

Shire of Perenjori

MINUTES

Ordinary Council Meeting

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 20th June 2013,
to commenced at 1.30 pm.

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13061	PRELIMINARIES
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13061.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

Cr C King officially opened the meeting at 1.38 pm.

13061.2 OPENING PRAYER

Cr C King led Council in the opening prayer.

13061.3 DISCLAIMER READING

Nil

13061.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Cr CR King
Cr LC Butler
Cr GK Reid
Cr JH Hirsch (Arrived at 2.10 pm)
Cr JR Cunningham
Cr RP Desmond
Cr PJ Waterhouse
Ali Mills –CEO
David Fong – SFO
Ken Markham – Works Supervisor
Sam Parker – CDO (Left at 2.05pm)
Carla Sanderson – Executive Assistant (Left at 2.05pm)

Leave of Absence

Cr LJ Smith

Apologies

Cr HC Wass

13061.5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

13061.6 PUBLIC QUESTION TIME

Nil

13061.7 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.

13061.8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

13061.9 CONFIRMATION OF MINUTES

Minutes of Ordinary Council meeting held 16th May 2013 are attached.

COUNCIL RESOLUTION – Item 13061.9
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Moved: Cr R Desmond

Seconded: Cr P Waterhouse

That the minutes from the Ordinary Council Meeting held on Thursday 16th May 2013 be accepted as a true and accurate record.

Carried: 6/0

13061.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

13061.11 PETITIONS / DEPUTATIONS / PRESENTATIONS

13062	COMMUNITY DEVELOPMENT
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13062.1	PERENJORI EARLY CHILDHOOD CENTRE
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APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0410
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	SAM PARKER - CDO
RESPONSIBLE OFFICER:	ALI MILLS-CEO
REPORT DATE:	7th JUNE 2013
ATTACHMENTS:	Terms of Reference

Executive Summary

The report seeks the support of Council to establish a steering group with Councilor participation to ensure the continued development of the Perenjori Early Childhood Centre

Background

The objective of the Perenjori Parenting and Early Childhood Centre (PECC) project is to establish and develop a facility and community resource, focused on early learning and family support services that will be available for the local and surrounding communities.

The building of the PECC has the potential to become a children's hub for Perenjori and surrounding areas. The facility will be able to provide a high quality early childhood education program and with the inclusion of the licensed child care service, a high quality care program complemented by a range of other early childhood support and development activities such as child health.

Collocation of these facilities with the PPS will help establish relationships between Children's services and allow a seamless transition between early childhood and education services as well as providing dedicated spaces for activities such as therapy for primary school students.

The Shire of Perenjori is committed to the establishment and development of this Centre with the aim that its development will provide the following outcomes for the town and surrounding area:

- lead to improved outcomes for both the health and education of zero to five year olds;
- help close the educational and social developmental gap in outcomes for Aboriginal children;
- complement the recently formed PaCTS (Perenjori and Coorow, Three Springs) Primary School cluster of Independent Public Schools launched in 2010 by providing support, additional facilities and information services;

- Extend the work of the existing PPS principal to develop a pre-kindergarten program at the school in the context of scheduled changes with the Early Years Learning Framework (a National Quality Framework aiming to standardize and improve quality of care provision between various forms of childcare, pre-kindergarten programs and out of school care for young children) partly funded through the Department of Education and Training;
- provide a dedicated permanent space for rent for the community child health services under the Memorandum of Understanding between the Shire of Perenjori and WACHS – Mid West – Morawa – Perenjori Health Service; (*See Appendix 9 – MOU Shire and WACHS – Midwest*)
- provide a hub (one-stop-shop) for the delivery of services for children to the end of primary school and their families;
- provide a facility for the operation of the Perenjori Playgroup and Toy Library;
- provide additional employment opportunities within the region;
- provide a licensed childcare service in Perenjori; and
- Help attract young families to Perenjori as an initiative of the Shire of Perenjori's Community Strategic Plan.

It is proposed to develop a working group to consist of the following members;

- Perenjori Primary School Principle
- Perenjori Play Group Members x 2
- Community Member x 1
- Perenjori Primary School Teachers x 2
- Department of Communities

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Shire of Perenjori - \$145,000

Regional CLGF - \$400,000

Local CLGF - \$105,000

MWIP/LotteryWest/Mount Gibson/Karara - \$1,150,000

Strategic Implications

Strategic Aim 3 - People and Place – Develop PECC Perenjori Early Childhood Centre

Consultation

Department for Education, Perenjori Playgroup and Perenjori Primary School

Comment

The project is currently awaiting sign off for funding from the Mid West Investment Plan, which is currently sat with the Minister. Once this funding is signed off, this will trigger the other funding streams to allow the project to commence.

In the meantime, the CDO and CEO have identified some key stakeholders in the community, who can help feed in to the development of the Project, and we would like to seek council's permission to set up a steering group for the project, Cr Wass has volunteered to chair the group. The terms of reference have been included as an attachment to this item.

Voting Requirements – Simple Majority**Officers Recommendation – Item 13062.1**

That Council:

1. Supports the development of a Perenjori Early Childhood Centre, steering group which will meet regularly to progress this project with monthly reports provided to Council for information and/or recommendations for action.
2. Nominate Cr Harold Wass to participate in the working group, demonstrating Council's commitment to this project.

COUNCIL RESOLUTION – Item 13062.1

Moved: Cr R Desmond

Seconded: Cr G Reid

That Council:

1. Supports the development of a Perenjori Early Childhood Centre steering group which will meet regularly to progress this project with monthly reports provided to Council for information and/or recommendations for action.
2. Nominate Cr Harold Wass to participate in the working group, demonstrating Council's commitment to this project.

Carried: 6/0

13062.2 CHARLES DARWIN RESERVE – BLUES FOR THE BUSH

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0452
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	SAM PARKER - CDO
RESPONSIBLE OFFICER:	ALI MILLS–CEO
REPORT DATE:	7th JUNE 2013
ATTACHMENTS:	Proposal for the Event

Executive Summary

This item seeks Council support for a large public event.

Charles Darwin Reserve are celebrating their 10 year anniversary in October 2013. To commemorate this they are organising a community fun day, followed by a music event in the evening. The Shire has been approached by Bush Heritage to become co presenter for the event. The idea is to create a sustainable signature event for the Shire of Perenjori, and Bush Heritage believe that with the Shire's involvement, the event could be run annually for the area putting Perenjori on the map.

Background

The idea for an event came out of the Community Strategic Plan. The Shire was going to commission Left Of Centre to undertake a feasibility study into the running of a major event within the Shire of Perenjori. The Shire was contacted soon after, and informed of the event Bush Heritage were looking to organise and whether the Shire wanted to be a co presenter for the event.

After initial discussions, the event organiser and Bush Heritage have put together a proposal based on these discussions for Council, outlining the event and what's involved. The attachment is linked to this agenda item.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

\$30,000 Cash Contribution

Plus other in-kind support such as EHO, Permits etc.

Strategic Implications

Strategic Theme 4: Civic Leadership – PJ Mojo.

Consultation

Shire CEO, and community through Strategic Plan Workshops.

Comment

We have asked for exclusivity, with regards to other Shires, so that the Shire of Perenjori is the only Shire associated with the event at the highest level. If Council approve there will be a MOU drafted outlining the partnership arrangements between the Shire and Bush Heritage. BHA will be the main partner in the first year, while the Shire of Perenjori looks at the viability of running the event on an annual basis.

Voting Requirements – Simple Majority**Officers Recommendation – Item 13062.2**

1. Council approve \$30,000 contribution towards the running of the event along with in kind support outlined in the attachment to this item, in the 2013/2014 budget.
2. That council approve the motion for Perenjori to become a partner with Bush Heritage Australia in the running of the Blues for the Bush.

COUNCIL RESOLUTION – Item 13062.2**Moved: Cr G Reid****Seconded: Cr P Waterhouse**

1. Council consider a \$30,000 contribution towards the running of the event along with in kind support outlined in the attachment to this item, in the 2013/2014 budget.
2. That council approve the motion for Perenjori to become a partner with Bush Heritage Australia in the running of the Blues for the Bush.
3. That the CDO provides details regarding the in kind support costings to be distributed to Councilors for an out of session approval by 15th July 2013.

Carried: 6/0

13062.3 SHIRE OF PERENJORI – DISABILITY ACCESS AND INCLUSION PLAN

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0211
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	SAM PARKER - CDO
RESPONSIBLE OFFICER:	ALI MILLS–CEO
REPORT DATE:	12th JUNE 2013
ATTACHMENTS:	Disability Access and Inclusion Plan - Draft

Executive Summary

As a local government The Shire of Perenjori is required to have Disability Access and Inclusion Plan. (DAIP) The attached DAIP builds on the work completed in the 2007-2011 plan, and looks at how the Shire continues to address and promote awareness, programs and projects that meet the needs of the community in any planning processes. It is a statutory requirement for all Local Governments to have a DAIP.

Background

Public authorities (State Government agencies and Local Governments) in Western Australia have been required to have Disability Service Plans (DSPs) as part of the Disability Services Act (1993). DSPs have been in place for over 10 years, and a great deal of progress has been made by State and Local Government towards ensuring that their services, buildings, and information are accessible to people with disabilities.

Statutory Environment

The Disability Services Act was amended in 2004 and now requires public authorities to develop and implement Disability Access and Inclusion Plans (DAIPs). The requirements of DAIPs build on those of DSPs, so that people with disabilities can access services provided by public authorities in Western Australia in a way that facilitates increased independence, opportunities and inclusion within the community.

The Act makes DAIPs mandatory, and guides their development, implementation and reporting. The Act also requires that DAIPs apply to agents and contractors providing a service to the public for public authorities as well as the staff of the authority.

Section 29B of the Act states “a public authority that has a disability access and inclusion plan must take all practicable measures to ensure that the plan is implemented by the public authority and its officers, employees, agents or contractors”.

The Act’s associated Regulation 8 states “Information in reports about disability access and inclusion plans (s. 29). For the purposes of section 29(4) of the Act, a report about a disability access and inclusion plan must include information relating to:

- a) progress made by the relevant public authority and any agents and contractors of the relevant public authority in achieving the desired outcomes specified in Schedule 3; and

b) the strategies implemented by the relevant public authority to inform its agents and contractors of its disability access and inclusion plan”.

Policy Implications

Ensures Compliance with Local Government Act 1995.

Financial Implications

Nil

Strategic Implications

Strategic Theme 3 - People and Place

Consultation

Community, Shire Staff and CEO.

Comment

The Shire ranks very well across a number of issues. The main concern from the community seems to be around ACROD parking and government services. There was a great deal of positive feedback on Shire Staff being helpful and understanding, and comments on how well the Shire communicates with the community.

Voting Requirements – Simple Majority

Officers Recommendation – Item 13062.3
Council adopt the proposed Draft Disability Access and Inclusion Plan.

COUNCIL RESOLUTION – Item 13062.3
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Moved: Cr L Butler

Seconded: Cr J Cunningham

Council adopt the proposed Draft Disability Access and Inclusion Plan.

Carried: 6/0

Sam Parker and Carla Sanderson left the Council meeting at 2.05pm.

Cr J Hirsch joined the Council meeting at 2.10pm.

13063	FINANCE
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13063.1	FINANCIAL STATEMENTS – MAY 2013
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APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0081
DISCLOSURE OF INTEREST:	0
AUTHOR:	DAVID FONG – SENIOR FINANCE OFFICER
RESPONSIBLE OFFICER	ALI MILLS–CEO
REPORT DATE:	11th June 2013
ATTACHMENTS	MONTHLY FINANCIAL REPORT

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.

Accounts for Payment

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 31 May 2013 are attached to the financial report. This report contains details of the payments made by the Shire in relation to goods & services received.

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.

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.

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**Officer and Committees Recommendation – Item 13063.1**

That the Financial Reports for the period ended 31 May 2013, as attached to the Ordinary Council Agenda of 20th June 2013, be accepted

COUNCIL RESOLUTION – Item 13063.1

Moved: Cr R Desmond

Seconded: Cr J Hirsch

That the Financial Reports for the period ended 31 May 2013, as attached to the Ordinary Council Agenda of 20th June 2013, be accepted

Carried: 7/0

13063.2 ACCOUNTS FOR PAYMENT

APPLICANT:	SHIRE OF PERENJORI
FILE:	1305P
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	DAVID FONG – SENIOR FINANCE OFFICER
RESPONSIBLE OFFICER:	ALI MILLS–CEO
REPORT DATE:	10th June 2013
ATTACHMENTS:	ACCOUNTS FOR PAYMENT

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 **31st May 2013** are attached to the financial report. This report contains details of the payments made by the Shire in relation to goods & services received.

Voting Requirements – Simple Majority

Officer and Committees Recommendation – Item 13063.2

That the accounts paid to 31 May 2013 as listed in Schedule covering vouchers numbered from –

EFT , Cheques, & Credit Cards		
EFT	\$ 332,300.32	Muni
Chq	\$7,885.07	Muni
Credit Card	\$9,823.52	Muni
Total EFT , Cheques & Credit Cards	\$350,008.91	

Totalling \$350,008.91 be endorsed by Council.

.....(Author)

.....(Manager/CEO)

COUNCIL RESOLUTION – Item 13063.2

Moved: Cr R Desmond

Seconded: Cr J Cunningham

That the accounts paid to 31 May 2013 as listed in Schedule covering vouchers numbered from –

EFT , Cheques, & Credit Cards		
EFT	\$ 332,300.32	Muni
Chq	\$7,885.07	Muni
Credit Card	\$9,823.52	Muni
Total EFT , Cheques & Credit Cards	\$350,008.91	

Totalling \$350,008.91 be endorsed by Council.

.....(Author)

.....(Manager/CEO)

Carried: 7/0

13064 HEALTH BUILDING & PLANNING**13064.1 APPOINTMENT OF ENVIRONMENTAL HEALTH OFFICER**

APPLICANT: SHIRE OF PERENJORI
FILE: ADM0398
DISCLOSURE OF INTEREST: THIS ITEM CONCERNS AUTHORS EMPLOYMENT WITH SHIRE OF PERENJORI
AUTHOR: GEOFF BENSON - EHO
RESPONSIBLE OFFICER: ALLISON MILLS - CEO
REPORT DATE: 13th June 2013
ATTACHMENTS NIL

Executive Summary

The appointment of Mr. Benson as an Environmental Health Officer for the Shire of Perenjori.

Background

Each Local Authority in WA is required to appoint an Environmental Health Officer to act as their deputy and hence carry out within its district the provisions of the Health Act, regulations, local laws and orders made thereunder.

The Shire of Perenjori is contracting one (1) day per week from the Shire of Three Springs, for the provision of the services of their Environmental Health and Building Officer, Geoff Benson.

This report therefore recommends that Council appoint Mr Benson as an Environmental Health Officer under section 26 of the Health Act 1911 (as amended), to carry out all of the functions and duties of the Health Act, regulations and local laws, for the Shire of Perenjori Health District.

Statutory Environment

Section 26 of the Health Act 1911 (as amended) states:

Powers of local government

Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder:

Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

Section 28 of the Health Act 1911, goes on to state:

Appointments to be approved

(1) Every appointment by a local government of a medical officer of health, environmental health officer, or analyst shall be subject to the approval of the Executive Director, Public Health who may require satisfactory proof of competency to be supplied, and may give his approval absolutely or with any modification or condition as to the period of appointment or otherwise.

(2) No officer entrusted with moneys under this Act shall be appointed by a local government until he shall have given security for the faithful discharge of his duties, nor shall any such officer be continued in his office except whilst such security is subsisting and in force.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Consultation

Nil

Comment

Nil

Voting Requirements – Simple Majority**Officers Recommendation – Item 13064.1**

That Council appoint Mr Geoffrey Benson as an Environmental Health Officer under section 26 of the Health Act 1911 (as amended), to carry out all of the functions and duties of the Health Act, regulations and local laws, for the Shire of Perenjori Health District.

COUNCIL RESOLUTION – Item 13064.1

Moved: Cr J Hirsch

Seconded: Cr L Butler

That Council appoint Mr Geoffrey Benson as an Environmental Health Officer under section 26 of the Health Act 1911 (as amended), to carry out all of the functions and duties of the Health Act, regulations and local laws, for the Shire of Perenjori Health District.

Carried: 7/0

13065 PLANT AND WORKS**13065.1 ROAD MAINTENANCE MAY 2013**

APPLICANT:	WORKS SUPERVISOR
FILE:	NONE
DISCLOSURE OF INTEREST:	NONE
AUTHOR:	KEN MARKHAM - WORKS SUPERVISOR
RESPONSIBLE OFFICER	KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE:	4th June 2013
ATTACHMENTS	NONE

Executive Summary

Listed are the roads graded for the month of May.

Old Perth Road

Caron Road

Syson Road

Taylors Road

Maya Coorow Road
Maya Sth West Road
Rabbit Proof Fence Road
Jackson Road
Carmichael Road
Bryant Road
Maya East Road

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

Officer and Committees Recommendation – Item 13062.1
That the road maintenance report for May be accepted as presented.

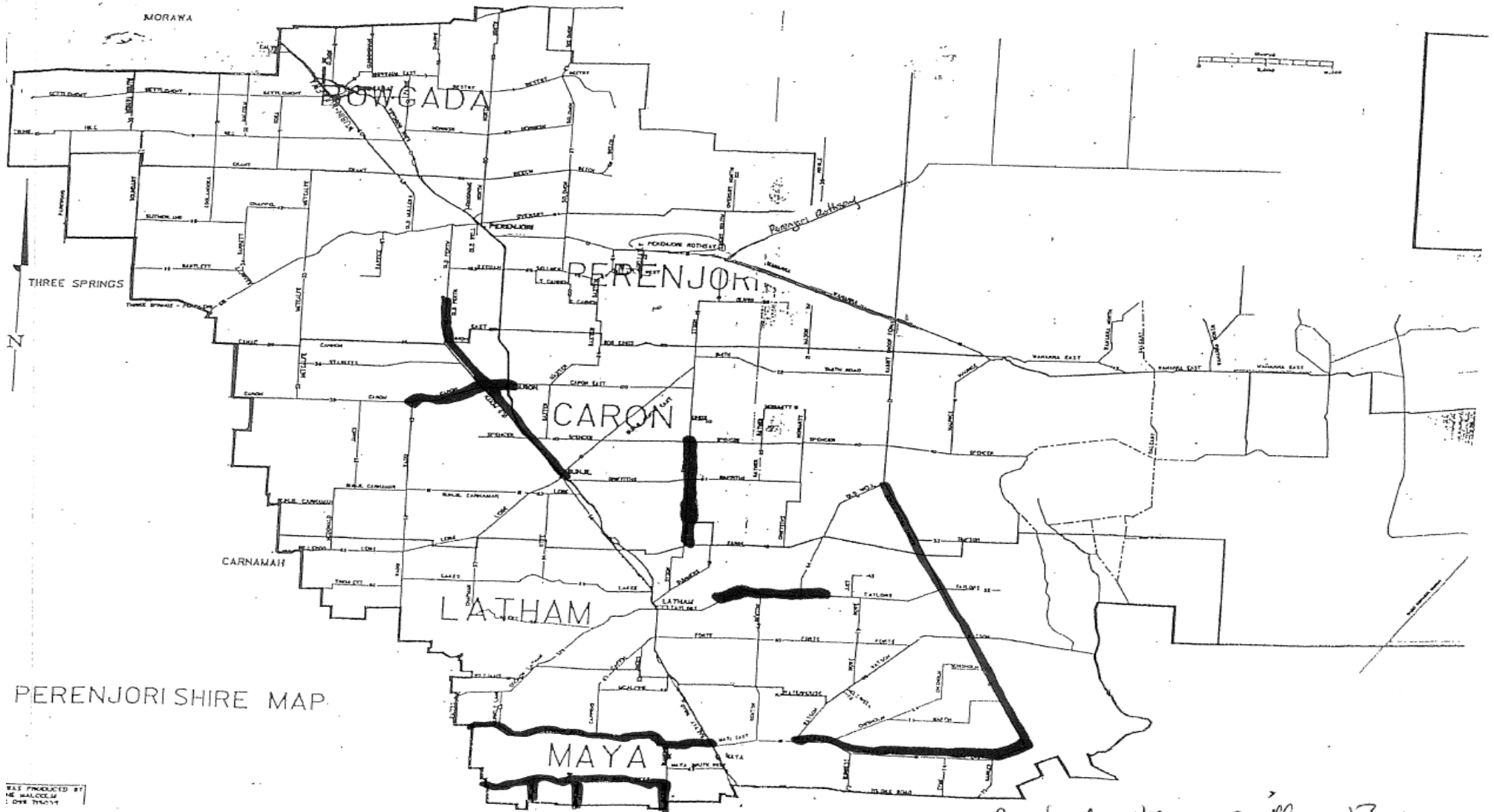
COUNCIL RESOLUTION – Item 13062.1
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Moved: Cr L Butler

Seconded: Cr J Cunningham

That the road maintenance report for May be accepted as presented.

Carried: 7/0



Road Maintenance May 13

13065.2 PROPOSED PLANT REPLACEMENT BUDGET

APPLICANT:	WORKS SUPERVISOR
FILE:	ADM0339
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	KEN MARKHAM - WORKS SUPERVISOR
RESPONSIBLE OFFICER	KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE:	4th June 2013
ATTACHMENTS	Spreadsheet

Executive Summary

Attached is the 10 year Plant replacement Program. There has been adjustments made to the program due to no plant being changed over in the 2012/13 financial year. This includes the skid steer, Western Star prime mover, water tanker and a utility. Plant for the upcoming year already listed include the mechanics vehicle, CEO's and CDO's vehicle. The first of the Nissan UD tipper is also due for replacement as its lease agreement is up.

Background

Council has a 10 year Plant replacement program which is reviewed every year. Plant is changed over as per the whole of life cost analysis carried out several years ago. All plant over its optimum life recovers its replacement cost over this time.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

As per plant replacement program

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

Officer and Committees Recommendation – Item 13062.2

That the Works Supervisor investigates options for the replacement of plant including the cost and benefits of leasing, lease/purchasing and purchasing.

COUNCIL RESOLUTION – Item 13062.2

Moved: Cr L Butler

Seconded: Cr P Waterhouse

That the Works Supervisor investigates options for the replacement of plant including the cost and benefits of leasing, lease/purchasing and purchasing.

Carried: 7/0

13065.3 DRAFT ROAD PROGRAMME 2013/14

APPLICANT:	WORKS SUPERVISOR
FILE:	ADM0286
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	KEN MARKHAM - WORKS SUPERVISOR
RESPONSIBLE OFFICER	KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE:	4th June 2013
ATTACHMENTS	Spreadsheet

Executive Summary

The draft road program for 2013/14 is attached. Any possible changes to the proposed program need to be discussed so final costs can be put forward for consideration in the upcoming 2013/14 budget.

Background

Each year a draft road programme is put forward for discussion and any changes or other considerations discussed to present for to full Council for acceptance and adoption for the upcoming financial year.

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

As per budgeted road programme

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

Proposed Road program previously presented to Plant & Works Committee and Council for review and feedback. To date no feedback received.

Comment

Nil

Voting Requirements – Simple Majority

Officers Recommendation – Item 13065.3
That the proposed road programme for 2013/14 be reviewed and endorsed for consideration in the 2013/14 budget.

COUNCIL RESOLUTION – Item 13065.3
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Moved: Cr L Butler

Seconded: Cr G Reid

That the proposed road programme for 2013/14 be reviewed and endorsed for consideration in the 2013/14 budget.

Carried: 7/0

13066	GOVERNANCE
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13066.1	PROPOSED WINDING UP OF BUNTINE-WEST WUBIN LAND CONSERVATION DISTRICT COMMITTEE
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APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM0202
DISCLOSURE OF INTEREST:	0
AUTHOR:	PETER MONEY – ACTING DCEO
RESPONSIBLE OFFICER:	ALI MILLS – CEO
REPORT DATE:	20th May 2013
ATTACHMENTS	Letter

Executive Summary

This report seeks the support of Council for the proposed winding-up of the Buntine-West Wubin Land Conservation District Committee (LCDC).

Background

The LCDC's ceased to exist in September 2001 when the member's terms of appointment expired. The LCDC was a statutory committee established under sections 22 and 23 of the Soil and Land Conservation Act 1945, to manage activities in the Buntine-West Wubin Land Conservation District that was proclaimed by the Governor in 1985. Members of the LCDC are appointed by the Commissioner and duly gazetted. Since 30th September 2001 the LCDC has had no authority to operate. Glen Wheaton, Deputy Commissioner of Soil and Land Conservation has stated in his letter, "it is apparent that there is now a lack of interest in continuing the LCDC's", and is requesting support to proceed with the winding-up of this committee.

Statutory Environment

Support is needed from Local Governments within the District before presenting a recommendation to the Minister.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Consultation

Gail Arnold – LCDC Project Officer
Local Governments in District

Comment

The Northern Agricultural Catchment Council (NACC) and the Yarra Yarra Catchment Council are both fulfilling the conservation goals that were being worked on by the LCDC.

Voting Requirements – Simple Majority**Officers Recommendation – Item 13066.1**

That Council support the winding-up of the Buntine-West Wubin Land Conservation District Committee and provide written advice of this decision to the Commissioner of Soil and Land Conservation.

COUNCIL RESOLUTION – Item 13066.1

Moved: Cr J Cunningham

Seconded: Cr R Desmond

That Council support the winding-up of the Buntine-West Wubin Land Conservation District Committee and provide written advice of this decision to the Commissioner of Soil and Land Conservation.

Carried: 7/0

13066.2	PROPOSED WINDING UP OF PERENJORI LAND CONSERVATION
DISTRICT	COMMITTEE

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM0202
DISCLOSURE OF INTEREST:	0
AUTHOR:	PETER MONEY – ACTING DCEO
RESPONSIBLE OFFICER:	ALI MILLS – CEO
REPORT DATE:	20th May 2013
ATTACHMENTS	Letter

Executive Summary

This report seeks the support of Council for the proposed winding-up of the Perenjori Land Conservation District Committee (LCDC).

Background

The LCDC's ceased to exist in September 2000 when the member's terms of appointment expired. The LCDC was a statutory committee established under sections 22 and 23 of the Soil and Land Conservation Act 1945, to manage activities in the Perenjori Land Conservation District that was proclaimed by the Governor in 1990. Members of the LCDC are appointed by the Commissioner and duly gazetted. Since 30th September 2000 the LCDC has had no authority to operate. Andrew Watson, Commissioner of Soil and Land Conservation has stated in his letter, "it is apparent that there is now a lack of interest in continuing the LCDC's", and is requesting support to proceed with the winding-up of this committee.

Statutory Environment

Support is needed from Local Governments within the District before presenting a recommendation to the Minister.

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

Gail Arnold – LCDC Project Officer
Local Governments in District

Comment

The Northern Agricultural Catchment Council (NACC) and the Yarra Yarra Catchment Council are both fulfilling the conservation goals that were being worked on by the LCDC.

Voting Requirements – Simple Majority

Officers Recommendation – Item 13066.2
That Council support the winding-up of the Perenjori Land Conservation District Committee and provide written advice of this decision to the Commissioner of Soil and Land Conservation.

COUNCIL RESOLUTION – Item 13066.2
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Moved: Cr G Reid

Seconded: Cr J Cunningham

That Council support the winding-up of the Perenjori Land Conservation District Committee and provide written advice of this decision to the Commissioner of Soil and Land Conservation.

Carried: 7/0

13066.3	APPLICATION TO TRADE – REQUEST FOR TRADERS PERMIT
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APPLICANT:	JUST LICKIT ICECREAM
FILE:	ADM 0323
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	PETER MONEY – ACTING DCEO
RESPONSIBLE OFFICER:	ALI MILLS - CEO
REPORT DATE:	20TH JUNE 2013
ATTACHMENTS	LETTERS

Executive Summary

Correspondence has been received from Rob Bottrell of Just Lickit Icecreams requesting Council approval to operate a soft serve ice cream van in Perenjori. The applicant states in his letter that the intention is to operate in Perenjori for about two half days a month between April and November and to trade at the occasional local sporting events, carnivals and shows.

The applicant will not operate on the main street as a consideration to local businesses and to avoid traffic issues. As the Shire has control of its local streets and Reserves and is the enforcement agency for the *Food Act* and the *Trading in Thoroughfares and Public Places Local Law*.

In accordance with the Local Law (5.3) the applicant requires Council approval for the issuing of a traders permit. The Council may apply conditions to the permit in accordance with the Local Law (5.6 & 6.3).

The applicant is required to hold and display a current valid Registration to trade as a food business. This Registration is issued by the Shire of Three Springs and is valid for operations in the Shire of Perenjori subject to the Council granting a Traders Permit.

Background

The applicant is based in Three Springs but wants to service neighbouring towns. The applicant has a valid Food Business registration which is valid where the business trades.

Statutory Environment***Shire of Perenjori Local Law Trading in Thoroughfares and Public Places******5.3 Trader's permit***

(1) A person shall not carry on trading unless that person is—

- (a) the holder of a valid trader's permit; or
- (b) an assistant specified in a valid trader's permit.

(2) Every application for a trader's permit shall—

- (a) state the full name and address of the applicant;
- (b) specify the proposed number of assistants, if any, to be engaged by the applicant in trading, as well as their names and addresses if already engaged;
- (c) specify the location or locations in which the applicant proposes to trade;

(d) specify the period of time for which the permit is sought, together with the proposed days and hours of trading;

(e) specify the proposed goods or services which will be traded; and

(f) be accompanied by an accurate plan and description of any proposed structure or vehicle which

may be used by the applicant in trading.

(3) The conditions subject to which the local government may approve an application for a trader's

permit include that the permit holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the permit holder must move on from that location within a reasonable time of the last purchase having been made.

Food Act 2008 (Section 110 (6))

Registration of food businesses

Policy Implications

Nil

Financial Implications

Nil

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.

Consultation

Geoff Benson - Environmental Health Officer

Comment

The Council may refuse or approve the application but if refused the Shire must advise the applicant the reasons for refusal. Currently there is no fee in the Schedule of Fees and Charges for a Traders Permit but the Council could create a fee in the coming Budget.

The current Local Law governs traders including mobile traders and the Local Law enables the Council to apply fees provided the fees are included in the Schedule of Fees and Charges. The conditions below are those prescribed in the Local Law but the Council is not required to apply any or all of these conditions;

5.6 Conditions of permit

(1) If the local government approves an application for a permit under this Division subject to conditions, those conditions may include—

(a) the place, the part of the district, or the thoroughfare to which the permit applies;

(b) the days and hours during which a permit holder may conduct a stall or trade;

(c) the number, type, form and construction, as the case may be, of any stand, table, structure or vehicle which may be used in conducting a stall or in trading;

(d) the goods or services in respect of which a permit holder may conduct a stall or trade;

(e) the number of persons and the names of persons permitted to conduct a stall or trade;

(f) the requirement for personal attendance at the stall or the place of trading by the permit holder and the nomination of assistants, nominees or substitutes for the permit holder;

- (g) whether and under what terms the permit is transferable;
 - (h) any prohibitions or restrictions concerning the—
 - (i) causing or making of any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder;
 - (ii) the use of amplifiers, sound equipment and sound instruments;
 - (iii) the use of signs; and
 - (iv) the use of any lighting apparatus or device;
 - (i) the manner in which the permit holder's name and other details of a valid permit are to be displayed;
 - (j) the care, maintenance and cleansing of the stall or any structure used for trading and the place of the stall or any structure;
 - (k) the vacating of the place of a stall or trading when the stall is not being conducted or trading is not being carried on;
 - (l) the acquisition by the stallholder or trader of public risk insurance;
 - (m) the period for which the permit is valid; and
 - (n) the designation of any place or places where trading is wholly or from time to time prohibited by the local government.
- (2) Where a permit holder by reason of illness, accident or other sufficient cause is unable to comply with this local law, the local government may at the request of that permit holder authorize another person to be a nominee of the permit holder for a specified period, and this local law and the conditions of the permit shall apply to the nominee as if he or she was the permit holder.

Voting Requirements – Simple Majority

Officers Recommendation – Item 13066.3

<p>That Council approves the issuing of a Traders Permit for Just Lickit Icecreams for a period of 12 months from the date of issue to operate in the Shire of Perenjori with the following conditions:</p>

- | |
|--|
| <ul style="list-style-type: none"> (a) on Shire roads and Reserves; (i) that no amplifiers, sound equipment, excessive lighting other than the vehicles lights, or making of any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder; (ii) the Traders Permit and Food Registration to be displayed; (k) the trader being responsible for the removal of any rubbish associated with the business; (l) the acquisition by the stallholder or trader of public risk insurance; (n) the Traders Permit does not permit trading in the main street of Perenjori; <p>(2) Where a permit holder by reason of illness, accident or other sufficient cause is unable to comply with this local law, the local government may at the request of that permit holder authorise another person to be a nominee of the permit holder for a specified period, and this local law and the conditions of the permit shall apply to the nominee as if he or she was the permit holder.</p> <p>(3) The conditions subject to which the local government may approve an application for a trader's permit include that the permit holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the permit holder must move on from that location within a reasonable time of the last purchase having been made.</p> |
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COUNCIL RESOLUTION – Item 13066.3

Moved: Cr J Hirsch

Seconded: Cr P Waterhouse

That Council approves the issuing of a Traders Permit for Just Lickit Icecreams for a period of 12 months from the date of issue to operate in the Shire of Perenjori with the following conditions:

- (a) on Shire roads and Reserves;
- (i) that no amplifiers, sound equipment, excessive lighting other than the vehicles lights, or making of any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder;
- (ii) the Traders Permit and Food Registration to be displayed;
- (k) the trader being responsible for the removal of any rubbish associated with the business;
- (l) the acquisition by the stallholder or trader of public risk insurance;
- (n) the Traders Permit does not permit trading in the main street of Perenjori;
- (2) Where a permit holder by reason of illness, accident or other sufficient cause is unable to comply with this local law, the local government may at the request of that permit holder authorise another person to be a nominee of the permit holder for a specified period, and this local law and the conditions of the permit shall apply to the nominee as if he or she was the permit holder.
- (3) The conditions subject to which the local government may approve an application for a trader's permit include that the permit holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the permit holder must move on from that location within a reasonable time of the last purchase having been made.

Carried: 7/0

13066.4	SCHEDULE OF ORDINARY MEETINGS
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APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0398
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	CARLA SANDERSON – EXECUTIVE ASSISTANT
RESPONSIBLE OFFICER:	ALI MILLS – CEO
REPORT DATE:	10 JUNE 2013
ATTACHMENTS	NIL

Executive Summary

Local Governments are required to advertise their schedule of meetings at least once per year.

Background

The proposed meeting dates and times for the next 12 months are set out below.

The Schedule on Council; meeting days has included Finance Committee, Council Forum and Ordinary Meeting.

Statutory Environment

Local Government (Administration) Regulations – Reg 12 sets out the need for Local Public Notice of the date time and venue of Ordinary Councils meetings.

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

Nil

Comment

Council meetings have been held in the past on the third Thursday of the months, and the proposed schedule reflects this practice. The gazetted public holidays for 2011/12 are set out below. There is no impact on Council's meeting schedule.

Queen's Birthday	Monday 30 September 2013
Christmas Day	Wednesday 25 December 2013
Boxing Day	Thursday 26 December 2013
New Year's Day	Wednesday 1 January 2014
Australia Day	Monday 27 January 2014
Labour Day	Monday 3 March 2014
Good Friday	Friday 18 April 2014
Easter Monday	Monday 21 April 2013
Anzac Day	Friday 25 April 2014
Foundation Day	Monday 2 June 2014

Possible variations to the Third Thursday of each month at 1.30pm are as follows:

- Council does not generally meet in January.
- Council usually has an evening meeting in November during harvest.
- This year Council has opted for an evening meeting in May, and this can be repeated next year.

Voting Requirements – Simple Majority

Officers Recommendation – Item 13066.4			
The Council agree to and advertise through Local Public Notice the following schedule of meetings for 2013/2014 to be held in the Shire of Perenjori Council Chambers.			
Date	Finance Committee	Council Forum	Ordinary Meeting
18 th July 2013	9.30 am	11.00 am	1.30 pm
15 th August 2013	9.30 am	11.00 am	1.30 pm
19 th September 2013	9.30 am	11.00 am	1.30 pm
17 th October 2013	9.30 am	11.00 am	1.30 pm
21 st November 2013	6.00 pm	No Forum	7.00 pm
19 th December 2013	9.30 am	11.00 am	1.30 pm

20 th February 2014	9.30 am	11.00 am	1.30 pm
20 th March 2014	9.30 am	11.00 am	1.30 pm
17 th April 2014	9.30 am	11.00 am	1.30 pm
15 th May 2014	6.00 pm	No Forum	7.00 pm
19 th June 2014	9.30 am	11.00 am	1.30 pm

COUNCIL RESOLUTION – Item 13066.4

Moved: Cr J Hirsch

Seconded: Cr J Cunningham

The Council agree to and advertise through Local Public Notice the following schedule of meetings for 2013/2014 to be held in the Shire of Perenjori Council Chambers.

Date	Finance Committee	Council Forum	Ordinary Meeting
18 th July 2013	9.30 am	11.00 am	1.30 pm
15 th August 2013	9.30 am	11.00 am	1.30 pm
19 th September 2013	9.30 am	11.00 am	1.30 pm
17 th October 2013	9.30 am	11.00 am	1.30 pm
21 st November 2013	6.00 pm	No Forum	7.00 pm
19 th December 2013	9.30 am	11.00 am	1.30 pm
20 th February 2014	9.30 am	11.00 am	1.30 pm
20 th March 2014	9.30 am	11.00 am	1.30 pm
17 th April 2014	9.30 am	11.00 am	1.30 pm
15 th May 2014	6.00 pm	No Forum	7.00 pm
19 th June 2014	9.30 am	11.00 am	1.30 pm

Carried: 7/0

13066.5 APPOINTMENT OF AUDITOR

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	ALI MILLS - CEO
RESPONSIBLE OFFICER	ALI MILLS - CEO
REPORT DATE:	20th June 2013
ATTACHMENTS	Quotation's for the Provision of Audit Services

Executive Summary

The contract with the Shire's Auditors will expire this financial year, and the Audit Committee is required to make a recommendation to Council on the appointment of an Auditor.

Background

The appointment of the auditor is a matter for the Audit Committee. The Act does not allow the CEO or any other staff member to be appointed to the Audit committee.

UHY Haines Norton has been supplying audit services to the Shire of Perenjori since 1999.

Quotes have been sought with two companies providing written quotes, being UHY Haines Norton and RSM Bird Cameron. Both Companies are experienced and competent in providing such services for Local Government, meeting the requirements of the Local Government Act, and Financial Regulations. The following presents details of their quotes:

COMPANY	YEAR	FEE	GST	TOTAL (GST INC)
		\$	\$	\$
UHY HAINES NORTON	2014	17,500	1,875	19,375
RSM BIRD CAMERON	2014	17,971	1,797	19,768
UHY HAINES NORTON	2015	18,500	1,980	21,780
RSM BIRD CAMERON	2015	18,880	1,888	20,768
UHY HAINES NORTON	2016	19,500	2,085	22,935
RSM BIRD CAMERON	2016	19,835	1,984	21,819

Both companies will provide the same service and have similar rates in relation to any additional or extra assistance required.

Statutory Environment

Local Government Act 1995 S7.3 states as follows:

7.3. Appointment of auditors

- (1) *A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint* a person, on the recommendation of the audit committee, to be its auditor.*

** Absolute majority required.*

- (2) *The local government may appoint one or more persons as its auditor.*

- (3) *The local government's auditor is to be a person who is —*

- (a) *a registered company auditor; or*
(b) *an approved auditor.*

Policy Implications

Nil

Financial Implications

The fees will need to be included in Council's annual budgeting processes.

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

RSM Bird Cameron

UHY Haines Norton

Shire of Mingenew

Shire of Yalgoo

Comment

Both companies have very good reputations amongst local Government authorities and thus would be considered very competent and capable of meeting our needs and the compliance requirements set out by the Department. The options available to the audit committee are:

To appoint either Company for three years

Appoint either Company for one year and review the following year.

Voting Requirements - Absolute Majority

Audit Committees Recommendation – Item 13066.5

That Council appoint RSM Bird Cameron as the Auditor for the Shire of Perenjori for a three year period, from 2014 to 2016 inclusive.

COUNCIL RESOLUTION – Item 13066.5

Moved: Cr G Reid

Seconded: Cr J Cunningham

That Council appoint RSM Bird Cameron as the Auditor for the Shire of Perenjori for a three year period, from 2014 to 2016 inclusive.

Carried: 7/0

13066.6 CORPORATE BUSINESS PLAN 2013-2017

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0398
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	ALI MILLS - CEO
RESPONSIBLE OFFICER	ALI MILLS - CEO
REPORT DATE:	20th June 2013
ATTACHMENTS	Corporate Business Plan – Hard Copy

Executive Summary

The Shire of Perenjori Draft Corporate Business Plan 2013 – 2017 has been completed based on the Community Strategic Plan 2013-2023 and is now presented for Council discussion.

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 a proposal which involved the 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.

This plan operationalises the Vision and Goals for the future of the community, and creates a framework by which the goals in the Strategic Plan can be achieved. The Corporate Business Plan sets the Strategic Direction and identifies priority areas of delivery and investment. It also identifies the operational risks for the Shire to achieve the communities vision, and identified required improvements. It provides an assessment of the resource capability of the Shire and determines the resources required to deliver on the priorities and projects. It also provides performance targets that will allow Council to provide a means of reporting to the community and our project partners.

The Corporate Business Plan sets out the major activities that it intends to undertake in the next four years. The annual budget and plan for the Shire will be developed from the Corporate Business Plan each year. This is therefore a very useful document for community as it gives a complete picture of how the Shire is working on their behalf to achieve the vision articulated in the Strategic Community Plan 2012 – 2022.

In this Corporate Business Plan, the Shire is affirming its support for delivering on core services, as well as funding a proactive growth and development strategy. This is in direct response to the community needs expressed in the Strategic Community Plan, and will enable Perenjori to reach its target population of 1,200 people in the next 10 years.

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 13066.6
That Council provides feedback to the CEO on the draft Shire of Perenjori Corporate Business Plan 2013-2017, ready for adoption on the 18 th July 2013.

COUNCIL RESOLUTION – Item 13066.6
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Moved: Cr J Cunningham

Seconded: Cr J Hirsch

That Council provides feedback to the CEO on the draft Shire of Perenjori Corporate Business Plan 2013-2017, ready for adoption on the 18th July 2013.

Carried: 7/0

13066.7	REVIEW	OF	THE	PERENJORI	CARAVAN	PARK	AND
ACCOMMODATION VILLAGE							

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0177
DISCLOSURE OF INTEREST:	0
AUTHOR:	PETER MONEY – ACTING DCEO
RESPONSIBLE OFFICER:	ALI MILLS – CEO
REPORT DATE:	20th May 2013
ATTACHMENTS	HARD COPY - Operational Review of the Perenjori Caravan Park and Accommodation Village

Executive Summary

The Operational Review of the Perenjori Caravan Park and Accommodation Village was commissioned by the Council and completed in May 2013. The Review covers a five year period from 2008 to 2012 with some information included from 2013. The Review was commissioned due to concerns that the Caravan Park was operating at a loss and there were productivity concerns that needed to be investigated independently.

The Review is an independent report on the two facilities and the Review provided to the Shire is assessed, analysed and comments and recommendations made by another independent person being the Acting Deputy Chief Executive Officer. The Acting DCEO has past experience with a similar sized caravan park that was rebuilt and its management completely revised although that caravan park did not have an accommodation village the size of that in Perenjori.

Background

The Operational Review was commissioned due to concerns in the operational and management efficiencies of the Caravan Park and Accommodation Village that was exacerbated by a significant shift in management and operations of the two facilities that took place in 2010-2011. This “significant shift” involved the employment of a Head Cleaner; the shared Manager position or “husband and wife” team changed to a single Manager being appointed; the role of the Manager appears to have changed with lesser duties; in 2012 a Shire employee took over the gardening from the Manager; in 2012 an additional eight accommodation units began operations and in February 2013 an Assistant Manager was appointed.

The Review investigated the contractual arrangements for the Accommodation Village which was established in an Agreement with Midwest Transportables in June 2010. The Agreement was that in return for proving the buildings the Shire returned 85% of the income, less some agreed operating expenses, to Midwest Transportables over a ten year period. After ten years the shire took full ownership of the units. However the Agreement could be terminated within the first five years by mutual consent.

The Agreement also allowed Midwest Transportables to decide and if it considered justified to provide two further four room units in the village. This option was actioned in August

2011 when the Shire signed an Agreement for the provision of a further two units or eight rooms, increasing capacity by 50%. The Review makes the comment that the Shire indicated it would guarantee 50% occupancy of the new eight rooms for a two year period from the time of installation. However the use of the word “indicated” is open to interpretation and may be cause for concern in the future.

The Review documents the losses for the Caravan Park and identifies threats to the profitability of the Accommodation Village:

- Reduced demand for accommodation;
- The decision to acquire more accommodation units in August 2011 at a time of peak occupancy;
- The agreement that “indicates” a guarantee of a 50% occupancy rate of the new units for two years (pp37) made at a time of peak occupancy – since then occupancy of the Village has fluctuated between 28% and 100%;
- During the Review period operating costs for the Village increased from \$254K to \$327 (12/13 YTD) and income increased from \$274K to \$301K (12/13 YTD) (pp32). On the current data the profit from the Village will reduce from its peak of \$94K in 2011/2012 to \$26K in 2012/2013.
- The most significant expense for the Village is the 85% of income (less operating expenses) paid to Midwest Transportables.
- During the Review period operating costs of the Caravan Park increased from \$71k to \$186K (12/13 YTD) and income from \$84k to a peak \$232k in 2010/11 but decreased to \$121 (12/13 YTD) (pp13). Though the 2012/2013 figures are not complete there are clear indications a significant loss is imminent.

The Park and Village are managed by an interim acting Manager, Head Cleaner, part-time Gardner and casual cleaners who are called on by the Head Cleaner according to demand. The position of Assistant Manager is currently not occupied.

Statutory Environment

The Caravan Park and Accommodation Village are shire owned and managed facilities and not subject to statutory regulations other than the relevant Caravan and Camping Act and Health and Building Regulations.

Policy Implications

Nil

Financial Implications

There are no financial implications in this Item but any actions that may evolve from the recommendations will have some financial implications which would be outlined at the time.

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.

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

This Item is based on the Perenjori Caravan Park and Accommodation Village Operational Review carried out by Left of Centre Concepts and Events (May 2013). It incorporated information from both current and previous staff and included the DCEO, CEO, current Caravan Park Manager, the Caravan and Camping Industry.

Comment

This Item should be read in conjunction with the Executive Summary of the Perenjori Caravan Park and Accommodation Village Operational Review on pages 1 – 4 of the Review document.

Overview

This item confirms some of the statements in the Executive Summary but there are some statements that require further comment and some recommendations are made.

The Review makes the statement that the losses of the Caravan Park are likely due to excessively high expenditures compared to profitable caravan parks. Without disputing that expenditure is excessive, many smaller caravan parks are not profitable especially in the Western Australian market and in locations away from the coastal areas. Western Australian caravan parks should not be compared to parks in the Eastern States as the market is so much larger in the Eastern States.

Many smaller local governments see the benefits of a caravan park in tourism dollars, bringing people to the community and the increased commerce in the town. Perenjori is in a fortunate position in that has the opportunity to profit from nearby mining activities with the Accommodation Village which can offset the inevitable losses of the Caravan Park.

The shire is limited in options to increase occupancy and income as this is subject to current demand and in particular nearby mining developments, It is quite possible that the current slowdown in activity is directly related to cautious investment in mining which may improve in (a) the new financial year and/or (b) if there is a change of Federal government later in 2013. Unfortunately there is considerable speculation about future mining activity and even the “experts” can’t agree on the immediate and long term future of mining and in particular investment in mining expansion which is what would most likely provide opportunity for increased accommodation income.

Therefore the Shire must consider carefully the viability of having an expanded Accommodation Village when the indications are there will be a significant reduction in mining construction in the coming financial years (ABC News 29/04/2013). Of course this does not mean that activity will not increase locally in the near future and the Shire may again have the opportunity for capacity earnings on all the units but this is a risk which only the Council can decide to take.

As shown above the Caravan Park operating costs have increased dramatically and this is an area within the shire’s control although a satisfactory service must still be provided. It is apparent that the current structure of the cleaning operations is cumbersome and there is some conflict of duties between the cleaning staff and the Caravan Park Manager. (The structure of the Caravan Park Management structure is addressed further in this Item.)

There also appears to be some crossover of costs between the Park and the Village but as this can occur both ways we can only assume the expenditures of both are reasonably accurate.

The control of the expenditures is an administrative function (other than the 85% of income payable to Midwest Transportable and the guaranteed 50% occupancy of the additional units) and one that can be more closely managed when the position of the Council is clarified in terms of the Park and the Village which is addressed later in this Item.

Cleaning structure

There are two options regarding the employment of a cleaner – either employ the cleaner as a casual employee on wages in accordance with the applicable Award or employ the cleaner by contract.

If the Head Cleaner is employed as a casual the shire will need to continue to employ casual support cleaners and the number and hours of casuals is determined by the Head Cleaner based on what he or she decides is necessary. Under this method the cleaning expenses are controlled by the Head Cleaner and will fluctuate according to need but there can be a risk of over servicing.

If the Head Cleaner is employed on contract they could for example tender a cost per room and employ the labour he or she requires to complete the day's work. This causes some difficulty as the contractor will be responsible for insurances and the shire must ensure the casuals are paid wages in accordance with the applicable Award. Therefore some additional work is required by the shire administration.

There are some negatives and positives whichever way the cleaner is employed but some action needs to be taken to reduce the costs of cleaning and more closely monitoring all the expenditures.

There are discrepancies between position descriptions on duties and communications between the Cleaners and Park Manager which will need addressing.

Management structure

It is doubtful if there is justification for the two positions of Manager and Assistant Manager and in many smaller caravan parks the position of Manager is shared by two people although it is acknowledged that the addition of the Accommodation Village does deserve consideration. The position of Manager shared by two people sharing a salary is to account for the out-of-season times when the park is quiet – this is the time a salaried position is paid though the workload is significantly less than in the busy period. It is also when Managers generally take annual leave and effectively the annual salary evens out over the year.

The Manager position carries out bookings, receives and manages fees, and liaises with the Head Cleaner over the cleaning of the Village and Park ablutions and accommodation. However according to the Position Description the Park Manager is responsible for the gardening currently done by the Shire gardener.

The second management position of Assistant Caravan Park Manager is currently vacant and the CEO is currently considering the situation.

There are some conflicts with the Managers Position Description in that the document heading reads Caravan Park Manager but the job description includes responsibility for the Accommodation Village. Financially the two facilities are treated separately and as the Shire needs to maintain financial records for the Village for correct payment to the owner of the buildings, the two should be treated separately.

Furthermore the Shire needs to know at any time the profit and loss situation of both facilities to ensure control over expenditures.

Therefore the Manager's Position Description needs restructuring so that it more accurately reflects the position duties and responsibilities as required.

Accommodation booking management system

The written record method of managing bookings for the Park and the Village is not satisfactory. Written records do not ensure full accountability of the accommodation income nor do they provide an accurate record or history of or the volume of accommodation and is subject to human error. This is not to say a computerised system is fool proof but modern software does provide more accurate and immediate history of current and previous occupancy and a variety of reports.

It is recommended that Council budgets \$1,000 for the 2013/2014 budget for the acquisition of software to manage the Caravan Park and Accommodation Village bookings.

Facility management

The Review suggests two alternative Park and Village management options – (1) contract management controlled by the shire or (2) leasing the park long-term to a contractor with no control over future development, charges and income by the shire.

I would not recommend option (2) as the Shire would lose control over the Park in terms of quality, management, income, and with such ventures long-term independent contracting can result in reduced services and maintenance if the profitability does not meet the contractor's expectations. Also a long-term contractor could insist on control over developments on the site (subject to planning and building regulations) and fees and charges which may not be in harmony with the Council's strategic outlook.

If the Council were to consider option (1) shorter-term contracted management, there would need to be a thorough and detailed Business Plan carried out that would identify the long term viability of the Park. This would guide the Council in the terms of the cost of a short-term contract and would provide some accurate assessment of the value for any interested contractor.

However there is no compelling argument for a change in the management system for the Park or the Village and with some operational changes the existing system is preferable.

Therefore it is recommended that the management of the Caravan Park and Accommodation Village remain under the direct control of the Shire of Perenjori.

Gardening

A further additional labour cost is the employment of the Shire Gardener at the Caravan Park. The Position Description for the Manager quite clearly states the Manager “maintain the caravan park grounds, lawns and gardens.” This is a widespread function of Managers in smaller local governments although there may be times some additional support is required as the Park is large. It would be beneficial to review the existing part-time gardener position and determine whether it is required.

Accommodation Village

The Review identifies a potential operating loss for the Accommodation Village (pp32) from a reduced income of around \$250K (budget to actual) and reduced expenditure of around \$170K (budget to actual) (note that this data is based on an incomplete financial year). The estimated deficit could increase further in the 2013/2014 financial year unless income improves through increased accommodation and unless the expenditure is reduced.

Due to the increase in available rooms from 16 to 24 in August 2011, there is as the review states potential for increased income to the Shire. However there is also potential for greater losses if the rooms are unoccupied and considering that during the Review period the occupancy rate fluctuated between 28% and 100% there is considerable uncertainty. The planned roadwork on the Perenjori – Morawa Road will provide an opportunity for increased occupancy but this is not a long-term fix.

A slow down or delay in mining activity could find the Shire in deficit with these units. Council may need to consider a withdrawal from the agreement with the owners of the additional units.

The cost of the guarantee 50% occupancy is a figure that is indeterminate but the income from one room for the two years at \$660 per room per week equates to \$34,320 per room – therefore there is a potential loss of \$17,160 per unit per annum.

The Council may want to explore the option of returning some or all of the additional units if only to consider various options should the anticipated or hoped increase in occupancy does not eventuate. If the Council prefers to or is compelled to retain all 24 rooms, then there needs to be a reduction in expenditure to minimise the operating deficit.

It is recommended that the Council consider exploring the option of returning some or all of the additional units it acquired in August 2011. If the Council decides it wants to explore this option then a further Report be provided to the Council on the benefits and costs.

Asset management

The Review highlights the lack of an Asset Management Plan for the Park and Village and given the investment in this infrastructure an Asset Management Plan specifically for these facilities is not unreasonable. In the Shire’s agreement with Midwest Transportables (pp 4) the ownership of the units reverts to the Shire after ten years so it is in the interests of the

Shire (and as a commercial obligation) to ensure the buildings are maintained in a pristine condition.

Furthermore a Maintenance Plan will enable accurate budgeting and the Council should consider creating a Reserve Account and accumulate funds from profits for the time when the buildings require significant capital expenditure.

That Council agree to the provision of an Asset Management Plan for the facilities and infrastructure of the Caravan Park and Accommodation Village covering a ten year period. That a sum of \$5,000 be included in the 2013/2014 Budget for this purpose.

Laundry Services

Currently the cleaning staff carries out the laundering of linen from the accommodation units and chalets as employees of the Shire and using the Shire laundry equipment. This equipment is not designed for large volume laundering which happens if all or most of the accommodation units are in use. The result is far greater staff wages in the time this work takes aside from the excessive wear on the laundry machines.

There is also opportunity for the Shire to acquire the laundry service contract from nearby mine sites and this should be pursued vigorously. This is an opportunity to create employment with a new business opportunity within the Shire. The possibility of increased commerce and the potential to attract further business growth from nearby towns is an opportunity to be fostered. It would also contribute to overcoming one of the higher labour costs associated with the Accommodation Village as laundry could be done more efficiently and without damaging the Shire's laundry machines.

That Council support the concept of creating a laundry service in Perenjori that has the capacity to service the Shire's laundry requirements and those of local mines and other businesses.

Voting Requirements – Simple Majority

Officers Recommendation – Item 13066.7

That Council:

1. Includes a sum of \$1,000 in the 2013/2014 Budget for the acquisition of software to manage the Caravan Park and Accommodation Village bookings.
2. Confirms that the management of the Caravan Park and Accommodation Village will remain under the direct control of the Shire of Perenjori.
3. Endorse the CEO to review the staffing structure, including cleaners and make adjustments where required to reduce costs, whilst maintaining good service and standards.
4. Consider the option of returning to the owner some or all of the additional units it acquired in August 2011. If the Council decides it wants to explore this option then a further Report be provided to the Council on the benefits and costs.
5. Agree to the provision of an Asset Management Plan for the facilities and infrastructure of the Caravan Park and Accommodation Village covering a ten year period and includes a sum of \$5,000 in the 2013/2014 Budget for that purpose.
6. Support the concept of creating a laundry service in Perenjori that has the capacity to service the Shire's laundry requirements and those of local mines and other businesses.

COUNCIL RESOLUTION – Item 13066.7

That Council:

Moved: Cr J Hirsch

Seconded: Cr G Reid

1. Includes a sum of \$1,000 in the 2013/2014 Budget for the acquisition of software to manage the Caravan Park and Accommodation Village bookings.

Carried: 7/0

Moved: Cr G Reid

Seconded: Cr R Desmond

2. Confirms that the management of the Caravan Park and Accommodation Village will remain under the direct control of the Shire of Perenjori.

Carried: 7/0

Moved: Cr G Reid

Seconded: Cr R Desmond

3. Endorse the CEO to review the staffing structure, including cleaners and make adjustments where required to reduce costs, whilst maintaining good service and standards.

With the following amendment:

Endorse the CEO to review the staffing structure, including cleaners and make adjustments where required to reduce costs, whilst maintaining good service and standards by the end of August 2013.

Carried: 7/0

Moved: Cr J Hirsch

Seconded: Cr R Desmond

4. Consider the option of returning to the owner some or all of the additional units it acquired in August 2011. If the Council decides it wants to explore this option then a further Report be provided to the Council on the benefits and costs.

Carried: 7/0

Moved: Cr G Reid

Seconded: Cr P Waterhouse

5. Agree to the provision of an Asset Management Plan for the facilities and infrastructure of the Caravan Park and Accommodation Village covering a ten year period and includes a sum of \$5,000 in the 2013/2014 Budget for that purpose.

Carried: 7/0

Moved: Cr R Desmond

Seconded: Cr L Butler

6. Support the concept of creating a laundry service in Perenjori that has the capacity to service the Shire's laundry requirements and those of local mines and other businesses.

Carried: 7/0

13066.8	LATHAM BOWLING GREEN TENDER
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APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	ALI MILLS – CEO
RESPONSIBLE OFFICER	ALI MILLS – CEO
REPORT DATE:	20TH June 2013
ATTACHMENTS	Spread sheet

Executive Summary

The purpose of the report is for Council to consider the tender 01/2013 presented for the Latham Bowls Club Grounds Development.

Background

Proposals were invited for the replacement of the existing turf bowling green at the Latham Sports Club with a carpet surface. Detailed costing's sought for a renewal of all aspects of the Green in order to provide a new facility equipped with a new surface and surrounds with lighting. The tender stated the project was intended to be completed by September 2013.

Council Funds of \$ 122,000 have been allocated in this year's budget, with an addition of \$128,000 of Country Local Government Funding, providing a total budget of \$250,000.

Tenders were advertised on the 11th of May 2013 in the West Australian. Four tenders have been received, three being by the due date and time. The three compliant tenders were; Berry Bowling Systems, Australian Bowls Constructions, Evergreen Synthetic Grass which were all assessed by the Works Supervisor, CEO and Cr Waterhouse. A spreadsheet was developed with all areas that had been priced and then with the removal of non-essential items to enable them to be compared.

Each of the tenderers demonstrated significant experience in similar work, all had the necessary resources, and demonstrated a reasonable understanding of the project. Australian Bowls and Berry Bowls did not include a price for the retaining wall. All tenderers have indicated their ability to meet the September timeframe.

The Compliance criteria was comparable for all whilst the qualitative criteria presented differences in documentation presented supporting the evidence of the criteria.

There were differences in the pricing for all components as well as the pricing with the lighting and shades removed. These have been detailed in the spreadsheet.

The recommended tenderer is Evergreen Synthetic grass, based upon their price and presentation of documentation for the Qualitative criteria.

Statutory Environment

Local Government Act 1995

Local Government (Functions and General) Regulations 1996, Part 4A

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

Nil

Comment

The overall budget will be very tight leaving little or no funds for additional items or works.

Voting Requirements – Simple Majority

Officers Recommendation – Item 13066.8

Evergreen Synthetic Grass is endorsed as the successful tenderer for the Supply and Install of a Greengauge GG3 woven surface 37m x 37 m Synthetic Bowling Green at the Latham Bowling Club.

COUNCIL RESOLUTION – Item 13066.8

Moved: Cr P Waterhouse

Seconded: Cr J Hirsch

Evergreen Synthetic Grass is endorsed as the successful tenderer for the Supply and Install of a Greengauge GG3 woven surface 37m x 37 m Synthetic Bowling Green at the Latham Bowling Club to exclude, lighting, fencing and shades.

With the following amendment:

Council considers a further allocation of budget funds and external funding sources in the 2013/14 budget to address the removal of the existing asbestos fencing and the provision of lighting, fencing and shelters.

Councils Work Supervisor has authority to address immediate requirement for lighting headwork's in consultation with CEO.

Carried: 7/0

Cr L Butler left Chambers at 4.25 pm.

Cr L Butler returned to Chambers at 4.33 pm.

Cr L Butler left chambers at 4.35 p.m.

Declaration of Interest

Cr J Cunningham declared a Financial Interest in item 113066.09 10 Application for Mining Lease and item 13066.10 Application for Mining Lease 59/136 because he contracts to Minjar Gold PTY LTD and Karara Mining LTD.

Cr J Cunningham left the Council Chambers at 4.36 pm for both these items 13066.9 and 13066.10.

13066.9 APPLICATION FOR MISCELLANEOUS LICENSE

APPLICANT:	MINJAR GOLD PTY LTD
FILE:	ADM 0216
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	PETER MONEY – ACTING DCEO
RESPONSIBLE OFFICER:	ALI MILLS - CEO
REPORT DATE:	20TH JUNE 2013
ATTACHMENTS	LETTERS AND MAPS

Executive Summary

Correspondence has been received from Anderson's Tenement management advising the Shire of a Miscellaneous License Application number 59/135 was lodged with the Department of Mines and Petroleum on 26th April 2013.

The Item recommends Council acknowledges the application and if it considers it necessary, recommends to the DMP any conditions it would like to be applied.

Background

The Shire has been advised this company has applied for a Miscellaneous License. All companies have an obligation to notify the respective local government of the application for a license. Location plans have been provided.

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

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

Nil

Consultation

Nil

Comment

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

Voting Requirements – Simple Majority**Officers Recommendation – Item 13066.9**

That Council acknowledges the application for miscellaneous Licence 59/135 and requests the following conditions be imposed by the Department of Mines and Petroleum if the exploration 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 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 13066.9**Moved: Cr J Hirsch****Seconded: Cr P Waterhouse**

That Council acknowledges the application for miscellaneous Licence 59/135 and requests the following conditions be imposed by the Department of Mines and Petroleum if the exploration 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 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: 5/0

Declaration of Interest

Cr C King declared a financial interest in item 13066.10 Application for Miscellaneous Licence because he is a shareholder.

Cr King left the Council chambers at 4.36 pm.

Request to Defer Item 13066.10 Application for Miscellaneous Licence

Cr King returned to Chambers at 4.37 pm and requested Item 13066.10 Application for Miscellaneous Licence be deferred until Cr L Butler returns to Chambers to lead this item.

Moved: Cr R Desmond

Seconded: Cr P Waterhouse

Item 13066.10 Application for Miscellaneous Licence be deferred until Cr L Butler returns to Chambers to lead this item.

Carried: 4/0

Cr L Butler returned to the Council Chambers at 4.38 pm.

Request to discuss Item 13066.10 Application for Miscellaneous Licence

Cr King requested that item 13066.10 Application for Miscellaneous Licence be dealt with.

Moved: Cr Desmond

Seconded: Cr J Hirsch

That Item 13066.10 Application for Miscellaneous Licence be dealt with

Carried: 4/0

Cr King left the Council Chambers at 4.39 pm.

13066.10 APPLICATION FOR MISCELLANEOUS LICENSE

APPLICANT:	KARARA MINING LTD
FILE:	ADM 0216
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	PETER MONEY – ACTING DCEO
RESPONSIBLE OFFICER:	ALI MILLS - CEO
REPORT DATE:	20TH JUNE 2013
ATTACHMENTS	LETTERS AND MAPS

Executive Summary

Correspondence has been received from Karara mining Ltd advising the Shire of a Miscellaneous License Application number 59/136. The letter does not advise when the application was lodged with the Department of Mines and Petroleum.

The Item recommends Council acknowledges the application and if it considers it necessary, recommends to the DMP any conditions it would like to be applied.

Background

The Shire has been advised by Karara mining Ltd of an application for a Miscellaneous License. All companies have an obligation to notify the respective local government of the application for a license. A location plan has been provided.

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

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

Nil

Consultation

Nil

Comment

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

Voting Requirements – Simple Majority**Officers Recommendation – Item 13066.10**

That Council acknowledges the application for miscellaneous Licence 59/136 and requests the following conditions be imposed by the Department of Mines and Petroleum if the exploration 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 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 13066.10**Moved: Cr G Reid****Seconded: Cr P Waterhouse**

That Council acknowledges the application for miscellaneous Licence 59/136 and requests the following conditions be imposed by the Department of Mines and Petroleum if the exploration 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 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: 5/0

Cr C King and Cr J Cunningham returned to the Council Chambers at 4.40pm.

13067	PROJECT STATUS REPORT
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APPLICANT: SHIRE OF PERENJORI

FILE:

DISCLOSURE OF INTEREST: 0

AUTHOR: ALI MILLS-CEO

RESPONSIBLE OFFICER ALI MILLS-CEO

REPORT DATE: 13th June 2013

ATTACHMENTS Project Status Report

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 project 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.

Officers Recommendation – Item 13067

Council accepts the Project Status Report as presented.

COUNCIL RESOLUTION – Item 13067
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Moved: Cr J Cunningham

Seconded: Cr L Butler

Council accepts the Project Status Report as presented.

Carried: 7/0

13068 STATUS REPORT**APPLICANT:** SHIRE OF PERENJORI**FILE:****DISCLOSURE OF INTEREST:** 0**AUTHOR:** ALI MILLS–CEO**RESPONSIBLE OFFICER** ALI MILLS–CEO**REPORT DATE:** 13th June 2013**ATTACHMENTS** Status Report**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.

Officers Recommendation – Item 13068

Council accepts the Status Report as presented.

COUNCIL RESOLUTION – Item 13068**Moved:** Cr J Hirsch**Seconded:** Cr P Waterhouse

Council accepts the Status Report as presented.

Carried: 7/0**13069 OTHER BUSINESS****13069.1 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN****13069.2 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN****13069.3 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION****13069.4 DATE OF NEXT MEETING / MEETINGS**The next Ordinary Council Meeting will be held on the 18th July 2013.

13069.5 CLOSURE

Cr C King officially closed the meeting at 5 pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held on 20th June 2013.

Signed: _____

Presiding Elected Member

Date: _____