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Shire of Perenjori  
MINUTES  
Ordinary Council Meeting

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Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on  
Thursday 17<sup>th</sup> August 2006, to commence at 1.30 pm.

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**6081 PRELIMINARIES**

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**6081.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

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The President opened the meeting at 1.26pm.

**6081.2 OPENING PRAYER**

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Cr Baxter led Council in the opening prayer.

**6081.3 DISCLAIMER READING**

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Nil

**6081.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

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President	Cr Brian Baxter
Deputy President	Cr Christopher King
Councillors	Cr Robyn Benton
	Cr Laurie Butler
	Cr Jennifer Hirsch
	Cr John Bendsorp
	Cr Graeme Reid
CEO	Mr Stan Scott
Deputy Ceo	Ms Domenica Orlando
Manager Community Services	Mr Garry Agnew
Environmental Health Building Officer	Ms Andrea Njoku
Economic Development Officer	Mr Phil Cleaver

Apologies Cr Ian West

**6081.5 PUBLIC QUESTION TIME**

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Nil

**6081.6 PETITIONS / DEPUTATIONS / PRESENTATIONS**

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Patrick Beale and Grant Revell from the University of WA addressed Council on their visit to Perenjori with their students.

There are 32 University Students currently visiting Perenjori for the week. Their age range from 20 to early 30's and the majority are at the middle to end of their 5 year study program. A third of the students are Architect students and two thirds are Landscape Architect students.

Initial discussions on the visit were to research housing issues and then broader or pressing issues will be looked at. They will be researching opportunities for development and utilisation of the unique resources in Perenjori.

The flatpack modular house that was to come up to Perenjori is currently at the Homebase in Wembley and is being shifted to the UWA campus.

The students looked at the following during the week:  
Consolidation of urban forms, dams, Cemetery, Recreation Grounds, Main Street, Vacant lots, orientation of buildings, Climate shifting.

The students have met with various community members and Councillors to gain a better understanding of their plans and aspirations for Perenjori.

Students will work on the project for an additional 10-11 weeks which will entail master planning and detailed examination of particular projects. The 27<sup>th</sup> October is the final presentation on the Housing Projects.

The project is beneficial for students as they are dealing with real life issues and UWA would like to develop an ongoing research program and academic program.

The President thanked Mr Beale and Mr Revel for their work and hoped that the project would be beneficial for both parties.

*Mr Patrick Beale and Mr Grant Revel left the chambers at 1.54pm.*

Mr Phil Cleaver, Economic Development Officer addressed Council on the latest developments on the projects he has been dealing with.

*Mr Phil Cleaver left the chambers at 2.30pm.*

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**6081.7 NOTATIONS OF INTEREST**

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**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.**

Cr King declared an interest in Late Item 6081.1 as Chairman of the YYCMG.

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**6081.8 APPLICATIONS FOR LEAVE OF ABSENCE**

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**Moved: Cr King**

**Seconded: Cr Butler**

**That Cr West be approved a leave of absence for the current meeting.**

**Carried 7/0**

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**6081.9 CONFIRMATION OF MINUTES**

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Confirmation of minutes of Council meeting held 20<sup>th</sup> July 2006.

**Moved: Cr Benton**

**Seconded: Cr Hirsch**

**That the minutes from the Ordinary meeting of Council held on 20<sup>th</sup> July 2006 be accepted as a true and correct record.**

**Carried 7/0**

Confirmation of minutes of Special Meeting held 31<sup>st</sup> July 2006.

**Moved: Cr King**

**Seconded: Cr Butler**

**That the minutes from the Special Draft Budget meeting of Council held on 31<sup>st</sup> July 2006 be accepted as a true and correct record.**

**Carried 7/0**

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**6081.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT  
DISCUSSION**

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Nil

**6081.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS**

**6082 HEALTH BUILDING & PLANNING**

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**AUGUST 2006 INFORMATION BULLETIN**

**1. SUBDIVISION - LOTS 127/130 RUSSELL STREET PERENJORI.**

The WAPC has advised that it has considered Council's application to subdivide Lots 127, 128, 129 and 130 Russell Street and is prepared to endorse a deposited plan once conditions have been fulfilled.

WAPC Conditions:

1. The amalgamation taking place on the Deposited Plan.
2. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)
3. A fire Management Plan being prepared and implemented. (FESA)
4. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the satisfaction of Western Power for the provision of an underground electricity supply service to the lots(s) shown on the approved plan of subdivision. (Western Power)
5. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)
6. A fire Management Plan being prepared and implemented to the specifications of the local government and the Fire and Emergency Services Authority. (FESA)

Council is aware that this proposed subdivision then amalgamation does not create additional lots its sole purpose is to correct boundary encroachment by existing Shire buildings i.e. residence at lot 130 plus the Ambulance Hall and Bush Fire Brigade shed.

Each of the above mentioned Agencies have been contacted and had the circumstances explained in the hope that the status quo is acceptable and that they will endorse the deposited plan.

Water Corporation

A Water Corporation 'Land Development Agreement' has been signed and Water Corporation has indicated verbally that it will provide clearance for the deposited plan once received.

FESA

Discussion with the FESA Midwest Area Manager regarding the fire management conditions stipulated by the WAPC has resulted in an email from him confirming that conditions '3' and '6' of WAPC 130523 Lot 129 Russell Street are **not required** for this proposed subdivision.

Western Power

Correspondence has been sent to Western Power seeking its agreement that the power supply status quo for this subdivision is acknowledged and clearance of the deposited plan will be issued.

The Western Power bureaucracy does not permit access to an individual able to provide immediate advice on a probable determination of the matter. A Western Power employee is to investigate the issue.

Conclusion

Notwithstanding the above Council's Surveyor's Hille, Thompson & Delfos have advised that the survey work for this subdivision will be carried out in due course.

**2. PROPOSED SUBDIVISION – LOT 900 JOHN STREET, PERENJORI**

The WAPC has advised that it has considered the above application and is prepared to endorse a deposited plan once the conditions(s) set out below have been fulfilled.

Conditions

1. No lot being less than 1000m<sup>2</sup> in area.(WAPC)
2. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lots(s) shown on the approved plan of subdivision.(Western Power)
3. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure.(Western Power)
4. A fire Management Plan being prepared and implemented to the specifications of the local government and the Fire Emergency Services Authority.( FESA)
5. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision.(Water Corporation)

Advice to Applicant

1. With regard to Condition 2, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is require to be converted to underground.
2. If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.
3. With regard to Condition 3 the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power.
4. In regard to Condition 4, the applicant is advised to refer to the publication "Planning for Bush Fire Protection" for performance criteria that need to be met. A copy of this publication is available from the Western Australian Planning Commission website on [www.wapc.wa.gov.au](http://www.wapc.wa.gov.au).

5. With regard to Condition 5, Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure.
6. The land clearing provisions of the Environmental Protection Act 1986 set out requirements concerning the grant of land clearing permits. Information regarding land clearing permits can be obtained from the Department of Environment.
7. In regard to the above the applicant is reminded that no clearing of native vegetation shall occur except for the purposes of clearing within an agreed building envelope for the reasonable construction of an approved dwelling or other buildings or to construct a vehicular access as approved by Council. Measures should be taken to ensure all native vegetation is preserved so far as practicable after clearing of the site works and services to accommodate development.
8. The applicant is advised that the Department of Environment has prepared dust control guidelines for development sites, which inter alia, outline the procedures for the preparation of Dust Management Plans for development sites. Further information on guidelines can be obtained from the Department of Environment.
9. The approved lot(s) are located within an area where there is a need to obtain a licence before a bore or well being constructed. The licence is issued by the Department of Environment and may contain a number of conditions.
10. The subject property is within the Gascoyne Groundwater Area as proclaimed under the Rights in Water and Irrigation Act 1914. Any ground water abstraction in this proclaimed area is subject to licensing by the Department of Environment. The issuing of a ground water licence is not guaranteed but if issued will contain a number of conditions that are binding upon the landowners. The proponent should contact the Department of Environment to ensure that sustainable groundwater allocation limits have not been reached for the area. While there is no guarantee of supply, where the groundwater area is found to be fully allocated, the proponent will need to attain water from alternative sources and make prospective.

Hille Thompson & Defos have informed that they have submitted requests to Water Corporation, Western Power and FESA seeking confirmation on estimated costs to satisfy each condition as stipulated by the WAPC approval; Council will be provided with this advise once received.

Further, Hille, Thompson & Defos have informed that survey work of the subdivision will be conducted in due course.

### **3. SHIRE WORKS DEPOT – BUILDING LICENCE 03/05.**

Council is informed that there appears to be a very minor sagging between the apex and wall columns in the portal beams for the new depot work shed.

This has been passed on to the Builder and he has been asked to have his Engineer confirm whether this is a design feature of the building.

At the time of preparing this item that confirmation had not been received.

Should it not be forth coming in the short term does Council support the matter being passed to the Builder's Registration Board?





6. That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 14826 to 14855 and EFT Numbers 1182 to 3258846 for \$248,130.73 and the Trust Account consisting of EFT Numbers 3138499 to 3154207 for \$277.50 for the period ended 31<sup>st</sup> July 2006 as presented be accepted.

Moved: Cr King

Seconded: Cr Butler

That Items 1-6 being the Financial Statements for the period ended 31<sup>st</sup> July 2006 as presented be accepted.

Carried 7/0

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**6084 PLANT & WORKS**

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**6084.1 RESTRICTED ACCESS VEHICLES – TEMPORARY GRAIN PERMITS**

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<b>APPLICANT:</b>	<b>MAIN ROADS WA</b>
<b>FILE:</b>	<b>0</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>STAN SCOTT – CEO</b> _____
<b>RESPONSIBLE OFFICER</b>	<b>STAN SCOTT – CEO</b> _____
<b>REPORT DATE:</b>	<b>4 August 2006</b>
<b>ATTACHMENTS</b>	<b>Consolidated List for Different Configurations with recommendations</b>

**Executive Summary:**

Main Roads WA is seeking the Shire's advice on required changes if any to Temporary Grain and Fertiliser permits for Restricted Access Vehicles

**Applicants Submission:**

Main Roads WA has provided a copy of the permits for different vehicle types. These have been consolidated into table for ease of reference by Councillors. The matter was referred by Council at its May Ordinary Meeting for further consideration by the plant and works committee when gaps in the network were identified.

**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:**

Council recently endorsed a review of road priorities.

**Financial Implications:**

Nil

**Strategic Implications:**

Nil

**Consultation:**

Nil

**Comment:**

The consolidated list highlights existing permits and proposed changes. While demands placed on roads this harvest are likely to be significantly less than for a

normal season, if we make the right choices minimal changes will be required within the foreseeable future.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council recommend the following changes be made by Main Roads WA:

**General Endorsement Routes**

That the following Roads be given General Endorsement rather than Temporary Grain Permits

<b>Road</b>	<b>Recommended Endorsement</b>	<b>Comment</b>
Boundary Road	Up to 36.5 M	Sealed Road
Coorow Latham	Up to 36.5M	Sealed Road
Grant Road	Up to 36.5 M	Identified as priority road
North Road	Up to 27.5 M	Identified as priority road
Rabbit Proof Fence Road	Up to 27.5 M	Identified as priority road
Summers Road	Up to 36.5 M	Access to Syson Road
Syson Road	Up to 36.5 M	Identified as priority road
Taylor's Road	Up to 36.5 M	Identified as priority road
Wanarra Road	Up to 27.5 M	Identified as priority road

**Temporary Harvest Routes**

That the following roads be made available for temporary harvest permits for vehicle combinations up to 27.5m:

- Back Bowgada
- Hirsch Road
- Old Mullewa Road
- Payne Road
- Sharpe Road
- Solomon Road
- Waddi Road

That the following roads be made available for temporary harvest permits for vehicle combinations up to 36.5m:

- Bowgada East
- Bunjil Carnamah
- Caffins Road
- Carmichael Road
- Jackson Road
- Keogh Rd
- Liebe Road
- Mason Road
- Rayner Road
- S Cannon Road
- Sutherland Road
- Wilder Road

Moved: Cr Butler                      Seconded: Cr King  
That Council recommend the following changes be made by Main Roads WA:

**General Endorsement Routes**

That the following Roads be given General Endorsement rather than Temporary Grain Permits

Road	Recommended Endorsement	Comment
Boundary Road	Up to 36.5 M	Sealed Road
Coorow Latham	Up to 36.5M	Sealed Road
Grant Road	Up to 36.5 M	Identified as priority road
North Road	Up to 27.5 M	Identified as priority road
Rabbit Proof Fence Road	Up to 27.5 M	Identified as priority road
Summers Road	Up to 36.5 M	Access to Syson Road
Syson Road	Up to 36.5 M	Identified as priority road
Taylor's Road	Up to 36.5 M	Identified as priority road
Wanarra Road	Up to 27.5 M	Identified as priority road

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That the following roads be made available for temporary harvest permits for vehicle combinations up to 27.5m:

- Back Bowgada
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- Bowgada East
- Bunjil Carnamah
- Caffins Road
- Carmichael Road
- Jackson Road
- Keogh Rd
- Liebe Road
- Mason Road
- Rayner Road
- S Cannon Road
- Sutherland Road
- Wilder Road

**Main Roads be reminded of gap in 25m Permits for Camac, Caron, Dring, James, Metcalf Roads.**

**Carried            7/0**

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**6085 GOVERNANCE**

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**6085.1 UWA ARCHITECTURE LANDSCAPE AND VISUAL ARTS PROJECT**

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<b>APPLICANT:</b>	<b>UWA</b>
<b>FILE:</b>	<b>0</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>0</b>
<b>AUTHOR:</b>	<b>STAN SCOTT – CEO</b> _____
<b>RESPONSIBLE OFFICER</b>	<b>STAN SCOTT – CEO</b> _____
<b>REPORT DATE:</b>	<b>10 August 2006</b>
<b>ATTACHMENTS</b>	<b>Letter from UWA</b>

**Executive Summary:**

A group of over 30 UWA students from the faculty of Architecture, Visual Arts and Landscape is doing practical study in Perenjori for a week under the supervision of Partick Beale and Grant Revell.

**Applicants Submission:**

The projects identified include:

1. Climate and location appropriate good quality housing
2. A re-appraisal of the town site as an urban landscape: Include primary features such as the main street/rail reserve, caravan park, sports facilities.
3. A re-appraisal of the floodways, lake and dam formations adjacent the town site
4. A re-appraisal of the airstrip and associated landscapes
5. Site and design of a native tree and plant incubator for eventual restoration of regional mine sites
6. Site and infrastructure for Bio-Diesel plant
7. Site and infrastructure for proposed fish farm
8. Mine site infrastructures
9. Dispersed population and de-population of the outlying areas of the shire.

**Background:**

This project had its Genesis in an approach by Phil Cleaver, the Shire's Economic Development Officer, to UWA seeking a collaborative solution to future housing requirements in Perenjori.

**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:**

Some of the ideas and suggestions resulting from the projects are likely to influence future Council policy.

**Financial Implications:**

The Shire is providing transport, accommodation at the Pavilion and some meals for the students. The university meets other costs.

**Strategic Implications:**

Work by the students should dovetail with Council's Strategic Planning.

**Consultation:**

Councillors are invited to join students for a meal at the Perenjori Sports Club this evening. As the Perenjori visit is almost finished it will give Elected Members the opportunity to interact directly with students.

**Comment:**

This project is expected to be the first of several visits by the faculty over the next 5 years. This project is very innovative and is at the leading edge of university community collaboration and could be the forerunner for similar projects in other study disciplines both for Perenjori and other small country centres.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council consider a presentation from Patrick Beale and Grant Revell on the progress of the project.

**Moved: Cr Hirsch**

**Seconded: Cr Bendsorp**

**That the CEO write to the UWA to thank them for their efforts.**

**Carried 7/0**

6085.2 ADOPTION OF 2006/2007 ANNUAL BUDGET

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**APPLICANT:** SHIRE OF PERENJORI  
**FILE:** 0  
**DISCLOSURE OF INTEREST:** NIL  
**AUTHOR:** STAN SCOTT – CEO \_\_\_\_\_  
**RESPONSIBLE OFFICER** STAN SCOTT – CEO \_\_\_\_\_  
**REPORT DATE:** 11 AUGUST 2006  
**ATTACHMENTS** BUDGET PAPERS TO BE TABLED AT MEETING

**Executive Summary:**

Council is required to adopt its annual budget by 31 August 2006.

**Applicants Submission:**

Council considered the draft budget at its 31 July Special Meeting. The budget resolutions and budget documents reflect the decisions taken at that meeting.

Council has been provided with two versions of the Rate Setting Statement:

Version 1 exactly reflects the decisions of the 31 July 2006;

Version 2 allows the following changes:

**Inclusion of the shelter at the depot.** This has the advantage of completing all construction at the depot and finalising the project. Additional Cost \$29,000

**Removal of concrete storage blocks for stock.** While worthwhile, this purchase could wait till 2007/2008 Saving \$8,700.

**Removal of the vehicle hoist.** With the service pit included for 2006/2007 this could wait till 2007/2008 Saving \$4,800

The net effect of these changes is a net additional cost of \$12,800, which would reduce the projected cash surplus at 30 June 2007 by this amount. It has no effect on rates or charges.

**Background:**

Council held a Special Meeting on 31 July 2006 to consider the draft budget.

**Statutory Environment:**

*Local Government Act 1995* sets out the annual budget requirements as follows:

**6.2. Local government to prepare annual budget**

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

\* *Absolute majority required.*

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

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

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

(4) The annual budget is to incorporate :

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

(5) Regulations may provide for :

- (a) the form of the annual budget;
- (b) the contents of the annual budget; and
- (c) the information to be contained in or to accompany the annual budget.

*Local Government (Financial Management) Regulations 1996* sets out the further requirements under the authority of Section 6.2 (5)

**Policy Implications:**

Nil

**Financial Implications:**

The Shire remains in a strong financial position.

**Strategic Implications:**

The Budget continues to advance the Council's strategic priorities.

**Consultation:**

Council considered the contents of the budget in detail at its 31 July Special Meeting.



**Comment:**

The second version of the rate setting statement is as a result of informal discussions following the Plant & Works Committee. It is NOT a recommendation of that committee, and is presented simply to allow consideration of the alternative while still allowing the budget to be adopted at this meeting.

Key features of the budget are detailed below.

Changes to budget planning and presentation

- A ten year plant replacement projection establishes a base line contribution to plant replacement each year.
- Inclusion of all housing in a single schedule to improve transparency.
- Reserves for Gavel Pit Rehabilitation and Joint Venture Housing are established in line with Council policy.
- An annual, albeit reduced, contribution to the swimming pool reserve continues.
- Fees and charges have been increased to ensure that reasonable margins are maintained on private works.

The Transport program includes:

- Resealing, kerbing and footpaths in Latham Townsite;
- Additional footpaths in the Perenjori Townsite (subject to funding)
- Re-sheeting the airstrips and other essential works at the Perenjori Aerodrome
- Construction of Hirshaver St (new subdivision) and England Cres (Light Industrial Area)

Progress continues on strategic projects, including:

- The employment of a full time Economic Development Officer, and setting up an office on the former BEC premises.
- Completion of the Caravan Park Revitalisation Project
- Continuation and possible completion of Depot Replacement Project

Projects that impact on the Perenjori Townsite include:

- Upgrade edging to gardens near public toilets
- Upgrade Tourism information bay

Major Infrastructure projects include:

- Acquisition and servicing of Industrial Land
- Residential subdivision
- Construction of 2 x 2 bedroom accommodation units

Proposed Revenue Raising includes

- No increase in town or agricultural rates
- Doubling Mining Rates

- Anticipated Grants for tourism information bay, Perenjori dual use pathways and economic development activities.
- General increase in fees and charges.
- New debentures for industrial park, subdivision and construction of new homes.

Items considered but not included:

- Toilet at Airport
- Bar Shelter at Showground

Following discussion at the budget meeting the CEO will pursue abolition of greenkeepers position, and contracting out maintenance to clubs or casuals. These arrangements will be cost neutral to Council and within the agreed allocation.

**Voting Requirements:**

Absolute Majority

**Officers Recommendation:**

**1. RATES**

Moved: King

Seconded: Cr Reid

**That Council adopts the following Rate and Rubbish Charges for the Shire of Perenjori for the year ending 30 June 2007.**

<b>Gross Rental Value</b>	<b>9.8486</b>	<b>cents in the dollar</b>
<b>Rural Rate – Unimproved Value</b>	<b>2.1935</b>	<b>cents in the dollar</b>
<b>Mining Rate – Unimproved Value</b>	<b>20.000</b>	<b>cents in the dollar</b>

**MINIMUM RATES**

<b>Rural – UV</b>	<b>\$150.00</b>	<b>per assessment</b>
<b>Perenjori Townsite – GRV</b>	<b>\$150.00</b>	<b>per assessment</b>
<b>Latham Townsite – GRV</b>	<b>\$ 90.00</b>	<b>per assessment</b>
<b>Other Townsite – GRV</b>	<b>\$ 45.00</b>	<b>per assessment</b>
<b>Mining Tenements</b>	<b>\$250.00</b>	<b>per assessment</b>

**RUBBISH CHARGES**

<b>Domestic</b>	<b>\$140.00/bin</b>
<b>Commercial</b>	<b>\$140.00/bin</b>
<b>Pensioners</b>	<b>\$ 70.00/bin</b>

**CARRIED 7/0**

**BY ABSOLUTE MAJORITY**



**Communication Allowance            \$400            per annum**  
**Info Technology Allowance        \$100            per annum**

**CARRIED 7/0**

**BY ABSOLUTE MAJORITY**

**6.    ADOPTION OF BUDGET**

**Moved: Cr King**

**Seconded: Cr Hirsch**

**That the Annual Budget for the Shire of Perenjori for the year ending 30 June 2007 comprising of Income Statement, Operating Statement, Statement of Cashflows, Rate Setting statement and associated notes be adopted.**

**CARRIED 7/0**

**BY ABSOLUTE MAJORITY**

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6085.3 EXTRAORDINARY ELECTION

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APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	10 August 2006
ATTACHMENTS	Statutory Dates Based on 12 October 2006

***Matter for Consideration:***

That Council set the extraordinary election date for 12<sup>th</sup> October 2006.

***Applicants Submission:***

Councillor Sutherland passed away on 1 June 2006. This unfortunate event created a need for an extraordinary election for the Bowgada Ward. Nominations for the vacancy closed on 10<sup>th</sup> August 2006 but no nominations were received.

The requirements for setting a new election date are set out below:

- Section 4.9 (1) of the Local Government Act requires that an election date be nominated within one month of the vacancy occurring, either by Council or the President. Section 4.57 requires that should no nominations be received for a vacancy then a new election should be arranged as though the vacancy had occurred the day after the close of nominations.
- Section 4.9 (2) of the Act requires that the election be held within 4 months of the vacancy occurring. This means that the election must be held before 10<sup>th</sup> December 2006.
- The date fixed must be at least 80 days after Council determines what type of election it will be (Postal or Voting in Person). This means the election must be held after 31<sup>st</sup> August 2006.
- Section 4.38(3) allows a roll prepared for an election less than 100 days prior to an extraordinary election may be used again with the approval of the Electoral Commissioner. This would mean the current roll could be used for any date up until 22<sup>nd</sup> December 2006. (Approval requested 10<sup>th</sup> August 2006)

Assuming the Electoral Commissioner agrees, this will allow a second election to be held sometime in October. The proposed date is Thursday 12<sup>th</sup> October 2006.

***Background:***

At its June Ordinary Meeting Council determined to hold a voting in person election to fill the vacancy on Council

If further determined that the election date would be 16<sup>th</sup> September 2006. Nominations closed on 10<sup>th</sup> August 2006 and no nominations were received.

The Statutory Dates in relation to the Extraordinary Election, assuming Council agrees to 12 October 2006, are in the Attachment .

***Statutory Environment:***

*Local Government Act 1995* Part 4 sets out the relevant provisions in relation to Local Government elections and polls.

***Policy Implications:*** Nil

***Financial Implications:*** Nil

The cost of holding a voting in person extraordinary election would be approximately \$2,000.

***Strategic Implications:*** Nil

***Consultation:*** Nil

The CEO sought advice from the Department of Local Government and Regional Development to ensure that the electoral provisions in the Act were correctly interpreted.

***Comment:***

Unless Council determines otherwise the CEO is automatically appointed as Returning Officer.

Should there be no nominations for the 12<sup>th</sup> October election Council may by absolute majority, under the provisions of Section 4.57 (3), appoint an eligible person to fill the vacancy.

***Officers Recommendation:***

That Council set the extraordinary election date for 12<sup>th</sup> October 2006.

**Moved: Cr Hirsch                      Seconded: Cr Benton**

**That Council set the extraordinary election date for 18<sup>th</sup> October 2006.**

**Carried 7/0**

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6085.4 ACCOMMODATION FOR RURAL FINANCIAL COUNSELLOR

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<b>APPLICANT:</b>	<b>RURAL FINANCIAL COUNSELLING SERVICE OF WA</b>
<b>FILE:</b>	<b>0</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>STAN SCOTT – CEO</b> _____
<b>RESPONSIBLE OFFICER</b>	<b>STAN SCOTT – CEO</b> _____
<b>REPORT DATE:</b>	<b>10<sup>th</sup> AUGUST 2006</b>
<b>ATTACHMENTS</b>	

**Executive Summary:**

The Rural Financial Counselling Service of WA (RFCS) has been funded by the State and Federal Governments to deliver the service in this region and is seeking to establish an accommodation base in Perenjori.

**Applicants Submission:**

The RFCS is seeking to minimise some of its operating costs, one of which is providing overnight accommodation for Counsellors. By establishing a base in Perenjori the Counsellor would be able to settle into more home style accommodation, which would both reduce costs and make the position more attractive.

**Background:**

An RFCS counsellor addressed Council during lunch prior to the July Ordinary meeting.

**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:**

Council policy requires that Council permission is required before Council houses may be rented to other than Shire staff.

**Financial Implications:**

RFCS would pay an agreed rental.

**Strategic Implications:**

The proposed service will be essential, particularly over the next 18 months. Having the Counsellor use Perenjori as a base should ensure that local clients receive very good access to the service.

**Consultation:**

Nil

**Comment:**

There are a range of accommodation options:

Shire Houses

The Shire presently has three vacant houses which may be suitable for the purpose. RFCS has a preference for furnished housing, and Council houses may be a bit large to accommodate what will usually be a single person.

Single Quarters

The staff units at 107A and B Livingstone Street are presently vacant, but are not of a particularly high standard.

Chalet at Caravan Park

The existing chalet at the Caravan Park is an appropriate size and standard, but is presently the only on site accommodation at the Caravan Park.

Refurbished Chalets

When completed, the renovated chalets (former sundowner units) would be a viable option as they will be fully furnished and freshly renovated. They are not however available immediately.

The best solution is probably a combination:

1. Purchase the furniture for one of the chalets immediately;
2. Use the furniture to temporarily furnish a Shire house;
3. Enter an agreement with the RFCS for lease of the house, with an agreement to relocate to one of the chalets at the Caravan Park when the refurbished units come into service.
4. Negotiate an agreed rental for the house/chalet to make the arrangement attractive to RFCS. The weekly rate on the chalets is somewhat more than for a house, and a reduced weekly rate would need to be struck.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That the CEO be authorised to negotiate arrangements with the RFCS, including discounted rental if necessary, for a Shire house, single quarters or caravan park chalet.

**Moved: Cr King**

**Seconded: Cr Bensdorp**

**That the CEO be authorised to negotiate arrangements with the RFCS, including discounted rental if necessary, for a Shire house, single quarters or caravan park chalet.**

**Carried 7/0**



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6085.5      **CBH GROUP HARVEST MASS MANAGEMENT SCHEME**

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<b>APPLICANT:</b>	<b>CBH GROUP</b>
<b>FILE:</b>	<b>0</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>STAN SCOTT – CEO</b> _____
<b>RESPONSIBLE OFFICER</b>	<b>STAN SCOTT – CEO</b> _____
<b>REPORT DATE:</b>	<b>11 AUGUST 2006</b>
<b>ATTACHMENTS</b>	<b>CBH LETTER, FLYER AND AGREEMENT</b>

**Executive Summary:**

The CBH Group has developed a Harvest Mass Management Scheme, a feature of which is some potential payment to the Shire for road maintenance.

**Applicants Submission:**

The CBH Group has developed a Harvest Mass Management Scheme that involves an overload tolerance. Deliveries exceeding the tolerance have the option of leaving the site to offload the extra or foregoing payment for the excess grain. Payment for the extra grain would be made instead to participating Local Governments for Road Maintenance.

**Background:**

The CBH letter says in part:

*The Scheme is a system designed by CBH to help alleviate the problem of overloaded grain trucks in order to make roads safer and to reduce damage to road pavements. It also aims to assist all members of the grain supply chain to meet their future obligations under the soon to be introduced 'Chain of Responsibility' model legislation.*

**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:**

The quantum of any potential payment is unclear.

**Strategic Implications:**

The underlying philosophy of directing and funds from the scheme to maintenance of roads is sound, as overloaded trucks have a direct impact on wear and tear on shire roads.

**Consultation:**

Nil

**Comment:**

The Shire's only obligation under the scheme is:

*The Shire undertakes to use any such funds provided by CBH pursuant to this MOU and the Scheme for the sole purpose of local road maintenance within the Shire's area of responsibility.*

There is no requirement to direct funds specifically to harvest routes.

It appears the scheme will proceed regardless of whether the Shire agrees to participate.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council authorise the CEO to sign the Memorandum of Understanding to participate in the CBH Group Harvest Mass Management Scheme.

**Moved: Cr King**

**Seconded: Cr Reid**

**That Council authorise the CEO to sign the Memorandum of Understanding to participate in the CBH Group Harvest Mass Management Scheme.**

**Carried 6/1**

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6085.6 COST BENEFIT ANALYSIS OF STATE BARRIER FENCE

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**APPLICANT:** DEPT OF AGRICULTURE AND FOOD  
**FILE:** 0  
**DISCLOSURE OF INTEREST:** NIL  
**AUTHOR:** STAN SCOTT – CEO \_\_\_\_\_  
**RESPONSIBLE OFFICER:** STAN SCOTT – CEO \_\_\_\_\_  
**REPORT DATE:** 11 AUGUST 2006  
**ATTACHMENTS:** Cost benefits analysis summary & covering letter

**Executive Summary:**

The State Barrier Fence Management Advisory Committee is seeking input to its cost benefit analysis.

**Applicants Submission:**

The Cost Benefit Analysis makes the following points:

- Upgrade of the barrier fence so that it would control wild dogs would cost \$14M Including realignments, upgrading, replacing and building new sections of fence.
- The completed fence would run from Kalbarri to Cape Arid East of Esperance.
- The cost benefit analysis indicates a positive return on investment even allowing for significant variations in stock prices

The document is relevant to the Shire of Perenjori as the barrier fence effectively separates agricultural land from pastoral and controls both wild dogs and emus.

**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:**

One of the key questions in the analysis is who pays.

**Strategic Implications:**

The barrier fence is of strategic significance to agricultural properties particularly in the East of the Shire.

**Consultation:**

Nil

**Comment:**

The analysis seems to stack up in favour of the renewal of the fence. The critical question remains who pays for and who maintains the fence. The decommissioning of pastoral stations has had a significant impact on the proliferation and migration of wild dogs. The cost of the fence could legitimately be tied to that strategy.

It would not be reasonable to allocate the cost to properties in the immediate vicinity as the underlying problem is not of their making.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council support the renewal and construction of a barrier fence to separate pastoral land from agricultural land and control the migration of emus and invasion of wild dogs;

That Council support the view that the cost of the fence should be a State responsibility.

**Moved: Cr Butler**

**Seconded: Cr Hirsch**

**That Council support the renewal and construction of a barrier fence to separate pastoral land from agricultural land and control the migration of emus and invasion of wild dogs;**

**That Council support the view that the cost of the fence should be a State responsibility.**

**Carried 7/0**

6085.7 COST SHIFTING POLICY

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APPLICANT: SHIRE OF CHAPMAN VALLEY  
FILE: 0  
DISCLOSURE OF INTEREST: 0  
AUTHOR: STAN SCOTT – CEO \_\_\_\_\_  
RESPONSIBLE OFFICER: STAN SCOTT – CEO \_\_\_\_\_  
REPORT DATE: 12 JULY 2006  
ATTACHMENTS: Letter from Shire of Chapman Valley

**Executive Summary:**

The Shire of Chapman Valley is encouraging other Local Governments to adopt a similar policy to that recently adopted by their Council. They believe that if enough Local Governments adopt this approach it will strengthen the sector's capacity to resist additional administrative burdens in the future.

**Applicants Submission:**

Chapman Valley's position is set out in its letter. Chapman Valley has adopted the following policy:

- 1) *The Shire of Chapman Valley will not undertake any additional function/tasks until an independent analysis has been undertaken, at the cost of the Australian Government, State Government, Department or any other organisation involved in imposing these additional functions/tasks, to determine if additional resources are required to adequately cater for the additional functions/tasks being expected of the Shire.*
- 2) *If the outcome of the analysis is the Shire would need additional resources to undertake the additional functions/tasks then the Shire will refuse to perform these functions/tasks until such resources are made available.*
- 3) *In the event additional resources are not made available for the additional functions/tasks being requested of the Shire, the Shire will formally advise the relevant organisation(s) and all relevant parliamentarians that they cannot perform these functions/tasks. This advice is to state that in the event of any claim against the Shire, due to non-compliance with the requirement to perform the additional functions/tasks, the Shire will use as a defence the fact they informed the relevant individuals and organisations of their inability to comply due to adequate resources not accompanying the additional functions/tasks.*

**Background:**

At its May 29<sup>th</sup> Meeting the Country Northern Zone of WALGA resolved as follows:

1. *The Northern Country Zone (NCZ) support the Shire of Chapman Valley's stance (Policy) and request the NCZ approach all other Zones seeking their support on this issue.*

*Also request support for amendments to the Inter Governmental Agreement (IGA) to reflect this position prior to approaching the WALGA State Council on this issue:*

- *Local Governments should individually be given the option of accepting (or declining) additional functions based upon an independent resource requirement analysis, not collectively (as stated in the IGA) after Australian and/or State consultation with Australian Local Government Association and the state representative body (e.g. WALGA);*

- *Regulatory and Non-Regulatory transfer (or imposition) of additional functions to local government should be treated the same;*
  - *The IGA should have some form of retrospectively associated with it as there has been numerous examples of both regulatory and non-regulatory functions transferred to local government in the immediate past, which will not be recognised under the IGA;*
2. *Once an approach has been made to all other Zones then the NCZ approach the WALGA State Council seeking their support to support the Zones and seek amendment to the existing Inter Government Agreement accordingly.*

**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:**

The intent of the policy to reduce financial or administrative burdens arising from changes in policies or approaches by other levels of government.

**Strategic Implications:**

The proposed policy has the potential to place the Shire in direct conflict with State agencies that well may be strategic partners in other initiatives.

**Consultation:**

The Chapman Valley Policy has already gained the support of the Country Northern Zone.

**Comment:**

Cost shifting has been and remains a huge issue for Local Government. The attachment to the Chapman Valley letter details a significant number of areas in which cost shifting has occurred, or administrative burdens on Local Governments have increased without any additional resources.

The main argument is whether the approach suggested by Chapman Valley is the most appropriate response. Local Governments are constituted under State Legislation, which gives the State the power to impose functions, tasks, regulations or requirements on Local Governments.

The approach adopted by WALGA/ALGA of lobbying, negotiating and achieving incremental improvement, or commitment to consultation, has resulted in documents such as the intergovernmental agreement. There would be wide agreement within Local Government that the agreement does not go far enough, but is still better than no agreement.

In effect what Chapman Valley is suggesting is civil disobedience. While it easy to support the sentiment, the approach could ultimately be counter-productive. The Local Government sector is attempting to take control of the reform agenda by responsibly examining its own performance and sustainability. The approach suggested by Chapman Valley could be seen as irresponsible or even petulant, and could have the effect of losing some of the intellectual high ground we are gaining through the Systemic Sustainability Study.

Finally, if Council was to adopt the Chapman Valley Policy it could put staff in an awkward position. Staff may be required by law or regulation to do or not do particular things, but be required by the Council policy to do the opposite. In many cases staff can be individually liable as a result.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council determine whether to adopt the policy suggested by the Shire of Chapman Valley.

**Moved: Cr King**

**Seconded: Cr Reid**

**That Council adopt the following policy suggested by the Shire of Chapman Valley:**

- 1. The Shire of Perenjori will not undertake any additional function/tasks until an independent analysis has been undertaken, at the cost of the Australian Government, State Government, Department or any other organisation involved in imposing these additional functions/tasks, to determine if additional resources are required to adequately cater for the additional functions/tasks being expected of the Shire.***
- 2 If the outcome of the analysis is the Shire would need additional resources to undertake the additional functions/tasks then the Shire will refuse to perform these functions/tasks until such resources are made available.***
- 3. In the event additional resources are not made available for the additional functions/tasks being requested of the Shire, the Shire will formally advise the relevant organisation(s) and all relevant parliamentarians that they cannot perform these functions/tasks. This advice is to state that in the event of any claim against the Shire, due to non-compliance with the requirement to perform the additional functions/tasks, the Shire will use as a defence the fact they informed the relevant individuals and organisations of their inability to comply due to adequate resources not accompanying the additional functions/tasks.***
- 4. Nothing in this policy will require staff to commit an offence or behave unlawfully.***

Carried 7/0

6085.8 ECONOMIC DEVELOPMENT COMMITTEE

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**APPLICANT:** SHIRE OF PERENJORI  
**FILE:** 0  
**DISCLOSURE OF INTEREST:** NIL  
**AUTHOR:** STAN SCOTT – CEO  
**RESPONSIBLE OFFICER:** STAN SCOTT – CEO  
**REPORT DATE:** 13<sup>th</sup> AUGUST 2006  
**ATTACHMENTS:**

**Executive Summary:**

Council may wish to form an Economic Development committee to guide the activities and projects in the Economic Development portfolio.

**Applicants Submission:**

Council presently supports committees for Audit, Finance, Plant & Works, and Health, Building and Planning. Economic Development is now a significant activity for the CEO and for 2006 to 2008 the Economic Development Officer will be a full time position. This level of financial and resource commitment requires the support of an appropriate level of governance.

The committee could be comprised of 7 to 8 members as follows:

- Two to three elected members;
- The Chief Executive Officer
- The Economic Development Officer
- A person with financial expertise
- A person with legal expertise
- An academic

Given the strategic nature of the committee it would not be necessary to meet monthly. A quarterly meeting schedule would probably suffice.

**Background:**

It is important to note that a committee of council may be comprised of any combination of 3 or more people including Elected Members, employees or other persons. Other persons may be reimbursed expenses but may not be paid to attend committee meetings.

**Statutory Environment:**

*Local Government Act 1995* S5.8 to 5.18 sets the framework for the formation of committees.

**Policy Implications:**

Nil

**Financial Implications:**

If committee members are drawn from outside Perenjori there are implications for travel costs.

**Strategic Implications:**

Many of the Economic Development projects under consideration or development have significant strategic implications.

**Consultation:**

Nil

**Comment:**

Many of the projects under development require more in depth consideration than is possible at Council Meetings. Both the CEO and Economic Development Officer



would benefit from the additional guidance and focus that would be possible through a committee.

**Voting Requirements:**

Absolute Majority

**Officers Recommendation:**

1. That Council form an Economic Development Committee.
2. That the Economic Development Committee meet at least every 3 months and more often if required.
3. That the CEO and Economic Development Officer be appointed to the committee
4. That the Council determine which elected members will sit on the Economic Development Committee
5. That the CEO and Economic Development Officer identify up to 3 other persons who may be suitable to sit on the committee for endorsement by Council.

**Moved: Cr Butler**

**Seconded: Cr King**

- **That Council form an Economic Development Committee.**
- **That the Economic Development Committee meet at least every 3 months and more often if required.**
- **That the CEO and Economic Development Officer be appointed to the committee**
- **That elected members Cr King, Cr Hirsch and Cr Butler will sit on the Economic Development Committee with Cr Bendsorp and Cr Baxter as proxy's.**
- **That the CEO and Economic Development Officer identify up to 3 other persons who may be suitable to sit on the committee for endorsement by Council.**

**Carried 7/0**

6085.9 SALE OF EXCESS ITEMS

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**APPLICANT:** SHIRE OF PERENJORI  
**FILE:** 0  
**DISCLOSURE OF INTEREST:** 0  
**AUTHOR:** STAN SCOTT – CEO \_\_\_\_\_  
**RESPONSIBLE OFFICER:** STAN SCOTT – CEO \_\_\_\_\_  
**REPORT DATE:** 14 AUGUST 2006  
**ATTACHMENTS**

**Executive Summary:**

As part of the relocation to the depot a number of excess items may be offered for sale.

**Applicants Submission:**

The loading ramps from the old sale yard are still in storage at the North yard. Council resolved some years ago that these be retained. There now seems little reason to keep them and they may be offered for sale with other excess items including:

- 18 second hand truck tyres
- The fuel tank from the service trailer
- Spare parts to fit vehicles and equipment no longer owned by the Shire.

**Background:**

**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:**

The financial return is unlikely to be substantial.

**Strategic Implications:**

Nil

**Consultation:**

There has already been one approach to purchase second hand tyres.

**Comment:**

Disposal of excess items will ensure that the new yard is not cluttered with obsolete or unneeded stock.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That excess items including the stock ramps be sold through a public expression of interest process advertised through the *Bush Telegraph*.

**Moved:** Cr King

**Seconded:** Cr Butler

**That excess items including the stock ramps be sold through a public expression of interest process advertised through the *Bush Telegraph*.**

**Carried 7/0**

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6085.10 CHANGES TO ENVIRONMENTAL PROTECTION ACT

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<b>APPLICANT:</b>	<b>DEPARTMENT OF ENVIRONMENT</b>
<b>FILE:</b>	<b>0</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>STAN SCOTT – CEO</b> _____
<b>RESPONSIBLE OFFICER</b>	<b>STAN SCOTT – CEO</b> _____
<b>REPORT DATE:</b>	<b>14 AUGUST 2006</b>
<b>ATTACHMENTS</b>	<b>PUBLIC DISCUSSION PAPER</b>

**Executive Summary:**

The Department of Environment is seeking further changes to the *Environmental Protection Act 1986*.

**Applicants Submission:**

The main proposed changes consist of:

- Increased penalties with maximum penalties for some offences increasing from \$2M to \$5;
- Giving the option to the Department of applying a civil rather than a criminal penalty.
- Limiting the due diligence defence to matters over which the person had no control.
- Replacing an existing exemption from obtaining a clearing permit with a legal defence in similar terms;
- New reporting provisions for greenhouse gas emissions with offences for non-compliance

There are several other minor amendments, some of which are:

- Adding dust and sewage as 'unreasonable emissions';
- Removal of the right of a witness to refuse permission for a compulsory interview to be recorded

**Background:**

The proposed amendments were circulated in a letter dated 20 July 2006, received 28 July 2006, for response in writing by 18 August 2006.

**Statutory Environment:**

The *Environmental Protection Act 1986*. is WA's principal environmental protection legislation.

**Policy Implications:**

Nil

**Financial Implications:**

Until proposed regulations are promulgated it is not clear what compliance costs will ensue.

**Strategic Implications:**

Nil

**Consultation:**

The time frame for response is clearly inadequate.

**Comment:**

The main issues with the potential for significant impact on Local Government are:

- Including dust as an unreasonable emission could allow for criminal penalties and a fine of up to \$2.5M for dust emissions from road construction

- Removal of the clearing exemption for “preventing danger to human life or health” and making this instead a defence when prosecuted is in effect reversing the burden of proof
- New greenhouse gas reporting provisions, including the application of criminal penalties for non-compliance seems very heavy handed.

These issues in particular are a cause for some concern.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council raise concerns with the Department of Environment in relation to:

- Including dust as an unreasonable emission;
- Removal of the clearing exemption for “preventing danger to human life or health” and
- New greenhouse gas reporting provisions.

**Moved: Cr King**

**Seconded: Cr Bensdorp**

**That Council raise concerns with the Department of Environment in relation to:**

- **Including dust as an unreasonable emission;**
- **Removal of the clearing exemption for “preventing danger to human life or health” and**
- **New greenhouse gas reporting provisions.**
- **And any others that may be identified by the CEO.**

**Carried 7/0**

6085.11 MALLEE FOWL BROCHURE

<b>APPLICANT:</b>	<b>NORTH CENTRAL MALLEE FOWL PRESERVATION GROUP</b>
<b>FILE:</b>	<b>0</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>STAN SCOTT – CEO</b> _____
<b>RESPONSIBLE OFFICER</b>	<b>STAN SCOTT – CEO</b> _____
<b>REPORT DATE:</b>	<b>14 AUGUST 2006</b>
<b>ATTACHMENTS</b>	<b>CORRESPONDENCE AND QUOTATION</b>

**Executive Summary:**

The North Central Mallee Fowl Preservation Group is requesting financial assistance to print brochures.

**Applicants Submission:**

The North Central Mallee Fowl Preservation Group has requested \$1800 towards the cost of 3000 brochures that would be distributed via the interpretive sign previously agreed by the Shire. The brochure would include the Shire of Perenjori Logo.

**Background:**

The group has approached the Shire of Dalwallinu in similar terms.

**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:**

There has been no specific budget provision for this request, but a contribution could be funded from Area Promotion Expenses (Account 13200)

**Strategic Implications:**

The proposed signage and brochures have some value in environmental and tourism promotion terms.

**Consultation:**

The Shire of Dalwallinu is considering a request for funding under its own local grants program at its August Ordinary Meeting. The draft recommendation to its Council supports provision of around \$1900.

**Comment:**

The quote attached to the application indicates that printing will cost \$850 plus GST, and other costs of \$640 plus GST.

The art work and drafting costs will not need to be repeated. The only change between the Dalwallinu and Perenjori brochure would be the addition of the Shire of Perenjori logo on the front of the brochure.

If Council met the cost of printing 3,000 brochures, plus half the cost of set up, the cost would be \$1287 inclusive of GST.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council make a contribution of \$1,000 to the North Central Mallee Fowl Preservation Group for the production of 3000 brochures from Area Promotion Expenses (13200).

**Moved: Cr Hirsch**

**Seconded: Cr Reid**

**That Council make a contribution of \$1,000 to the North Central Mallee Fowl Preservation Group for the production of 3000 brochures from Area Promotion Expenses (13200).**

**Carried 7/0**

*The meeting was adjourned for afternoon tea at 4.00pm.*

*The meeting resumed at 4.34pm.*

**6086      OTHER BUSINESS**

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**6086.1      INFORMATION BULLETIN – TABLED IN THE COUNCIL  
CHAMBERS**

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Local Government Newsletter – issue no. 29 .06  
Department for Planning and Infrastructure – Perth-Darwin AusLink Corridor Strategy  
Department of transport & Regional Services – 2004-05 Local Gov National Report  
O’connor Division – state conference  
WALGA – Financial Report for the year ending  
Tom Hartman – WALGA AGM  
Department of Consumer & Employment Protection – trading hour extensions  
Consumer Representation on boards & committees  
Department of Prime Minister & Cabinet – awards and culture branch  
Local Government newsletter – issue no. 28 .06  
WALGA – Information Bulletin July 2006  
WALGA – Info Page - The Reach Foundation  
WALGA – Info Page – Interim Report Presentation  
Heritage Council Of W.A – Register of Heritage Places  
WALGA – career opportunities booklet  
Broadwater hotels and resorts – fundraising letter  
FESA – Primary and incidents report  
Legislative council – inquiry into Public Obstetric Services  
Mid West chamber of commerce and industry – invitation to attend 2006 Midwest  
resources forum  
WALGA – Council Visit  
Media Release – regional road safety forum  
Hon Minister visit – timetable Morawa and Northampton  
Infrastructure solution  
Hey wire – better life for young Australians  
Telstra – Aerial Survey – Helicopter low level  
Australian Jobs 2006  
Agriculture Protection board – wild dog management  
Liebe Group – planning workshop  
Scope newsletter – issue 20 July 2006  
ACCC update – newsletter issue 19 June 2006  
Australian Mining - Magazine

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6086.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

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6086.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

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6086.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

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6086.4.1 Common Seal

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APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	DOMENICA ORLANDO - DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	17 <sup>TH</sup> AUGUST 2006
ATTACHMENTS	

**Executive Summary:**

A vehicle lease organised on behalf of the Yarra Yarra Catchment Management Group between Ford Leasing and The Shire of Perenjori is required to be signed and Councils common seal affixed.

**Applicants Submission:**

The following is noted in Councils Standing Orders in relation to the affixing of the Common Seal on any documents:

**Part 16 - Common Seal**

**16.1 The Council's Common Seal**

- (1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.
- (2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the [**“Mayor” or “President”**] and the CEO or a senior employee authorised by him or her.
- (3) The common seal of the local government is to be affixed to any local law which is made by the local government.
- (4) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence.  
Penalty \$1,000

**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.



<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	Nil
<b>Strategic Implications:</b>	Nil
<b>Consultation:</b>	Nil
<b>Comment:</b>	Nil

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council authorise the affixing of the Shire of Perenjori's Common Seal on the agreement dated 1<sup>st</sup> July 2006 between the Shire of Perenjori and Ford Leasing for the lease of a Utility on behalf of YYCMG.

**Moved: Cr Benton                      Seconded; Cr Hirsch**

**That Council authorise the affixing of the Shire of Perenjori's Common Seal on the agreement dated 1<sup>st</sup> July 2006 between the Shire of Perenjori and Ford Leasing for the lease of a Utility on behalf of YYCMG.**

**Carried 7/0**

6086.4.2 LOT 45 FOWLER STREET

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**APPLICANT:** D & D JONES  
**FILE:** 0  
**DISCLOSURE OF INTEREST:** NIL  
**AUTHOR:** STAN SCOTT – CEO  
**RESPONSIBLE OFFICER:** STAN SCOTT – CEO  
**REPORT DATE:** 16 AUGUST 2006  
**ATTACHMENTS:** LETTER OF OFFER

**Executive Summary:**

David and Donna Jones have expressed an interest in purchasing Lot 45 Fowler Street for the purpose of refurbishing the property as a residence.

**Applicants Submission:**

See attached letter. The sum offered has been obscured so that the proponents are not disadvantaged should Council decide to tender for sale of the property.

**Background:**

Council recently decided not to demolish the building, and it has been earmarked for sale.

**Statutory Environment:**

*Local Government Act 1995* S3.58 – requires that Local Government property is disposed of by public tender or at public auction except that, if the Local Government decides to dispose of the property other than by the methods described above it publishes a local public notice setting out the details of the proposed disposition.

**Policy Implications:**

Nil

**Financial Implications:**

A public tender process may attract a higher price.

**Strategic Implications:**

One of the proponents is employed by the Shire as a mechanic. The purchase of a property to renovate as a principal residence would help secure his long-term services for the Shire.

**Consultation:**

Over the last 12 months there have been several inquiries about the property, and there may be some objections to its disposal without a public process.

**Comment:**

Council has indicated its intention to sell the property. If Council decides not to accept this offer, there is probably some impetus to proceed quickly with the disposal process.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council determine the method and timing for disposal of 45 Fowler Street.

**Moved:** Cr Bendsorp

**Seconded:** Cr Butler

**That Lot 45 Fowler Street, Perenjori be sold by tender.**

**Carried 5/2**

6086.4.3 PURCHASE OF SIDE TIPPING TRAILER

**APPLICANT:** SHIRE OF PERENJORI  
**FILE:** 0  
**DISCLOSURE OF INTEREST:** NIL  
**AUTHOR:** STAN SCOTT – CEO \_\_\_\_\_  
**RESPONSIBLE OFFICER:** STAN SCOTT – CEO \_\_\_\_\_  
**REPORT DATE:** 16 AUGUST 2006  
**ATTACHMENTS**

1. TENDERS FOR SUPPLY OF NEW SIDE TIPPING TRAILER
2. OFFER TO PURCHASE OLD TRAILER

**Executive Summary:**

Four tenders have been received for the supply of a new side tipping trailer to replace the one that is presently out of service.

**Applicants Submission:**

Details of the 4 tenders received are as follows:

Supplier	For Collection From	Delivery Period	Price (ex GST)	Regional Price Preference	Adjusted Price
Tristar Industries	Darwin	6-8 weeks	\$79,500	No	\$79,500
SFM Engineering	Perth	10 weeks	\$83,600	No	\$83,600
Roadwest Transport	Perth	6-8 weeks	\$87,500	No	\$87,500
D- Trans	Geraldton	8-10 weeks	\$89,682	1%	\$88,785

All suppliers offer equipment of a similar standard.

The Tristar offering would need to be collected or transported from Darwin which would add something in the order of \$4,000 to the cost compared with those available for collection from Perth, bringing the cost to Council very close to that offered by SFM. Given the potential difficulties that could arise if any warranty work is required this tender is not recommended.

Of the remaining tenders SFM Engineering has offered the best price and is the recommended supplier.

None of the suppliers offered a trade in valuation on the existing trailer. However since tenders closed Brad Phillips, a local transport contractor, has place an offer to purchase the old trailer for \$16,000 plus GST.

The CEO contacted SFM Engineering to clarify aspects of their tender. In these discussions they indicated that a trade in valuation on the existing trailer would be in the order of \$15,000. In light of this advice the offer from Brad Phillips appears reasonable and should be accepted.

**Background:**

The tender was advertised in anticipation of Council adopting its budget including the plant replacement agreed at the Special Budget Meeting.

**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:**

The Net changeover cost (excluding collection, licensing and stamp duty) is \$67,600 which is well within the budget of \$73,000.

**Strategic Implications:**

Nil

**Consultation:**

The Works Foreman contacted Gary Mason at the Shire of Greenough to confirm that similar trailers purchased by them from SFM Engineering are of an appropriate quality.

**Comment:**

The tender offering by SFM appears the most competitive and is recommended. The offer by Brad Phillips to purchase the existing trailer outright reflects reasonable market value and is recommended.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

1. That Council authorises the purchase of a 22 cubic metre side tipping trainer from SKM Engineering as specified in the tender submission.
2. That Council accepts the offer from Brad Phillips to purchase the existing trailer.

**Moved: Cr Butler**

**Seconded: Cr Reid**

**That Council authorises the purchase of a 22 cubic metre side tipping trainer from SFM Engineering for \$83600 ex gst as specified in the tender submission.**

**Carried 7/0**

**Moved: Cr Hirsch**

**Seconded: Cr Reid**

**That Councils existing trailer be offered for sale by tender.**

**Carried 7/0**

6086.4.4 PERENJORI MEDICAL PRACTICE

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	17 AUGUST 2006
ATTACHMENTS	

**Executive Summary:**

Dr James Aniyi has indicated his intention to cease working as a general practitioner in this area from the end of November 2006.

**Applicants Submission:**

The CEOs of Morawa and Perenjori met with Dr Aniyi on 16 August 2006. At that meeting we discussed advertising for a replacement, and potential models for employment of a doctor.

A number of suitable periodicals were identified and a draft advertisement considered. Mr Treasure agreed to contact WACRRM and AMA to enlist their support.

Dr Aniyi has been working as a sole practitioner in premises and practices owned by the respective shires. Depending on the circumstances of any possible replacement we may need to consider returning to a salaried position.

**Background:**

Dr Aniyi emailed the CEOs of Perenjori and Morawa Shires in the following terms:

*As you may be aware that my 3 year initial agreement to running of the medical centre will lapse at the end of November 06, I will be unable to continue to provide medical services beyond that date.*

*This is a very difficult decision for me bearing in mind my relationship with every member of Morawa Perenjori communities.*

*After careful consideration and consultation with my family, we decided that it will be in the best interest of the community and more importantly myself to quit at the end of November. I deeply regret the inconvenience and havoc this decision might pose to the entire shire council and the community as a whole. As a result, I will like us to convene and discuss the smooth handover of the running of the practice to the shires. I hope I will be able to contribute where possible to the recruitment of another doctor for the future.*

*Once again, I express my heartfelt gratitude to the council and Morawa/Perenjori community for their sincere support for me and my family of our last 3 years stay in Morawa.*

**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:**

Financial implications are unclear, but if it is necessary to employ a Doctor on salary it will be necessary to review the financial allocations in relation to the medical undertaking. Further no provision has been made for advertising costs.

**Strategic Implications:**

Maintaining adequate medical services is essential.

**Consultation:**

The CEO met with Dr Aniyi and the Shire of Morawa CEO, Gavin Treasure.

**Comment:**

The State Government has committed to a \$9.7M upgrade of the Morawa Hospital. The State is only prepared to consider assistance with funding doctors positions where it directly relates to the provisions of hospital services, so depending on the results of our search there may be the opportunity to investigate this further. Whether or not any replacement doctor will be able to work as a sole practitioner may have an impact on the chosen employment arrangements.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council note the developments and the potential financial implications.

**Moved: Cr Benton**

**Seconded: Cr Bendsorp**

**That Council note the developments in regard to the resignation of Doctor Aniyi and the potential financial implications.**

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**6086.5 GENERAL BUSINESS**

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Discussion regarding the holding of a dinner for Ex Councillors Noel Lucas, Dene Solomon, Les Sutherland and partners to thank them for their contribution to Council and the community. To be held during the week.

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**6086.6 DATE OF NEXT MEETING / MEETINGS**

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Next Council meeting date is 21<sup>st</sup> September 2006.

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**6086.7 CLOSURE**

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There being no further business the meeting was closed at 5.02pm.

*I certify that this copy of the Minutes is a true and correct record of the meeting held on 17<sup>th</sup> August 2006.*

*Signed:* \_\_\_\_\_  
*Presiding Elected Member*

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