

## Shire of Perenjori

## MINUTES

## Ordinary Council Meeting

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 21<sup>st</sup> May 2015,  
commenced at 7.06pm.

## Table of Contents

<b>15051</b>	<b>PRELIMINARIES .....</b>	<b>3</b>
15051.1	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS .....	3
15051.2	OPENING PRAYER.....	3
15051.3	DISCLAIMER READING.....	3
15051.4	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE .....	3
15051.5	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
15051.6	PUBLIC QUESTION TIME.....	4
15051.7	NOTATIONS OF INTEREST .....	4
15051.8	APPLICATIONS FOR LEAVE OF ABSENCE .....	4
15051.9	CONFIRMATION OF MINUTES.....	4
15051.10	ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION .....	4
15051.11	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	4
<b>15052</b>	<b>CORPORATE AND DEVELOPMENT SERVICES.....</b>	<b>5</b>
15052.1	FINANCIAL STATEMENTS – APRIL 2015 .....	5
15052.2	ACCOUNTS FOR PAYMENT – APRIL 2015 .....	7
<b>15053</b>	<b>ECONOMIC AND COMMUNITY DEVELOPMENT .....</b>	<b>12</b>
15053.1	FUNDING FOR COMMUNITY BUS .....	12
<b>15054</b>	<b>INFRASTRUCTURE SERVICES.....</b>	<b>14</b>
15054.1	ROAD MAINTENANCE REPORT – APRIL 2015.....	14
<b>15054.2</b>	<b>CONCESSIONAL LOADING APPLICATION – TOLL MINING SERVICES WEST17</b>	
<b>15055</b>	<b>GOVERNANCE.....</b>	<b>21</b>
<b>15055.1</b>	<b>APPLICATION FOR EXPLORATION LICENCE 70/4712 .....</b>	<b>21</b>
<b>15055.2</b>	<b>MEMBERSHIP OF WADDI FOREST LAND CONSERVATION DISTRICT</b>	
	<b>COMMITTEE.....</b>	<b>26</b>
<b>15056</b>	<b>PROJECT STATUS REPORT.....</b>	<b>28</b>
<b>15057</b>	<b>STATUS REPORT .....</b>	<b>29</b>
<b>15058</b>	<b>OTHER BUSINESS .....</b>	<b>30</b>
15058.1	MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN.....	30
15058.2	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN ..	30

15058.3 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION30

15058.4 MATTERS BEHIND CLOSED DOORS ..... 32

15058.4.1 CONFIDENTIAL ITEM - REQUEST FOR CHANGES TO TOP IRON AGREEMENT ..... 32

15058.5 DATE OF NEXT MEETING ..... 33

15058.6 CLOSURE..... 33

**15051 PRELIMINARIES**

**15051.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

Cr C King declared the meeting open at 7.06pm.

The Acting CEO advised that Cr J. Hirsch has asked to attend the Meeting by instantaneous communication as she is in Perth and able to be present. Cr Hirsch advised that she is in the privacy of her hotel room.

**Moved: Cr L. Butler**

**Seconded: Cr H. Wass**

That in accordance with Regulation 14A(1) of the Local Government (Administration Regulations) 1996 Cr Jenny Hirsch be approved to attend the Meeting by instantaneous communication.

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

**15051.2 OPENING PRAYER**

Cr C King led the opening prayer.

**15051.3 DISCLAIMER READING**

**15051.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

Cr C King  
Cr L Butler  
Cr P Waterhouse  
Cr H Wass  
Cr L Smith  
Cr R Butler  
Cr G Reid  
Cr J Cunningham  
Cr J Hirsch (By teleconference)

Peter Money – Acting CEO  
Leah Adams – Community Development Officer  
Liz Markham – Administration Officer

**Apologies:**

**15051.5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**15051.6 PUBLIC QUESTION TIME**

**15051.7 NOTATIONS OF INTEREST**

**FINANCIAL INTEREST – LOCAL GOVERNMENT ACT S 5.60A**

**PROXIMITY INTEREST – LOCAL GOVERNMENT ACT S 5.60B**

**INTEREST AFFECTING IMPARTIALITY – LOCAL GOVERNMENT - CODE OF CONDUCT.**

Cr L Smith declared an interest in Item number 15055.1

**15051.8 APPLICATIONS FOR LEAVE OF ABSENCE**

Cr King sought approval for leave of Absence from the June and July Ordinary meetings.

**Moved: Cr L Butler**

**Seconded: Cr H. Wass**

**That Cr King be granted Leave of Absence for the Ordinary Meetings of June and July 2015.**

**Carried: 9/0**

**15051.9 CONFIRMATION OF MINUTES**

The minutes from the ordinary meeting of 16<sup>th</sup> April 2015 are attached and presented for confirmation.

**Moved: Cr L Butler**

**Seconded: Cr L Smith**

**That Council accepts the Minutes from the Ordinary Meeting of 16<sup>th</sup> April 2015 as a true and correct record of that Meeting.**

**Carried: 9/0**

**15051.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION**

**15051.11 PETITIONS / DEPUTATIONS / PRESENTATIONS**

<b>15052</b>	<b>CORPORATE AND DEVELOPMENT SERVICES</b>
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<b>15052.1</b>	<b>FINANCIAL STATEMENTS – APRIL 2015</b>
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<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>ADM 0081</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>DEBBY BARNDON - SFO</b>
<b>RESPONSIBLE OFFICER:</b>	<b>PETER MONEY - MCDS</b>
<b>REPORT DATE:</b>	<b>21<sup>ST</sup> MAY 2015</b>
<b>ATTACHMENTS</b>	<b>MONTHLY FINANCIAL REPORT</b>

**Executive Summary**

This item recommends the Council accepts the Financial Activity Statement for the period ending 30<sup>th</sup> April 2015.

**Background**

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

**Details**

Presented is the Financial Activity Statement Report for the period ending 30<sup>th</sup> April 2015.

The following statements are presented to Council:

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

**Legal Compliance**

Regulation 34 (Financial activity statement report) of the Local Government (Financial Management) Regulations 1996 states –

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –
  - (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
  - (b) budget estimates to the end of the month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing –
  - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
  - (b) an explanation of each of the material variances referred to in subregulation (1) (d); and (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown –
  - (a) according to nature and type classification; or
  - (b) by program; or
  - (c) by business unit
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be –
  - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Section 6.8 of the Local Government Act 1995 (Expenditure from municipal fund not included in annual budget) states –

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –
  - a. is incurred in a financial year before the adoption of the annual budget by the local government; or
  - b. is authorised in advance by resolution\*; or
  - c. is authorised in advance by the mayor or president in an emergency.

#### **Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Area 5: Investing in Councils Leadership

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

**Consultation**

Liaison with MCDS, SFO and MIS.

**Comment**

The statements are prepared in accordance with the Regulations and in the generally accepted format.

**Voting Requirements – Simple Majority****Officer and Committee Recommendation – Item 15052.1**

That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996, accepts the Financial Activity Statement Report for the period ending 30th April 2015.

**Council Resolution – Item 15052.1**

**Moved: Cr H Wass**

**Seconded: Cr L Smith**

That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996, accepts the Financial Activity Statement Report for the period ending 30th April 2015.

**Carried: 9/0**

**15052.2 ACCOUNTS FOR PAYMENT – APRIL 2015**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>1306P</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>DEBBY BARNDON – SFO</b>
<b>RESPONSIBLE OFFICER:</b>	<b>PETER MONEY - MCDS</b>
<b>REPORT DATE:</b>	<b>21<sup>ST</sup> MAY 2015</b>
<b>ATTACHMENTS:</b>	<b>ACCOUNTS FOR PAYMENT</b>

**Executive Summary**

This item recommends that the Council confirms the payment of accounts for April 2015 as shown on the attached schedule.

**Background**

Council has delegated to the Chief Executive Officer the authority to make payments from the

Municipal and Trust funds in accordance with the Local Government (Financial Management) Regulations 1996.

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

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

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

### **Legal Compliance**

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

6.10. financial management regulations

Regulations may provide for —

(d) the general management of, and the authorisation of payments out of —

(i) the municipal fund; and

(ii) the trust fund,

of a local government.

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

6.10. financial management regulations

Regulations may provide for —

(d) the general management of, and the authorisation of payments out of —

(i) the municipal fund; and

(ii) the trust fund,

of a local government.

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

13. Lists of Accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

(a) the payee's name;

(b) the amount of the payment;

(c) the date of the payment; and (

d) sufficient information to identify the transaction.

(3) A list prepared under subregulation (1) is to be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting.



**Policy Implications**

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

**Financial Implications**

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

**Strategic Implications**

**Area 5: Investing in Councils Leadership**

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

**Consultation**

SFO

**Comment**

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

**Voting Requirements – Simple Majority**

**Officer and Committee Recommendation – Item 15052.2**

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 30<sup>th</sup> April 2015 as attached to and forming part of this report.

<b>Municipal Account</b>	
EFT	\$533,327.35
Direct Debits	\$37,972.92
Cheques	\$12,960.59
Corporate MasterCard	\$0.00
Bank Fees	\$238.61
<b>Total</b>	<b>\$584,499.47</b>
<b>Trust Account</b>	
EFT	\$0.00
Cheques	\$0.00
Bank Fees	\$0.00
<b>Total</b>	<b>\$0.00</b>
<b>Trust Account – Mt Gibson Public Benefit Funds</b>	
EFT	\$1,700.00
Cheques	\$200.00
Bank Fees	
<b>Total</b>	<b>\$1,900.00</b>

*Totalling \$586,399.47 from Municipal and Trust Accounts for the month ending 30<sup>th</sup> April 2015.*

## Council Resolution – Item 15052.2

Moved: Cr R Desmond

Seconded: Cr L Smith

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 30<sup>th</sup> April 2015 as attached to and forming part of this report.

Municipal Account	
EFT	\$533,327.35
Direct Debits	\$37,972.92
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Corporate MasterCard	\$0.00
Bank Fees	\$238.61
<b>Total</b>	<b>\$584,499.47</b>
Trust Account	
EFT	\$0.00
Cheques	\$0.00
Bank Fees	\$0.00
<b>Total</b>	<b>\$0.00</b>
Trust Account – Mt Gibson Public Benefit Funds	
EFT	\$1,700.00
Cheques	\$200.00
Bank Fees	
<b>Total</b>	<b>\$1,900.00</b>

*Totalling \$586,399.47 from Municipal and Trust Accounts for the month ending 30<sup>th</sup> April 2015.*

Carried: 9/0

<b>15053</b>	<b>ECONOMIC AND COMMUNITY DEVELOPMENT</b>
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**15053.1 FUNDING FOR COMMUNITY BUS**

**APPLICANT:** SHIRE OF PERENJORI

**FILE:** ADM0430

**DISCLOSURE OF INTEREST:** NIL

**AUTHOR:** LEAH ADAMS - CDO

**RESPONSIBLE OFFICER:** LEAH ADAMS- CDO

**REPORT DATE:** 21<sup>st</sup> MAY 2015

**ATTACHMENTS:** NIL

**Executive Summary**

This item recommends that the Council endorse the Lotterywest funding application for the new community bus, and increase investment by \$30,000.

**Background**

A grant application for a new community bus was submitted to Lotterywest at the beginning of the year. The current community bus has served a need within the community, however is old. Rather than trading the bus in for little income, the bus will be stationed at Latham to serve the needs of the community, whilst the shire can still cater for people needing disability access if required.

The application outlined the funds for the new bus with a tow bar and alloy roo bar coming from the following sources:

- Shire of Perenjori - \$20,000 (+ \$10,000 for tow bar and roo bar)
- Public Benefit Trust - \$8,000
- Lotterywest - \$80,000

**Total - \$118,000**

On receiving feedback from Lotterywest Grants Manager for the Midwest region, the funding amount requested is not appropriate, and a request of \$50,000 was suggested. This would mean increasing the shire's budget by \$30,000 in order to purchase a new community bus.

The total cost of the bus is \$118,000, with the total contribution from council now being \$60,000.

**Statutory Environment**

Nil.

**Policy Implications**

Nil.

**Financial Implications**

Allocation of \$50,000.00 for the bus in the 2015-2016 budget.

**Strategic Implications**

Area 3: People and place – Our Community

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

**Risk Management**

Nil.

**Consultation**

Lee Grmas, Grants Manager Midwest

Peter Money, Acting Chief Executive Officer

**Comment**

It is important for Council to consider the need for the new community bus given the increase in council expenditure.

**Voting Requirements – Absolute Majority****Officers Recommendation – Item 15053.1**

It is recommended that Council;

1. Endorse the grant application to Lotterywest for funding the community bus
2. Approves the funding of the community bus as follows;
  - Public Benefit Trust - \$8,000
  - Lotterywest - \$50,000
  - Shire of Perenjori Bus Reserve - \$17,000
  - Shire of Perenjori Plant Reserve - \$43,000

OR

1. Endorse the grant application to Lotterywest for funding the community bus
2. Approves the funding of the community bus as follows;
  - Public Benefit Trust - \$8,000
  - Lotterywest - \$50,000
  - Budget in 2015/2016 an additional \$60,000 and purchase a new bus in 2015/2016

<b>Council Resolution – Item 15053.1</b>
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Moved: Cr L Smith

Seconded: Cr G Reid

1. Endorse the grant application to Lotterywest for funding the community bus
2. Approves the funding of the community bus as follows;
  - Public Benefit Trust - \$8,000
  - Lotterywest - \$50,000
  - Budget in 2015/2016 an additional \$60,000 and purchase a new bus in 2015/2016

Carried: 9/0

Leah Adams left the meeting at 7.44pm

<b>15054</b>	<b>INFRASTRUCTURE SERVICES</b>
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**15054.1 ROAD MAINTENANCE REPORT – APRIL 2015****APPLICANT: SHIRE OF PERENJORI****FILE: R123****DISCLOSURE OF INTEREST: NIL****AUTHOR: ROB GREEN – WORKS SUPERVISOR****RESPONSIBLE OFFICER: KEN MARKHAM – MANAGER INFRASTRUCTURE SERVICES****REPORT DATE: 21<sup>ST</sup> MAY 2015****ATTACHMENTS: MAP****Executive Summary**

This item seeks Council acceptance of the road maintenance report for the month of April 2015.

**Background**

Listed are the roads graded for the month of April 2015.

Camac Road	Leibe Road
Billeroo Road	McDonald Road
Benton Road	Waterhouse Road
Rowe Road	Watson Road
Maya east Road	Chisholm Road
Burgess Road	Wilder Road
Syme Road	North Road
Lochada Road	Solomon Road

**Statutory Environment**

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

**Policy Implications**

Nil

**Financial Implications**

As per road maintenance budget.

**Strategic Implications**

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

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

**Risk Management**

Nil

**Consultation**

Nil

**Comment**

The roads graded in April 2015 were roads which had storm damage, roads that are school bus routes and roads that form part of the Mt Gibson water cart contract.

**Voting Requirements – Simple Majority**

<b>Committee Recommendation – Item 15054.1</b>
<b>That the road maintenance report for April 2015 be accepted as presented.</b>

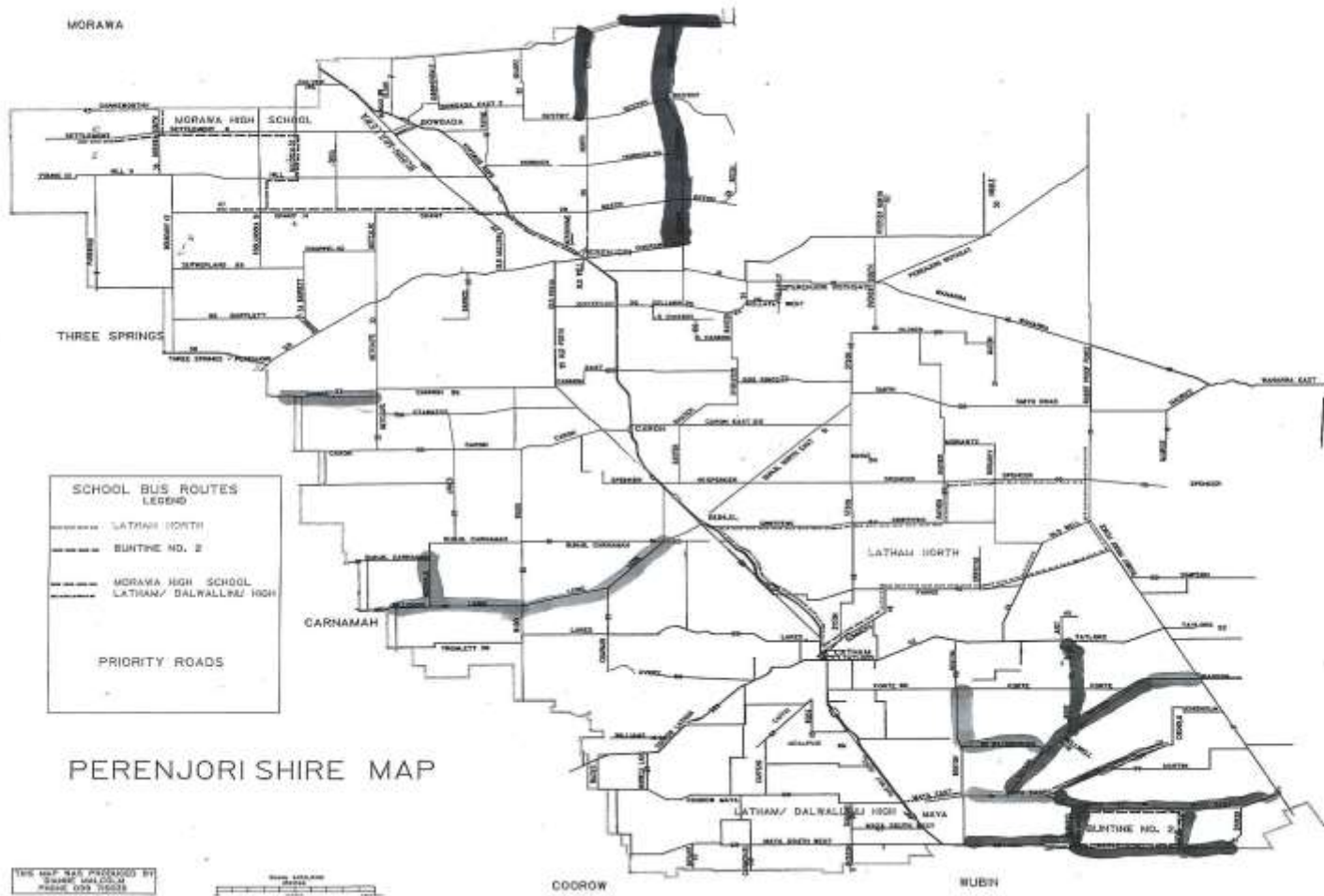
<b>Council Resolution – Item 15054.1</b>
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**Moved: Cr L Butler**

**Seconded: Cr P Waterhouse**

**That the road maintenance report for April 2015 be accepted as presented.**

**Carried: 9/0**





**15054.2 CONCESSIONAL LOADING APPLICATION – TOLL MINING SERVICES WEST**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>ADM</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>KEN MARKHAM – MANAGER INFRASTRUCTURE SERVICES</b>
<b>RESPONSIBLE OFFICER:</b>	<b>KEN MARKHAM – MANAGER INFRASTRUCTURE SERVICES</b>
<b>REPORT DATE:</b>	<b>19<sup>TH</sup> FEBRUARY 2015</b>
<b>ATTACHMENTS:</b>	<b>NIL</b>

**Executive Summary**

This item seeks Council's decision on an application for concessional loading on several Shire roads by Toll Mining Services West.

**Background**

An application has been received from Mr Michael Clark on behalf of Toll Mining Services West seeking approval to operate heavy vehicles RAV network 7 with Concessional Loading Bulk Product Scheme (23.5t on tri axle groups). The roads they are requesting are Perenjori Rothsay, Warriedar Coppermine and Karara roads. They currently deliver fuel to Karara under the RAV Network 7 un concessional.

The company states that it will be doing 4 trips per week @ 78,000lt per trip (69t).

The condition of the unsealed sections of roads is such that they continuously require maintaining. Allowing concessional loading has the potential to deteriorate the roads even quicker. It is noted that Karara Mining pay for the grading maintenance of the roads but do not contribute for upgrades or wear and tear on the sealed sections.

In response to queries made to HVO regarding the reference to RAV Network 10 in the endorsement letter HVO state: For this particular application (Ref 206), I do not require Network 10 to be referenced on the Council letter. In fact, all I require from the Shire of Perenjori is to give consent to the following conditions:

1. Concessional Loading Bulk Products Scheme (23.5t per tri axle group) will be approved for Toll Mining Services.
2. The largest approved combination will be a Network 7, 36.5m B/Double & Dog Trailer
3. The approved roads are - Perenjori-Rothsay Rd (5140015), Warriedar Copper Mine Rd (5140141) and Karara Rd (5140016)

**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**

Policy number 3007 – Long Vehicle (Extra mass) permits.

**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**

Rod Gillis-Main Roads, Peter Money-Acting CEO, Heavy Vehicle Operations- Main Roads.

**Comment**

The attached template letter received by Toll Mining Services West has a statement regarding approvals up to and including RAV Network 10 combination with the approved combination being Network 7. Mr Clark has stated that it is how Main Roads likes the letters written. Having spoken to Rod Gillis at Main Roads he has said that does not make sense to have reference to RAV Network 10 when the roads are Network 7. HVO also do not require the reference to RAV Network 10.

If Council were to approve the application, reference to RAV Network 10 should be removed from the endorsement letter.

**Voting Requirements – Simple Majority****Officers Recommendation – Item 15054.2****Option:**

1. That Council approves the concessional loading application from Toll Mining Services West.
2. That Council does not approve the concessional loading application from Toll Mining Services West.

**Council Resolution – Item 15054.2**

Moved: Cr J Cunningham

Seconded: Cr H Wass

**Option:**

1. That Council approves the concessional loading application from Toll Mining Services West.

Carried: 9/0

13<sup>th</sup> May 2015

Michael Clark  
Fleet Supervisor  
Toll Mining Services West  
PO Box 864  
Cloverdale WA 6985

Dear Michael

### **PERMIT TO OPERATE HEAVY VEHICLES ON VARIOUS SHIRE ROADS**

I refer to your recent enquiry seeking approval to operate heavy vehicles up to and including a RAV Network 10 configuration on the below listed roads delivering to Karara Mine. The Shire approves your request subject to the following conditions:

LGA: ..... (Shire of Perenjori).

Road No 5140015 – Perenjori Road – linking onto Warriedar Copper Mine Road

Road No 5140141 – Warriedar Copper Mine Road – linking onto Karara Road

Road No 5140016 – Karara Road to Karara Mine

### **Conditions**

1. This is subject that all operators must carry this written approval from the Local Government Authority (Shire of Perenjori) permitting use of the above named roads.
2. This approval is for RAV up to Network 10, and the Concessional Loading Bulk Product Scheme (23.5t on tri-axle groups) is supported. The approved combination of vehicles is:
  - Network 7 / Tandem-drive / 36.5m Double Road Train with Tri Dollies, and
  - Network 7 / Tandem-drive / 36.5m B Double and Dog with Tri Dollies.
3. Permit holders are to comply with Main Roads WA Operating Conditions for restricted vehicle access including mass, width and length limits, and configurations.
4. In the event that road closures are activated due to bad weather or for any other reason, all vehicle movements on the subject roads will cease until the road closures are lifted by the Shire of Perenjori.

- 5. Vehicles are to abide by MRWA road speed limits for heavy vehicles.
  
- 6. The approval will be valid for ..... from the advised commencement date of the proposed cartage operations being Monday 18<sup>th</sup> May 2015. Should an extension be required, an application must be made prior to the expiry date and will be dependent on the condition of the roads at that time. Consideration will be given to the number of vehicles and oversized vehicle combinations when making future inspections of the roads used.
  
- 7. The Shire reserves the right to revoke this permit in the event of the permit holder breaching any of its conditions or if the named used roads are showing excess wear and tear from the high use.

It is understood that this letter will be forwarded to Main Roads WA in support of your application to obtain the required permit for the proposed cartage operations.

If you require further information from the Shire regarding this matter please contact our office on Phone ..... or via e-mail: .....  
.....@.....wa.gov.au.

Yours sincerely

.....

**15055 GOVERNANCE**

Cr L. Smith declared a proximity interest in Item 15055.1 and with the permission of the Council remained in the Meeting but did not vote on the item.

**15055.1 APPLICATION FOR EXPLORATION LICENCE 70/4712**

**APPLICANT:** MCMAHON MINING TITLE SERVICES  
**FILE:** ADM0216  
**DISCLOSURE OF INTEREST:** NIL  
**AUTHOR:** PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER  
**RESPONSIBLE OFFICER:** PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER  
**REPORT DATE:** 19<sup>TH</sup> FEBRUARY 2015  
**ATTACHMENTS:** APPLICATION DOCUMENTS

**Executive Summary**

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

**Background**

Correspondence has been received from McMahon Mining Title Services on behalf of Black Peak Holdings Pty Ltd an exploration licence on land within the Shire. The licence is for the sub surface rights only on private land.

All applicants are required to notify the respective local government of the application for the licence. They have provided location plans detailing the subject land.

**Statutory Environment**

*Mining Act 1978*

Section 33(1a)

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications*****Area 1: Infrastructure and Natural Assets - Our Natural and Built Environment***

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

**Risk Management**

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

**Consultation**

Nil

**Comment**

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

**Voting Requirements – Simple Majority****Officers Recommendation – Item 15055.1**

That Council acknowledges the application for an Exploration License from McMahon Mining Title Services on behalf of Black Peak Holdings Pty Ltd exploration licence 70/4712 and requests the following conditions be imposed by the Department of Mines and Petroleum if the licenses are to be issued:

1. All surface holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.
2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six (6) months after excavation unless otherwise approved in writing by the district mining engineer.
3. Abandoned equipment and temporary buildings being removed from the tenement prior to or at the termination of the exploration program.
4. No activities taking place to the detriment of any roads, streets or verges.
5. Minimum disturbance being made to natural vegetation.
6. Adequate dust suppression control methods and practices being used.
7. All works comply with the Environmental Protection (Noise) Regulations 1997.

All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

**Council Resolution – Item 15055.1**

**Moved: Cr L Butler**

**Seconded: Cr J Cunningham**

That Council acknowledges the application for an Exploration License from McMahon Mining Title Services on behalf of Black Peak Holdings Pty Ltd exploration licence 70/4712 and requests the following conditions be imposed by the Department of Mines and Petroleum if the licenses are to be issued:

1. All surface holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.
2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six (6) months after excavation unless otherwise approved in writing by the district mining engineer.
3. Abandoned equipment and temporary buildings being removed from the tenement prior to or at the termination of the exploration program.
4. No activities taking place to the detriment of any roads, streets or verges.

5. Minimum disturbance being made to natural vegetation.
6. Adequate dust suppression control methods and practices being used.
7. All works comply with the Environmental Protection (Noise) Regulations 1997.

All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

**Carried: 8/0**

Online Lodgement - Submission: 20/04/2015 09:06:26; Receipt: 20/04/2015 09:06:26

Form 21

WESTERN AUSTRALIA

Mining Act 1978

(Secs. 41, 58, 70C, 74, 86, 91, Reg. 64)

**APPLICATION FOR MINING TENEMENT**

(a) Type of tenement	(a) Exploration Licence	No. E 70/4712
(b) Time & Date marked out (where applicable)	(b) a.m./p.m. / /	(c) SOUTH WEST
(c) Mineral Field		
For each applicant:	(d) and (e) BLACK PEAK HOLDINGS PTY LTD (ACN: 109 129 759) C/- MCMAHON MINING TITLE SERVICES PTY LTD, PO BOX 582, MAYLANDS, WA, 6931	(f) Shares 100
(d) Full Name and ACN/ABN		
(e) Address		
(f) No. of shares		
(g) Total No. of shares		(g) Total 100
DESCRIPTION OF GROUND APPLIED FOR: (For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)	(h) Perangery (i) (j) This application affects Private Property. Details of Private Property Affected: "IN RESPECT TO PRIVATE LAND, THE TENEMENT APPLICANT IS SEEKING SUBSURFACE RIGHTS ONLY, THEREFORE SECTION 33(1a) OF THE MINING ACT 1978 APPLIES TO PRIVATE LAND NOTICES."	
(k) Locality	(k) 13 BL	
(l) Datum Peg		
(m) Boundaries		
(n) Area (ha or km <sup>2</sup> )		
(o) Signature of applicant or agent (if agent state full name and address)	(p) <i>Helen Arcus</i> SHOP 28, 168 GUILDFORD ROAD, MAYLANDS, WA, 6051	Date: 20/04/2015

**OFFICIAL USE**

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 25th day of May 2015 (See Note 4).

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

Received at	09:06:26	on	20 April 2015	with fees of
Application	\$1,290.25			
Rent	\$1,587.30			
TOTAL	\$2,877.55			
Receipt No:	511011651071			

**Mining Registrar****NOTES****Note 1: EXPLORATION LICENCE**

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

**Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE**

- (i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

**Note 3: GROUND AVAILABILITY**

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

**Note 4: ALL APPLICATIONS OVER PRIVATE LAND**

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.





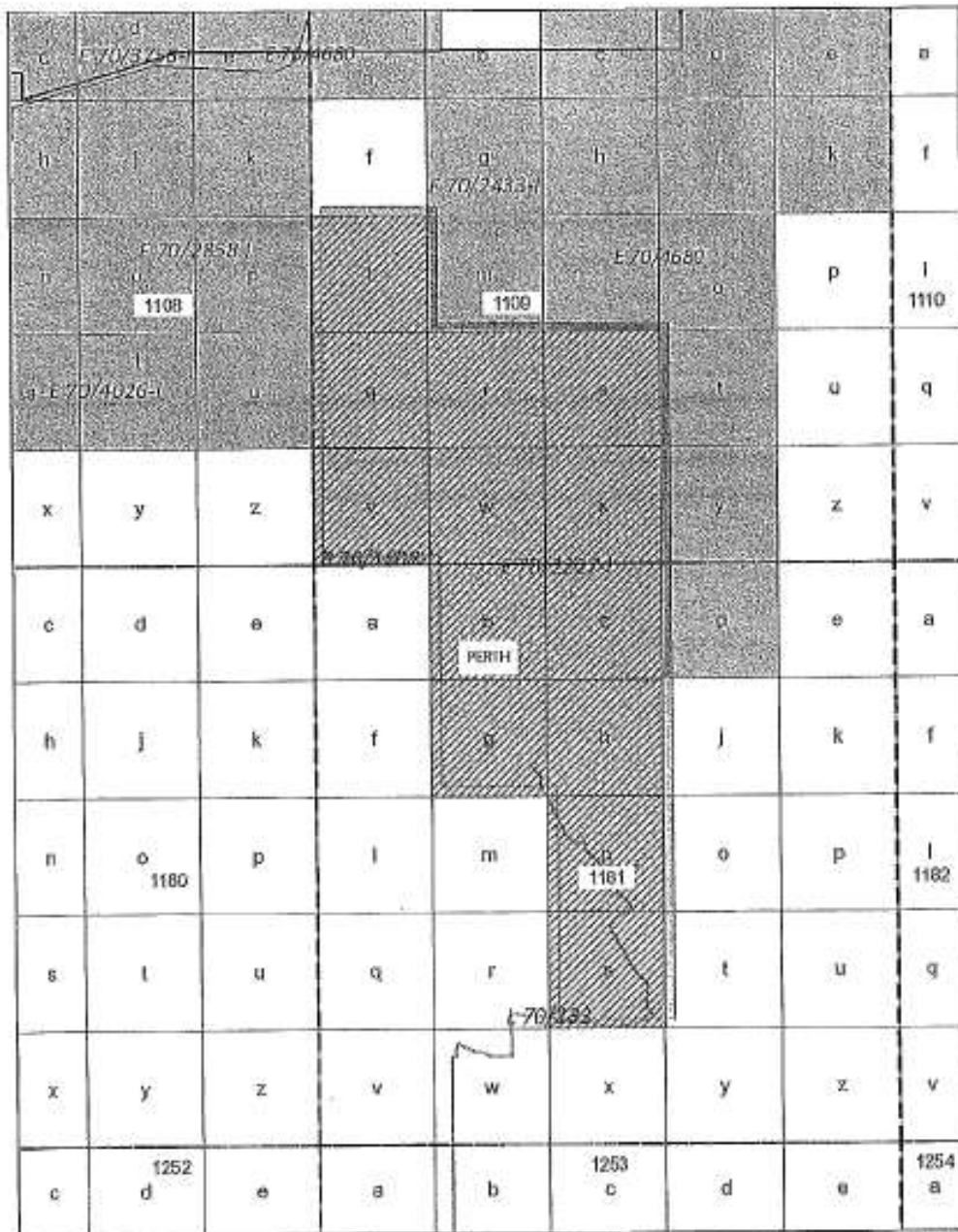
Government of Western Australia  
Department of Mines and Petroleum

MINERAL TITLES ONLINE

Mining Act 1978  
Sec. 68; Reg. 64

FORM 21 - ATTACHMENT 2  
Plan Name(s) - PERTH

This Utility Number is 2000202020000  
New ID: wds020



MAP SHOWING BLOCKS APPLIED FOR IN  
EXPLORATION LICENCE NO. Z9/4712

Graticular Section Applied For

15055.2	<b>MEMBERSHIP OF WADDI FOREST LAND CONSERVATION DISTRICT COMMITTEE</b>
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<b>APPLICANT:</b>	<b>WADDI FORREST LAND CONSERVATION DISTRICT COMMITTEE</b>
<b>FILE:</b>	<b>ADM0202</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER</b>
<b>RESPONSIBLE OFFICER:</b>	<b>PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER</b>
<b>REPORT DATE:</b>	<b>21<sup>ST</sup> MAY 2015</b>
<b>ATTACHMENTS</b>	<b>EXTRACTS OF GOVERNMENT GAZETTE</b>

**Executive Summary**

Correspondence has been received advising that the Waddi Forrest Land Conservation District Committee inviting the Council of the Shire of Perenjori to nominate a member to the Committee.

Below is the information received from the Biosecurity & Regulation department of the Department of Agriculture & Food in Western Australia.

***WADDI FOREST LAND CONSERVATION DISTRICT COMMITTEE - EXPIRED 30 JUNE 2014***

*I have attached the Establishment Order of 4 October 1985 and Amendment Orders, and also, the Committee to 30 June 2014 for your consideration and records.*

*It was determined that this committee shall comprise **21** members, according to the Amendment Order of 2 July 1996.*

***ONE*** shall be the **Commissioner** of Soil and Land Conservation or his nominee.

***ONE*** shall be nominated by the **Shire of Coorow**. Their representative on the 2015-2018 committee is Cr **Bruce Andrew Jack of Coorow**.

***ONE*** shall be nominated by the **Shire of Perenjori**.

***TWO*** shall be nominated by the **Western Australian Farmers Federation (Inc.)**.

***ONE*** shall be nominated by the **Pastoralists and Graziers Association of Western Australia (Inc.)**.

***FIFTEEN*** shall be persons actively engaged in, or affected by or associated with, **land use** in the district.

*Please be aware that the committee's authority and protection provided by the Soil and Land Conservation Act has become invalid as of **30 June 2014**, as a new committee was not re-appointed before that date.*

**Background**

Nil

**Statutory Environment**

Nil

**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.*

**Risk Management**

There are no known risks in the Council providing a member of this committee or choosing not to. The purpose of the committee relates to land management issues and it could be advantageous for the Council to be part of the Committee provided there are some tangible outcomes from the Committee’s activities.

**Consultation**

Nil

**Comment**

Nil

**Voting Requirements – Simple Majority**

**Officers Recommendation – Item 15055.2**

**That the Council nominates Cr ..... as a member of the Waddi Forrest Land Conservation District Committee.**

**Council Resolution – Item 15055.2**

**Moved: Cr J Cunningham**

**Seconded: Cr P Waterhouse**

**That the Council nominates Cr Wass as a member of the Waddi Forrest Land Conservation District Committee.**

**Carried: 9/0**

**15056 PROJECT STATUS REPORT**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>NIL</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER</b>
<b>RESPONSIBLE OFFICER</b>	<b>PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER</b>
<b>REPORT DATE:</b>	<b>21<sup>ST</sup> MAY 2015</b>
<b>ATTACHMENTS</b>	<b>PROJECT STATUS REPORT</b>

**Executive Summary**

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

**Background**

Nil

**Statutory Environment**

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

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Area 5: Investing in Councils Capacity – Our Leadership

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

**Consultation**

Staff

**Comment**

Nil

**Officers Recommendation – Item 15056**

**Council accepts the Project Status Report as presented for the month of April 2015.**

<b>Council Resolution – Item 15056</b>
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Moved: Cr J Cunningham

Seconded: Cr R Desmond

Council accepts the Project Status Report as presented for the month of April 2015.

Carried: 9/0

<b>15057      STATUS REPORT</b>
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<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	<b>NIL</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER</b>
<b>RESPONSIBLE OFFICER</b>	<b>PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER</b>
<b>REPORT DATE:</b>	<b>21<sup>ST</sup> MAY 2015</b>
<b>ATTACHMENTS</b>	<b>STATUS REPORT</b>

**Executive Summary**

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

**Background**

Nil

**Statutory Environment**

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

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Area 5: Investing in Councils Capacity – Our Leadership

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

**Consultation**

Staff

**Comment**

Nil

**Officers Recommendation – Item 15057**

Council accepts the Status Report as presented for the month of April 2015.

**Council Resolution – Item 15057**

Moved: Cr G Reid

Seconded: Cr P Waterhouse

Council accepts the Status Report as presented for the month of April 2015.

Carried: 9/0

**15058 OTHER BUSINESS****15058.1 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN****15058.2 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN****15058.3 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

Discussion on the following item was approved by the President

**15058.3.1 PROPOSAL FOR NUCLEAR WASTE DISPOSAL**

<b>APPLICANT:</b>	<b>SHIRE OF PERENJORI</b>
<b>FILE:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>PETER MONEY – ACTING CEO</b>
<b>RESPONSIBLE OFFICER:</b>	<b>PETER MONEY – ACTING CEO</b>
<b>REPORT DATE:</b>	<b>20<sup>TH</sup> MAY 2015</b>
<b>ATTACHMENTS</b>	<b>SECURITIES EXCHANGE ANNOUNCEMENT</b>

**Executive Summary**

This item recommends that the Council expresses its opposition to Gindalbie Metals, the Yalgoo Shire and the Federal Department of Industry and Science to the expression of interest from Gindalbie Metals Ltd for the establishment of radioactive waste management facility on Badja Station.

**Background**

Gindalbie Metals recently announced that it has nominated part of Badja Station as a candidate site for a proposed national radioactive waste management site the site is

proposed to store Australia's intermediate level waste and dispose of low level waste created largely as a result of medical and other research.

Gindalbie claims to have conducted a programme of preliminary engagements and consultations with representatives of local communities and stakeholders.

However, media comments from landowners indicate that consultation has not occurred so who Gindalbie consulted with is unknown.

Gindalbie have also stated in their media release that "Extensive public consultations will continue to be undertaken" which indicates some "extensive" public consultation has already occurred. This is clearly not true and it appears that neighbouring local governments have not been consulted at all.

The Shire of Morawa is not supportive of the proposal as the site is not too distant from their townsite. Further to that the prospect of any nuclear waste in a grain growing area will most likely have significant permanent detrimental effects of the marketing and sale of grains coming from an area that has a nuclear waste dump in its vicinity.

It is reasonable to say that the broader community does not support the concept of any nuclear waste in locations anywhere near population or food growing areas. Considering there are vast unpopulated areas within Australia that are not food producing areas, it is irrational to expect any nuclear waste should be dumped anywhere other than those areas.

#### **Statutory Environment**

Nil

#### **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.*

Area 3: People and place – Our Community

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

#### **Risk Management**

The proposal to create any level of a nuclear waste dump site close to populated areas and close to food producing areas is both extremely hazardous to health, environment and the local economy and local industries.

There is always a risk of pollution and that risk alone could pose a significant and irreversible risk to quality food producing land and any proposal that creates these risks should be opposed.

**Consultation**

Shire of Yalgoo  
Shire President

**Comment**

Nil

**Voting Requirements – Simple Majority****Officers Recommendation – Item 15058.3.1**

That the Council expresses opposition to Gindalbie Metals, the Yalgoo Shire and the Federal Department of Industry and Science to the expression of interest from Gindalbie Metals Ltd for the establishment of radioactive waste management facility on Badja Station in the Yalgoo Shire.

**Council Resolution – Item 15058.3.1**

**Moved: Cr R Desmond**

**Seconded: Cr J Cunningham**

That the Council arrange a public meeting for the 9<sup>th</sup> June 2015 and invite representatives from Gindalbie Metals, MWDC, Conservation Council of WA, Yalgoo Council and Morawa Council to discuss the potential of a radioactive waste site on Badja Station.

That the Council expresses its disappointment to Gindalbie Metals over the lack of consultation of this proposal.

**Carried: 9/0**

The Council chose to not accept the Officers recommendation and gauge public opinion on the matter before responding to the proposal. For this reason they chose to call for a public meeting.

**15058.4 MATTERS BEHIND CLOSED DOORS****15058.4.1 CONFIDENTIAL ITEM - REQUEST FOR CHANGES TO TOP IRON AGREEMENT**

<b>APPLICANT:</b>	<b>TOP IRON</b>
<b>FILE:</b>	<b>ADM0533</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER</b>
<b>RESPONSIBLE OFFICER</b>	<b>PETER MONEY – ACTING CHIEF EXECUTIVE OFFICER</b>
<b>REPORT DATE:</b>	<b>21<sup>ST</sup> MAY 2015</b>

**ATTACHMENTS****Voting Requirements – Simple Majority**



**Officers Recommendation – Item 15058.4.1**

That Council advises Top Iron that:

1. It agrees to the removal of clause 6.2 in reference to Public Haul Road Sections Upgrade on condition a clause is inserted that clearly states that any future return to this proposal and costs that may be incurred in amending the Agreement of any other related matter will be met wholly by Top Iron.
2. Clause one of 6.3 (e) may be removed but stating "*The parties agree that the Maintenance fee Payment is separate from any other obligation or payment under this agreement*" shall remain. Further that a clause is inserted that the \$0.04 cents per kilometre per tonne hauled is to be reviewed on an annual basis.
3. In reference clause 16.12 the Council maintains its previous position to legal costs and does not agree to each party paying its own costs.
4. That clause 6.2(a) read as follows: At the Trucking Commencement Date the Maintenance Fee Payment shall be \$0.004 cents per tonne per kilometre (one way) and shall be paid quarterly in arrears.

**Council Resolution – Item 15058.4.1**

**Moved: Cr J Cunningham**

**Seconded: Cr G Reid**

That the item lay on the table.

**Carried: 9/0**

**15058.5 DATE OF NEXT MEETING**

The date of the next council meeting will be held on Thursday 18<sup>th</sup> June 2015 at 1.30pm

**15058.6 CLOSURE**

Cr C King declared the meeting closed at 9.33pm

I certify that this copy of the Minutes is a true and correct record of the meeting held on 21<sup>st</sup> May 2015.

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

Presiding Elected Member

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