\$250
Mount Magnet	\$408	\$360	\$360
Cue	\$500	\$500	\$300
Three Springs	\$400	\$400	\$400
Perenjori	\$370	\$220	\$220
Mingenew	\$750	\$450	\$330

### **Statutory Environment**

#### Section 6.33 Local Government Act 1995.

A local government may impose differential general rates according to zoning under a Town Planning Scheme or according to purpose for which the land is held (as determined by the Local Government). *In this case we impose different unimproved value rates on agricultural and mining land use.*

Must have Ministerial approval if imposing a differential rate which is more than twice the lowest differential rate imposed by the local government. *The proposed mining rate is more than twice the agricultural rate.*

#### Section 6.35 (6) Local Government Act 1995.

Differential minimum payment may be imposed. The proposed minimums for agriculture and mining are different. *Ministerial permission is required to impose a lesser minimum on other town sites than is applied in Perenjori because collectively these properties exceed 50% of GRV properties to which a minimum rate is applied.*

#### Section 6.36 Local Government Act 1995. Subsection (1)

Local public notice must be given before imposing differential rates.

- May be published between 1<sup>st</sup> May and 30<sup>th</sup> June.
- Must contain
  - Details of each rate or minimum.
  - An invitation for submissions to be made by any elector or a ratepayer (within 21 days of the notice – or can be longer).
  - Any other information as per regulations.
  - Is to advise electors and ratepayers of the time and place where a document describing the objects of and reasons for each rate and minimum may be inspected.

Submissions must be considered before imposing the differential rates.

### **Policy Implications**

Nil

### **Financial Implications**

The proposed changes would represent an overall increase in income from rates.

### **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.

#### **Consultation**

WALGA Local Government Economic Briefing

Other local governments in the area

#### **Comment**

The purpose of this agenda item is for Council to **approve the imposition of a differential rate** on UV Mining. Adoption of a rate in the dollar and minimum rates will be the subject of a future item when considering the budget for 2013-14.

#### **Voting Requirements – Simple Majority**

#### **Officers Recommendation – Item 13056.9**

That Council advertise its intentions to impose differential rates and differential minimum rates as follows:

1. That Council seek ministerial approval under Section 6.33(3) of the Local Government Act to impose a differential rate on the unimproved value of mining tenements that is more than twice the lowest unimproved value rate in the shire.
2. That Council seek ministerial approval under Section 6.36 of the Local Government Act to impose a minimum rates differential rate on the unimproved value of mining tenements that is more than twice the lowest unimproved value rate in the Shire.
3. That Council seek ministerial approval under Section 6.36(5) of the Local Government Act to impose minimum GRV rates that do not comply with the provisions of Section 6.36 (2), (3) and (4) of the Act.

#### **COUNCIL RESOLUTION – Item 13056.9**

Moved: Cr G Reid

Seconded: Cr J Cunningham

That Council advertise its intentions to impose differential rates and differential minimum rates as follows:

1. That Council seek ministerial approval under Section 6.33(3) of the Local Government Act to impose a differential rate on the unimproved value of mining tenements that is more than twice the lowest unimproved value rate in the shire.
2. That Council seek ministerial approval under Section 6.36 of the Local Government Act to impose a minimum rates differential rate on the unimproved

value of mining tenements that is more than twice the lowest unimproved value rate in the Shire.

That Council seek ministerial approval under Section 6.36(5) of the Local Government Act to impose minimum GRV rates that do not comply with the provisions of Section 6.36 (2), (3) and (4) of the Act.

Carried: 8/0

<b>13057</b>	<b>OTHER BUSINESS</b>
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<b>13057.1</b>	<b>MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN</b>
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<b>13057.2</b>	<b>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</b>
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<b>13057.3</b>	<b>URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION</b>
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Council arranged for a Budget Review Meeting to be held prior to the Ordinary Council meeting on Wednesday 12<sup>th</sup> June 2013 at 7pm.

Moved Cr L Smith

Seconded: Cr R Desmond

That Council have a Budget Review Meeting on Wednesday 12<sup>th</sup> June 2013 at 7pm.

Carried: 8/0

<b>13057.4</b>	<b>DATE OF NEXT MEETING / MEETINGS</b>
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The next Ordinary Council Meeting will be held on the 20<sup>th</sup> June 2013.

<b>13057.5</b>	<b>CLOSURE</b>
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Cr C King officially closed the meeting at 8.20pm.

*I certify that this copy of the Minutes is a true and correct record of the meeting held on 16<sup>th</sup> May 2013.*

*Signed:* \_\_\_\_\_

*Presiding Elected Member*

*Date:* \_\_\_\_\_