
Shire of Perenjori
MINUTES
Ordinary Council Meeting

To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on
Thursday 19th October 2006, to commence at 1.30 pm.

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6101 PRELIMINARIES

6101.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The President opened the meeting at 1.23pm.

6101.2 OPENING PRAYER

Cr Baxter led Council in the opening prayer.

6101.3 DISCLAIMER READING

Nil

6101.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

President	Cr Brian Baxter
Councillors	Cr Robyn Benton
	Cr Laurie Butler
	Cr Jennifer Hirsch
	Cr John Bendsorp
	Cr Graeme Reid
	Cr Ian West
CEO	Mr Stan Scott
DCEO	Ms Domenica Orlando
Manager Community Services	Mr Garry Agnew
Economic Development Officer	Mr Phil Cleaver (1.33pm)
Works Supervisor	Mr Ken Markham

Apologies Cr Christopher King

6101.5 PUBLIC QUESTION TIME

Nil

6101.6 PUBLIC QUESTION TIME

Nil

6101.7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Moved: Cr Benton Seconded: Cr Reid
That Standing orders be suspended.

Carried 7/0

Mr John Carstairs was welcomed to the meeting.

Mr Carstairs thanked Council for their invaluable support over the years to CBH.

Mr Carstairs advised that he was seeking Council direction on a number of issues raised on the Rural Water Council.

6102 HEALTH BUILDING & PLANNING

**6102.1 CONCEPTUAL AMENDMENT TO SHIRE OF PERENJORI TOWN
PLANNING SCHEME**

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: G AGNEW – MCS _____
RESPONSIBLE OFFICER: G AGNEW - MCS _____
REPORT DATE: 11th OCTOBER 2006
ATTACHMENTS

Executive Summary:

Council is asked to consider the benefit of amending its Town Planning Scheme text to require *Planning Approval* for the construction/erection on a residential zoned lot of a single dwelling house.

Applicants Submission:

text

Background:

text

Statutory Environment:

Shire of Perenjori Town Planning Scheme No 1
Planning & Development Act 2005
Building Regulations 1989
Local Government (Miscellaneous Provisions) Act 1995
Building Code of Australia
Residential Design Codes of Australia

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Consultation: Nil

Comment:

Clause 5.1 of the Shire of Perenjori Town Planning Scheme No 1 states, inter-alia

5.1.2 – The planning consent of the Council is not required for the following development of land:

- e) the erection on a lot of a single dwelling house, including ancillary outbuildings, in a zone where the proposed use is designed with the symbol 'P' in the cross reference to that zone in the zoning table; except where the dwelling house is not the first erected on the lot.

Consequent to the above and notwithstanding the requirements of the Residential Design Codes an application for a building licence for a primary dwelling house on a "Residential" zoned lot is assessed solely in respect to the structural standard of the building in terms of the requirements under the Housing Provisions of the Building Code of Australia.

This means that Council does not have authority to determine the aesthetic suitability of the first residential building on a lot in respect to the desired amenity of the residential area.

In essence this permits the use of unconventional residential building practices such as the conversion to a residence of an old sea container, the fitting out for residential use of a building originally designed as an ancillary building (shed) or the relocation of an old house as an alternative to its demolition at its original site outside the Shire.

The above scenarios are and will become more probable with the current escalating cost of residential land and building construction in WA.

Council also needs to consider the affect on its autonomy in respect to the application for a Building Licence with the impending promulgation of a new Building Act.

A new Building Act has the potential of changing the existing building licence approval process by the introduction of Private Building Certifiers. Should this occur, as proposed by the draft new Building Act, a individual may engage the service of a Private Building Certifier in the metropolitan area or elsewhere to process his/her application and issue a Building Licence, without involvement by local Shire officers.

Not only will Council forego the receipt of Building Licence Fees, its building staff will become enforcement officers only. The anticipated Private Building Certifiers will be recompensed for their building licence approval work but not the enforcement responsibility in respect to compliance with the Australian Building Code.

It is therefore the writers view that consideration should be given to investigating the adoption of an administrative mechanism that provides Council with statutory authority to decide on the aesthetic suitability of all types of structure to be erected as a dwelling in its "Residential" zoned areas; and that it is never sidelined from primary involvement in the building application process.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Councils Town Planning Consultant (Planwest) is to be requested to provide comment on whether and if so how the Shire of Perenjori Town Planning Scheme maybe amended to ensure that Planning Consent is required for all new residential development in "Residential" zoned areas prior to Council's acceptance of an application for building licence under the Local Government (Miscellaneous Provisions) Act.

Moved: Cr West

Seconded: Cr Hirsch

That Councils Town Planning Consultant (Planwest) is to be requested to provide comment on whether and if so how the Shire of Perenjori Town Planning Scheme maybe amended to ensure that Planning Consent is required for all new residential development in "Residential" zoned areas prior to Council's acceptance of an application for building licence under the Local Government (Miscellaneous Provisions) Act.

Carried 7/0

6102.2 SUBSTANDARD ACCOMMODATION UNIT

APPLICANT: N/A
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: G AGNEW – MCS _____
RESPONSIBLE OFFICER: G AGNEW - MCS _____
REPORT DATE: 9th OCTOBER 2006
ATTACHMENTS

Executive Summary:

Council to acknowledge that a derelict dilapidated old accommodation unit situated at Loc 7664 Liebe Road, Bunjil is determined to be unfit for human habitation pursuant to requirements under the Health Act 1911 (as amended).

Applicants Submission: Nil
Background: Nil
Statutory Environment: Health Act 1911 (as amended)
Policy Implications: Nil
Financial Implications: Nil
Strategic Implications: Nil
Consultation: Nil

Comment:

A request was received from Craig and Amanda Just on the 11th September 2006 for an inspection to be carried out on an old accommodation unit located at Loc 7664 Liebe Road, Bunjil; in terms of its suitability for use as a dwelling. Craig and Amanda advised that they were "Tenants in Common" at Loc 7664 and this was confirmed via Council rate records.

The following is the report on an inspection conducted on the 14th September 2006.

Building: Old farm dwelling
Situated: Vic Loc 7664, Liebe Road, Bunjil
Owners: NE, GL & CN Just, PO BOX 42, Latham WA 6616
Date of Inspection: 14th September 2006
Officer: Mr Garry J Agnew (F.A.I.E.H), Manager Community Services (Principal Environmental Health Officer), North Midlands Health Scheme

Building Description: Approx 16m x 25 three sided metal framed CGI clad and roofed hay shed under two thirds of which has been built a three bedroom residential unit – the remaining open portion of the shed is used to store hay.
The building assessed is a derelict dilapidated old timber framed vacant residential unit with compressed concrete sheet wall cladding and internal lining.

Preliminary: It is obvious that the residential unit has not been used for occupation for well in excess of 10 years.

Comment:

- External* Most of the shadow-line and flat compressed concrete external wall cladding is cracked and holed.
Glazing is missing from all windows; and window frames are weather worn, cracked and separating at joints.
Roof sheeting is loose and lifting, as is roof flashing; and gutters and down pipes are rusted, loose or missing.
Old water tanks adjacent to the house for water supply (no scheme supply) are holed, rusted and consequently empty – there is no other water supply to the old residence.
Old electrical power supply cables are severed and on the ground – no power supply.
Sewerage pipes are corroded, holed and missing.
- Internal* The residential unit consists of three bedrooms, lounge, entrance, passage, dining and kitchen areas plus one other room. The toilet and bath room are at the south end of the front verandah. The external wash house is a partially enclosed lean-to off the bathroom.
As mentioned above there is no glazing in any of the windows and all window and door frames are weather worn, splitting and window openings are not functioning.
Internal wall lining and ceilings are damaged, holed and missing in places.
Most floor coverings are missing and those that remain are lifting, ripped and holed.
Without exception the floor surface in every room in this house is covered by years of accumulated, dust, leaves, dirt and spider webs.
There are no cooking facilities in the kitchen.
The external bathroom, WC and laundry areas are all substandard and without water, power and a compliant sewerage disposal.
- Summary* This old accommodation unit which has been built under the roof of a large hay shed on “Rural” zoned Loc 7664 Liebe road, Bunjil is derelict, dilapidated, without water supply, power or a compliant sewerage system.
It is at a level of structural credibility and facility that prohibits any reasonable consideration that it could possibly be suitable for any form of human habitation and is visually obvious that the residence has not been used for human habitation for more than a decade.
- Conclusion* The derelict and dilapidated residential unit positioned under the approx 16m x 25 three sided metal framed CGI clad and roofed hay shed at Loc 7664 Liebe road, Bunjil is determined to be Unfit for Human Habitation pursuant to Section 135 of the Health Act 1911 (as amended).
A copy of the Building Assessment Report was provided to Craig and Amanda Just at 3 Hodder Way Karrinup; together with certification that the dwelling is determined to be unfit for human habitation the Health Act 1911.
The writer has been informed that this derelict and dilapidated old accommodation unit has **not** been used for any form of accommodation for well over a decade and in its current state it is un-imaginable that it will be in the future.
- Note: No further action was taken, nor is it intended.
- Voting Requirements:**

Simple Majority

Officers Recommendation:

That the action of the MCS in providing a copy of a building assessment report on the derelict and dilapidated old accommodation unit at Loc 7664 Liebe Road, Bunjil to C & A Just is acknowledged and endorsed.

Moved: Cr Reid

Seconded: Cr Benton

That the action of the MCS in providing a copy of a building assessment report on the derelict and dilapidated old accommodation unit at Loc 7664 Liebe Road, Bunjil to C & A Just is acknowledged and endorsed.

Carried 7/0

6102.3 ABANDONED CARAVAN

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: G AGNEW – MCS _____
RESPONSIBLE OFFICER: G AGNEW - MCS _____
REPORT DATE: 9th OCTOBER 2006
ATTACHMENTS

Executive Summary:

Council to consider the removal of an abandoned caravan from the Perenjori Caravan Park.

Applicants Submission: Nil

Background: Nil

Statutory Environment:

Caravan Parks and Camping Grounds Regulations 1997

Policy Implications: Nil

Financial Implications:

As at the 9th October 2006 Edwin Raumati had outstanding Caravan Park fees of \$553.75.

Further, Edwin Raumati still has outstanding court fees of \$568.04 following Council's legal action to evict him from 45 Fowler Street.

Strategic Implications: Nil

Consultation: Nil

Comment:

Council is informed that as at the 9th October 2006 a caravan at the Perenjori Caravan Park (owned by Edwin Raumati) which has not been occupied for approximately 6 weeks and had outstanding Park fees of \$563.75.

Mr Edwin Raumati also owes Council outstanding court fees of \$568.04.

Does Council wish to apply the provisions of Part 6 of the Caravan Parks and Camping Grounds Regulations 1997?

Caravan Parks and Camping Grounds Regulations 1997 –

Regulation 56 – Neglected or Abandoned Caravans

- (1) *An authorised person, or the licence holder of the facility where the caravan is situated, may give written notice that, in his or her opinion, a caravan owned or occupied by the person to whom the notice is given is neglected or abandoned.*
- (2) *Notice under this regulation is to state briefly –*
 - (a) *a description of the caravan sufficient to identify it, including where possible, its number plate;*
 - (b) *any actions that may be taken to rectify the problems with the caravan;*
 - (c) *that those actions are to be taken within 14 days (or such longer period as is specified) of service of the notice; and*

- (d) that if the notice is not complied with the caravan maybe removed from the facility and, after not less than 60 days of the removal, sold.*
- (3) Where notice that a caravan on a facility is neglected or abandoned has not been complied with within the time specified in the notice, an authorised person, or the licence holder of the facility may cause the caravan to be removed from the facility.*

Does Council wish that the provisions of Part 6 of the Caravan Parks and Camping Grounds Regulations be implemented?

Voting Requirements:

Simple Majority

Officers Recommendation:

Submitted for Council direction.

Moved: Cr West

Seconded: Cr Hirsch

That the provisions of Part 6 of the Caravan Parks and Camping Grounds Regulations be implemented and the abandoned caravan belonging to Mr E Raumati be impounded into a secured area.

Carried 7/0

6103 FINANCE & ADMINISTRATION

6103.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY

APPLICANT: Deputy CEO
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: Domenica Orlando – Deputy CEO
RESPONSIBLE OFFICER: Domenica Orlando – Deputy CEO
REPORT DATE: 12th October 2006
ATTACHMENTS: Monthly Financials

Executive Summary:

As required by the Local Government Act and Financial Management Regulations a Monthly Statement of Financial Activity is required to be presented to each monthly meeting. This statement is used with Councils adopted 10% variance or \$5000 figure which was adopted by Council at its March meeting of Council.

Other Financial statements are also attached as per the Finance Committee preferences.

Statutory Environment: Nil
Policy Implications: Nil
Financial Implications: Nil
Strategic Implications: Nil
Voting Requirements: Simple Majority

Officers Recommendation:

1. That the Statement of Financial Activity for the period ended 30th September 2006 be accepted as presented.
2. That the Finance Report for the period ended 30th September 2006 be accepted as presented.
3. That the Capital Expenditure Report for the period ended 30th September 2006 with a balance of \$60,372 as presented be received.
4. That the Reserves Report for the period ended 30th September 2006 with a balance of \$1,030,382 as presented be received.
5. That the Sundry Creditors Report for the period ended 30th September 2006 with a balance of \$93,100.38 as presented be received.
6. That the Sundry Debtors Report for the period ended 30th September 2006 with a balance of \$73,005.75 as presented be received.
7. That the balances of the Municipal Fund of \$111,220.42 , the Term Deposit of \$154,196.77 and the Trust Fund of \$37761.19 as at 30th September 2006 as presented be received.
8. That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 14993 to 15021 and EFT Numbers 1287 to 1338 for \$156558.95 and the Trust Account consisting of Cheque Numbers 685 to 689 and EFT Numbers for \$832.76 for the period ended 30th September 2006 as presented be accepted.

Moved: Cr West

Seconded: Cr Reid

That items 1-8 of the Monthly financial Activity Item be approved.

Carried 7/0

6104 PLANT & WORKS

6104.1 MAYA BIN ROAD

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER: KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 29TH SEPTEMBER 2006
ATTACHMENTS: 1

Executive Summary:

The 2006/07 budget has allowed for the reconstruction and sealing of the road around the Maya wheat bin. The road may be effected if any extension works are carried out in the future by CBH.

Statutory Environment:

Talks with Graeme Smallman from CBH have raised the possibility of works being carried out in the future to increase storage facilities at Maya. CBH are unsure of when, where and what if any impact this could have on the road.

Policy Implications: N/A

Financial Implications: Council has budgeted \$110,170 to carry out the works.

Strategic Implications:

If Council proceed with the upgrade of the road and CBH extensions take place, there may have to be changes that effect the road.

Consultation: N/A

Voting Requirements: Simple Majority

Officers Recommendation:

That the committee make a recommendation to Council to:

1. Proceed with the roadworks
2. Defer roadworks until CBH have a clear plan of what is proposed, if anything.

Committee Recommendation

That it be recommended that Council proceed with the roadworks on the Maya Bin Road.

Cr Reid briefed Council on the CBH Growers meeting held on 18th October.

He advised that CBH confirmed that Maya & Latham bins were opening with skeletal staff. Bunjil & Bowgada will not be opened and they were planning not to open Perenjori bin but with a number of representatives at the meeting they will be reconsidering this.

Moved: Cr Butler

Seconded: Cr Reid

That Council proceed with the roadworks on the Maya Bin Road.

Carried 7/0

6104.2 ANNUAL SEAL TENDERS

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER: KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 29TH SEPTEMBER 2006
ATTACHMENTS: 7

Executive Summary:

Council engaged the services of Greenfields Technical Services to call for tenders for the annual seal program.

Background

The tender requirements included the supply, spray of cutback bitumen, spreading of aggregates, and the supply of aggregates for the Shire's annual road sealing program.

Apart from last financial year we have used the services of Pioneer Road services to carry out the bitumen work and have had a very good working relationship with them. Though their tender price for the required service is about \$980 more than Borals, I believe that past experience should count towards the requirements for the tender.

Statutory Environment:

Policy Implications: N/A
Financial Implications: N/A
Strategic Implications: N/A
Consultation: N/A
Voting Requirements: Simple Majority

Officers Recommendation:

That Council award the contract for supply, spray & spread (B) cutback bitumen to Pioneer Road Services.

That Council award the contract for supply & deliver of aggregates to Winchester Quarries.

Committee Recommendation

That Council award the contract for supply, spray & spread (B) cutback bitumen to Pioneer Road Services.

That Council award the contract for supply & deliver of aggregates to Winchester Quarries.

Moved: Cr Butler Seconded: Cr Hirsch

That Council award the contract for supply, spray & spread (B) cutback bitumen to Pioneer Road Services.

That Council award the contract for supply & deliver of aggregates to Winchester Quarries.

Carried 7/0

6104.3 FUEL SUPPLY AT NEW DEPOT

APPLICANT: WORKS SUPERVISOR
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 29 SEPTEMBER 2006
ATTACHMENTS

Executive Summary:

The works supervisor was asked to investigate the installation of a 30,000lt fuel storage tank for diesel at the new depot and the savings that could arise from buying fuel in larger quantities.

Background

Mr Brad King from Sovereign Petroleum was contacted and the question was asked about the merits of having a larger fuel storage. He replied that as it could take up to 4 months to us around 30,000lt of fuel and with the market being so variable , the Shire could actually lose money by having larger amounts of fuel stored on its premises.

With this in mind it is my preference to have a storage facility of around 12,000lt and hopefully gain a better price each time we order our fuel.

Statutory Environment: Nil
Policy Implications: Nil
Financial Implications: Nil
Strategic Implications: Nil
Consultation: Nil
Voting Requirements: Simple Majority

Officers Recommendation:

That the committee recommend to Council that a 12,000lt storage tank be sourced and installed at the new depot for diesel fuel requirements.

Committee Recommendation

That the Works Supervisor source prices and availability of a diesel storage tank with approximately 30,000 litre capacity.

Investigate a fuel management system for accounting of fuel use.

Moved: Cr Bensdorp

Seconded: Cr Butler

That the Works Supervisor source prices and availability of a diesel storage tank with approximately 30,000 litre capacity.

Investigate a fuel management system for accounting of fuel use to be brought back to the November Plant & Works Committee Meeting.

Carried 7/0

6104.4 ROAD MAINTENANCE FOR SEPTEMBER

APPLICANT: WORKS SUPERVISOR
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER: KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 29TH SEPTEMBER 2006
ATTACHMENTS: SHIRE MAP

Executive Summary:

.Listed are the roads maintenance graded for the month of September

Solomon road

Rabbit Proof Fence road

Old Well road

Watson road

Chisholm road

Martin road

Background

Statutory Environment:

Policy Implications:

As per Council's road maintenance policy

Financial Implications:

Under Council's road maintenance budget

Strategic Implications:

To maintain roads to a standard

Consultation: N/A

Voting Requirements: N/A

Officers Recommendation: N/A

RECEIVED

Issues raised:

Grant Road – pot hole on dip, steepness of dip also problem. School bus routes discussed. These issues to be brought up and discussed at the November Plant & Works Committee Meeting.

Moved: Cr Hirsch

Seconded: Cr Bendsorp

That the Road Maintenance Report for September be received.

Carried 7/0

6105 GOVERNANCE

6105.1 CHANGES TO LOCAL GOVERNMENT VOTING SYSTEM

APPLICANT:	WALGA
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	10 October 2006
ATTACHMENTS	WALGA Letter, Media Release and Local Government Amendment Bill 2006

Executive Summary:

The State Government has introduced a Bill that will change the voting system for Local Government Elections from 'first past the post' to proportional representation.

Applicants Submission:

While it supports the other two measure WALGA argues that the change in the voting system:

- Encourages the use of factions and consequently party politics;
- Is less understood by voters and therefore more open to manipulation
- Results in higher error rates by voters and more invalid votes.
- Increases the cost of administering elections.
- Is contrary to specific recommendations of the Local Government Advisory Board
- Was introduced to parliament without prior consultation with the sector.

WALGA is suggesting that individual Councils make representations to local members to oppose this change.

Background:

The Local Government Amendment Bill does three things:

- Changes Local Government elections from the first Saturday in May to the third Saturday in October
- Changes the voting system for Local Government Elections from 'first past the post' to 'proportional representation'.
- Removes an anomaly that would allow 17 year olds to vote.

Statutory Environment:

Local Government Act 1995 Part 4 deals with electoral matters.

Policy Implications:

If the Bill is passed Council may wish to reassess the need for Wards.

Financial Implications:

Counting votes will be a more complex system, which will militate against voting in person elections administered by the Shire. This will increase the cost of running elections.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

The Local Government Advisory Board and Local Governments generally support the retention of the existing system.

The advantages of the present system are: that it is simple to administer at the local level and there are very few invalid votes.

The proposed voting system would have the following implications:

- Due to the increased complexity postal voting administered the Electoral Commission will become more attractive (and more expensive);
- There would be less need to maintain separate Wards to ensure representation across the Shire, as the proportional representation should produce broad representation;
- There would be less opportunity for a block of single issue candidates getting elected.

The sector is particularly concerned as it did not become aware of the proposed change until the Bill was introduced to parliament.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council **write / not write to** State members of parliament to protest about the proposed change in the voting system and the lack of consultation.

This item was not discussed as a new late item was completed due to change of/and additional information.

6105.2 LOCAL GOVERNMENT ACCOUNTABILITY

APPLICANT: WALGA
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER: STAN SCOTT – CEO _____
REPORT DATE: 9 OCTOBER 2006
ATTACHMENTS
1. WALGA Info Page
2. Foreword and Executive Summary of Public Accounts Committee Report

Executive Summary:

The Public Accounts Committee has tabled its final report on Local Government Accountability. The report contains 16 findings and 6 recommendations, including that the Auditor General be responsible for Local Government audits.

Applicants Submission:

WALGA is seeking comments from Local Governments for inclusion in its response to the report.

Background:

The recommendations of the PAC may be summarised as follows:

1. That the Department should review the Compliance And Audit Return to address concerns about its complexity and relevance.
2. That the Auditor General be responsible for auditing the Local Government Sector, based on the Queensland model
3. That the Auditor General should directly audit 15% of councils with the balance tendered to the private sector
4. That the audit parameters should be set by the Auditor General
5. That the AG should ensure that a comprehensive comparative report be prepared each year.
6. That there should be no **undue** increase in the compliance burden, and that the overall cost impost should be **recognised** by the State.

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 proposed arrangements are likely to increase audit costs.

Strategic Implications:

Nil

Consultation:

The CEO made a written submission to the Inquiry.

Comment:

If the recommendations were implemented the following outcomes are likely:

- Reduction in the complexity of the Compliance and Audit Return is positive;
- The AG will audit the sector, which will include the Department. If the AG questions the efficacy of the Department there is likely to be an increased focus by the Department on compliance activities;
- The AG's audit scope is likely to broaden the focus of the audit from financial to performance and efficiency. This may end up as a positive input for

performance improvement. The AG may also be in a position to identify unnecessary compliance requirements.

- The comparative report on Local Governments is likely to be a useful tool if there is some recognition of the differences between local governments. Perhaps there would be a role for WALGA in preparing this document?

While there are likely to as many positives as negatives in any change there remain some issues:

- Recognition of the costs of the changes is not sufficient, there needs to be some funding;
- It is disappointing that Audit committees were not given time to develop into their role;
- Involvement of the AG further erodes the independence of Local Governments that is set out in the general competence provisions of the ACT. Local Government becomes more and more an instrument of the State Government rather than a separate sphere of government.
- Many of the findings relate to failing by the Department. Existing Local Government auditors have been identifying issues and issuing qualified opinions, but it appears there has been no action by the Department to either enforce requirements, or assist Local Governments to overcome shortcomings. It is not clear how involving the AG will help this situation, except perhaps by putting more pressure on the Department to intervene.

Voting Requirements:

Simple Majority

Officers Recommendation:

That the CEO respond to WALGA based on the discussion in the comments section of this report.

Moved: Cr West

Seconded: Cr Hirsch

That the CEO respond to WALGA based on the discussion in the comments section of this report.

Carried 7/0

6105.3 ROAD ASSETS & EXPENDITURE REPORTING

APPLICANT: WALGA
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER: STAN SCOTT – CEO _____
REPORT DATE: 9 OCTOBER 2006
ATTACHMENTS
 1. Letter from WALGA
 2. Expenditure Report and Graph from Cr West

Executive Summary:

WALGA has written to Councils reminding them of their obligations under the Roads to Recovery suite of programs to maintain roads expenditure from ‘own source funds’.

Applicants Submission:

The quantum of Council spending on roads is set out in the attached table. Further analysis reveals the following:

Councils spend in the 5 years prior to the implementation of Roads to recovery varied from a high of \$382,000 in 1996-97 to a low of \$114 in 1998-99. It is important to note that Financial Assistance Grants from the Commonwealth (FAGS) are untied grants, and road spending from FAGS is counted as ‘own source’ funding.

Council’s average expenditure going into Roads to Recovery varies according to the period over which it is calculated. Councils expected spend over the 5 year period 2000 to 2005 varies depending on which average is used, as the table below illustrates.

Average Own Source Spending Prior to Roads to Recovery	Average Spend (000)	Expected Spend (000)	Actual Spend (000)	Difference (000)
5 year average (95 –00)	\$233	\$1,165	\$706	-\$459
4 year average (96 –00)	\$233	\$1,163	\$706	-\$457
3 year average (97 –00)	\$183	\$915	\$706	-\$209
2 year average (98 –00)	\$120	\$600	\$706	\$106

I was unable to gain any further clarification on how the ‘reference amount’ referred to in the WALGA letter is calculated.

Background:

The Department of Transport and Regional Services has been conducting random audits of Councils to check compliance with grant conditions. The auditing process includes:

- Verifying financial data to ensure that claimed figures (including own spend) is accurate;
- Checking on ground works to ensure that projects claimed have actually been done;
- Checking to ensure that projects are correctly signposted to acknowledge the funding.

In the event that a Council is found to have failed to meet its own spend obligations the usual remedy seems to be a requirement that they make up any spending shortfall with additional works.

Statutory Environment:

Financial Assistance to Local Government (FAGS) are distributed under the provisions of the *Local Government (Financial Assistance) Act 1995*. Roads to Recovery is distributed using some of the methodology adopted by the Local Government Grants Commissions in each state.

Policy Implications:

Nil

Financial Implications:

If the Commonwealth Auditor General was to determine that the Shire of Perenjori has not met its own source funding obligations there could be a requirement to make up the shortfall through additional investment in future years.

Strategic Implications:

Nil

Consultation:

The CEO discussed the requirements of the Roads To Recovery Program with Alan Chisholm from DoTaRS.

Comment:

Despite the other demands on Council resources it is necessary to ensure that we maintain our investment in roads.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council notes the concerns raised by WALGA.

Moved: Cr Reid

Seconded: Cr Butler

That Council notes the concerns raised by WALGA.

Carried 7/0

6105.4 RATING OF LAND USED FOR CHARITABLE PURPOSES

APPLICANT: WALGA
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER: STAN SCOTT – CEO _____
REPORT DATE: 10 October 2006
ATTACHMENTS: WALGA Letter & Draft Response to DLGRD

Executive Summary:

The Minister for Local Government & Regional Development has released several draft strategies in relation to rating of land used for charitable purposes.

Applicants Submission:

WALGA's proposed response addresses the underlying cost shifting that is evident in some of the strategies. The State Government is proposing to use rate exemption as a strategy for supporting some activities by charitable and religious organisations, even if they are commercial in nature. WALGA supports extending the rebate system that is currently available to pensioners rather than extending rate exemptions. In this way State support is funded by the State, not by local government.

Background:

The Ministers Strategies were in response to a Local Government Advisory Board Inquiry completed in November 2005.

Statutory Environment:

Local Government Act 1995 S6.26 (2) (g) deals with the rating by Local Government of land used for charitable purposes.

Policy Implications:

Nil

Financial Implications:

Limited immediate impact on Perenjori.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

WALGA's response is sensible and measured and should be supported.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council supports WALGA's proposed response.

Moved: Cr West

Seconded: Cr Benton

That Council supports WALGA's proposed response.

Carried 7/0

6105.5 CHANGES TO APPROVED LONG VEHICLE COMBINATIONS

APPLICANT:	MAIN ROADS WA
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	10 OCTOBER 2006
ATTACHMENTS	MRWA LETTER.

Executive Summary:

Main roads WA is seeking Local Government support for the inclusion of additional combinations in existing Network 3 and Network 4 period permits.

Applicants Submission:

MRWA is proposing that:

B Triple combinations be included in Networks 3 and 4 as their length, mass, axle configurations and on road performance is very similar to that of existing pocket road trains.

Background:

See Letter

Statutory Environment:

Local Government has control of access of long vehicles to local roads.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

The proposed changes increase the flexibility available to farmers and grain contractors.

Consultation:

Nil

Comment:

Given the similarities between the vehicles there seems to be little reason to oppose the proposed change.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council supports the inclusion of B triple combinations in Notice Networks 3 and 4.

Moved: Cr Hirsch

Seconded: Cr Butler

That Council supports the inclusion of B triple combinations in Notice Networks 3 and 4.

Carried 7/0

6105.6 HERITAGE LOAN SCHEME

APPLICANT:	WALGA	
FILE:	0	
DISCLOSURE OF INTEREST:	0	
AUTHOR:	STAN SCOTT – CEO	_____
RESPONSIBLE OFFICER	STAN SCOTT – CEO	_____
REPORT DATE:	9 OCTOBER 2006	
ATTACHMENTS	WALGA Letter	

Executive Summary:

WALGA is inviting additional Local Governments to join its Heritage Loan Scheme.

Applicants Submission:

The scheme offers an interest subsidy on loans for conservation works on heritage buildings. Heritage buildings include all buildings listed on the Shire of Perenjori Municipal Inventory of Heritage Places.

Background:

Nil

Statutory Environment:

The Heritage of Western Australia Act 1990 S45 sets out the provisions in relation to Local Government Inventories.

Policy Implications:

Nil

Financial Implications:

To participate the Shire would need to contribute 0.5% of the value of its rate revenue (approx \$6,150) per annum.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

The scheme provides assistance through a 4% interest rate subsidy for loans. This means there would need to be more than \$154,000 in loans before there would be a net benefit to the district. The funds may be better invested in public heritage assets through trails or interpretation.

Voting Requirements:

Absolute Majority

Officers Recommendation:

That Council **participate / not participate** in the Heritage Loan Scheme.

Moved: Cr West

Seconded: Cr Benton

That Council not participate in the Heritage Loan Scheme.

Carried 7/0

6105.7 CHARITABLE DONATIONS POLICY

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER: STAN SCOTT – CEO _____
REPORT DATE: 10 OCTOBER 2006
ATTACHMENTS: Letter from Children’s Charity Network

Executive Summary:

Council receives numerous requests for charitable donations and a policy position will provide guidance to the administration in dealing with requests.

Applicants Submission:

The proposed approach is as follows:

Charitable Donations Policy

1. Each year Council will make provision for donations as part of its budget deliberations.
2. In April of each year Council will advertise locally inviting submissions from community and sporting organisations within the Shire for donations or support for the coming financial year
3. Council will use these submissions to help frame its budget for the coming year.
4. In May of each year Council will consider the disbursement of any excess funds in its donations budget.
5. Requests for donations of a general nature received during the year will be held over and considered at the May meeting.
6. Urgent requests for donations such as unanticipated needs by local groups or appeals for disaster relief will be considered as they arise.
7. The CEO will determine whether a request is general or urgent.

Background:

There is a growing trend for charities to seek funding support from Local Government. While every request has some merit a comparative process will ensure that donations when made are appropriate.

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:

There is no existing policy.

Financial Implications:

The policy would not necessarily increase the amount allocated to donations.

Strategic Implications:

Council will ensure that its primary responsibility to support local needs is a priority.

Consultation:

Nil

Comment:

The above policy would allow Council to:

- Gauge the needs of the community through a transparent process;
- Respond to urgent requests
- Consider other requests on a comparative basis rather than in isolation.

- Pay donations in advance for the coming year where funds permit.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council adopt the Charitable donations policy.

That The Children's Charity Network request, and all such general requests are deferred for consideration at the May Ordinary Meeting of Council.

Moved: Cr Hirsch

Seconded: Cr Benton

That Council adopt the Charitable donations policy.

That The Children's Charity Network request, and all such general requests are deferred for consideration at the May Ordinary Meeting of Council.

Carried 7/0

6106 OTHER BUSINESS

6106.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

Main Roads WA – Special Purpose Vehicle Period Permit
Boomerang Alliance – Important Information on Container Deposits
WALGA – Issue 35.06
Dept of Ag & Food – Locust Update
Main Roads WA – Class 2 and 3 Restricted Access Vehicles Period Permit
RRR Network News
Clair Correspondence
NACC – Newsletter
WALGA – LG News – Issue 36.06
Coffey Environments – WA Contaminated Sites Legislation
Tourism WA
Dept of Education & Training – Preliminary Report: Literacy and Numeracy Review
WALGA – LG News – Issue 37.06
Make A Wish – Xmas Lights Competition
Natural Heritage Magazine
Scope Newsletter
Caravan Industry and Local Government
Heritage Council – Heritage Matters
Morawa District High School – Newsletter
FESA – DOAC
National Native Title Tribunal Strategic Plan 2006-2008
Water Corporation – Get Ready for Online Trading with the Water Corporation
Midwest Strategic Infrastructure Group
Dept of Health – Breast Screening Mammography Service – Morawa
Hon Robyn McSweeney – Proportional Preferential Voting
Letter to C Bartlett
WALGA – LG News – Issue 38.06
Elders Rural Bank – Annual Report
WALGA – Training & Development Calendar
Midwest Development Commission
WALGA – LG News – Issue 39.06
WALGA Info Page – Australian Road Rules: Amendment Package 2006

6106.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

6106.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

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.

Council is advised that Western Power has now provided its 'design and quote' for the Shire of Perenjori to satisfy the WAPC Condition relating to that agency – see Attachment.

Western Power Quote:

\$5,135.00

Shire's Scope of Work – an estimate only by WCC Electrical:

- Rewire house at Lot 127 Russell Street Perenjori
\$4,500.00
 - Electrical work for St John Ambulance building
\$2,000.00
 - Electrical work for Fire Shed
\$ 500.00
 - Trenching and site works by Shire
\$2,000.00
- Estimated total \$14,235.00

Council is informed that there is no allocation in the 2006/7 Budget to cover the cost of compliance with WAPC Conditions for the consolidation and subdivision of Lots 127 to 130 Russell Street Perenjori.

Council is now requested to provide Staff with direction on the progress of this application for subdivision.

Statutory Environment:

Town Planning and Development Act

Policy Implications:

Nil

Financial Implications:

Not budgeted for.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

The above policy would allow Council to:

- Gauge the needs of the community through a transparent process;
- Respond to urgent requests
- Consider other requests on a comparative basis rather than in isolation.
- Pay donations in advance for the coming year where funds permit.

Voting Requirements:

Simple Majority

Officers Recommendation:

Submitted for Council direction.

Moved: Cr West

Seconded: Cr Bendsdorp

That the continuation of the amalgamation/subdivision of 127 to 130 Russell Street Perenjori be discussed by the Building, Planning & Health Committee.

Carried 7/0

Cr West raised the issue of the New Depot Workshop regarding concerns about the stability of the Building which became apparent during heavy winds experienced recently.

The Manager of Community Services advised he had recently received the engineers certification certificate on the building and sought confirmation that the bowing/sagging was a design feature and was not cause for concern.

Council discussed the issue and resolved that a second opinion was necessary.

Moved: Cr West

Seconded: Cr Bendsdorp

That Council appoint a structural engineer to assess the New Depot Workshop shed and submit a list of recommended actions required if necessary.

Carried 7/0

MR GARRY AGNEW, MANAGER OF COMMUNITY SERVICES LEFT THE MEETING AT 2.45PM.

6106.4.2 **CHANGES TO LOCAL GOVERNMENT VOTING SYSTEM**

APPLICANT:	WALGA STATE COUNCIL
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	12 OCTOBER 2006
ATTACHMENTS	INFO PAGE

Executive Summary:

WALGA State Council has resolved to mount a media campaign opposing changes to the voting system for Local Government Elections, and is inviting Councils to pass votes of no confidence in the Minister for Local Government and Regional Development.

Applicants Submission:

WALGA State Council Resolved as follows:

That:

- 1. The Western Australian Local Government Association (WALGA) deplores the high handedness of the State Government in introducing the proposed changes to the current method of voting in Local Government elections without any consultation or communication with Local Government.*
- 2. WALGA remains totally opposed to the proposed changes.*
- 3. The proposed changes will politicise Local Government elections and are contrary to the good governance of local communities.*
- 4. All Councils are encouraged to immediately write to the Minister for Local Government, local Members of the Legislative Assembly and Members of the Legislative Council opposing the changes and the actions of the State Government.*
- 5. WALGA conduct a media campaign (including newspaper advertising) to raise community awareness about the implications of the proposed changes.*
- 6. The State Government immediately justify the reasons for proposing the change and why the amendment has been introduced with such urgency, when it is contrary to the expressed wishes of WALGA, the majority of its member Councils and the recommendations of the Local Government Advisory Board.*
- 7. All necessary Association resources be diverted towards campaigning to bring about a successful outcome to this issue.*

Background:

See Item 6105.1

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:

Council is still awaiting a response to its request to increase Mining Rates.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

State Council has requested that Council consider the motion detailed below.

It is clear that the unilateral action by the State Government in changing the voting system is contrary to undertakings in relation to consultation with the sector. It is also clear that the proposed system will be more expensive to administer.

What is less clear is whether the new voting system will produce the dire consequences predicted by WALGA. It is difficult to understand how the new voting system would be any more prone to party politics than the present system.

Voting Requirements:

Simple Majority

Officers Recommendation:

We, the elected councillors of the Shire of Perenjori hereby express our concern and alarm at the unilateral decision of the State Government to include provisions in the Local Government Amendment Bill 2006 to impose and apply a proportional-preferential voting system to Local Government elections.

We believe that the proposed changes to the voting system will lead to factionalism and party politics in Local Government, will result in decreased voter turnout, increased informal votes and will impose substantially higher election costs on our communities.

We believe that the proposed changes to the voting system have been developed in contravention of the State Local Government Partnership Agreement and effectively contravene the intent of the tripartite Inter Governmental Agreement recently signed by the Commonwealth, all State and Territory Governments and the Australian Local Government Association.

We believe these actions to be unacceptable to the Local Government sector and to the Western Australian community at large and that the Minister for Local Government must be held accountable for them.

Therefore, we declare that we have no confidence in the Hon. Jon Ford JP MLC to continue to represent the local Government portfolio.”

Moved: Cr West

Seconded: Cr Butler

We, the elected councillors of the Shire of Perenjori hereby express our concern and alarm at the unilateral decision of the State Government to include provisions in the Local Government Amendment Bill 2006 to impose and apply a proportional-preferential voting system to Local Government elections.

We believe that the proposed changes to the voting system will lead to factionalism and party politics in Local Government, will result in decreased voter turnout, increased informal votes and will impose substantially higher election costs on our communities.

We believe that the proposed changes to the voting system have been developed in contravention of the State Local Government Partnership Agreement and effectively contravene the intent of the tripartite Inter Governmental Agreement recently signed by the Commonwealth, all State and Territory Governments and the Australian Local Government Association.

We believe these actions to be unacceptable to the Local Government sector and to the Western Australian community at large and that the Minister for Local Government must be held accountable for them.

Carried 7/0

6106.4.3 ECONOMIC DEVELOPMENT REPORT

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: PHIL CLEAVER - EDO
RESPONSIBLE OFFICER PHIL CLEAVER - EDO
REPORT DATE: 12 OCTOBER 2006
ATTACHMENTS GASIFICATION DATA

Executive Summary:

A Report on Economic Development Projects.

Applicants Submission:

Detailed below are progress reports on current and prospective projects:

Economic Development Committee

- **Negotiations with CBH & others to acquire unused grain bins for the purpose of using as a controlled environment fodder factory.**
- Potential local land development project with commercial partners.
- Development of a wireless hot spot.

UWA Architecture Project

Visit is planned for November 9 to 12 inclusive where public presentation and enhanced engagement with all from shire on this on going 10 year project now becomes more public.

Surveys and other data collection to be ongoing and two way communication with all vested interests & stakeholders including the land development proposal.

This project has the potential to attract commonwealth funding for construction of the prototype/s. There has already been interest from the mining industry for a higher quality alternative to dongas for mining camps.

Building

Investigated availability of a registered builders, which given the current building boom, are very hard to attract to inland towns. The EDO managed to identify a registered builder presently doing work in Morawa who would be interested in taking on the oversight of building projects in Perenjori. Mr.O'Toole has expressed a desire to build a spec home in concert with the shire and UWA or others and is doing costing exercise at this time.

Mr.O'Toole would assist on a visiting basis and is not interested in living in the town.

Agriculture

Lupin development on human food products is ongoing in concert with commercial interests and chemists and statutory food regulators.

Liaison with the Department for Agriculture and Food on the transfer of all things Lupine the letter of offer and finite detail is expected Early November is still on track.

Technology

The EDO has identified a potential joint venture with My net phone for a rural VOIP network. If we promote take up of this technology through our networks we could receive an ongoing income of 5% of all fees.

Paper work completed & sent 17/10/06 equipment said to be due to arrive mid/late November and a demonstration facility will be in place at Telecentre for community assessment and feedback.

Additionally EDO negotiated a Free of Charge alternative option with other providers. This gives good feed back and keeps all parties competitive and hungry for the emerging technology testing for remote areas. It appears we are now above the radar as a progressive and resourceful shire with depth of expertise pleasing to the commercial area

Also State Govt has taken on a watching list via ICT unit and they have suggested in year 2007 some funding to us to expand this role in technology transfer.

There is the possibility of wireless hot spots statewide in all caravan parks and community centres with PJ cell providing oversight on a fee for service basis, which generates income to defray costs. We are negotiating for the installation of a wireless hotspot for Perenjori, which will generate income either for the Shire or the Telecentre.

Background:

The EDO commenced a full time two year contract on 30 August 2006.

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:

The fundamental premise of the EDO activity is diversification of the economic base of Perenjori through complementary activity that will reduce our reliance on agriculture and mining.

Consultation:

The EDO maintains contact with a wide range of potential stakeholders, investors or funding organisations.

Comment:

The EDO and CEO are developing a matrix of projects that have been identified and have some potential for development. The development of the strategic plan and formation of the committee will help focus the EDO activities.

New potential projects that have emerged in the last month include:

- Commercial scale fodder factory
- Potential private land development
- Technology enhancement through local wireless hot spot

The EDO is working on a community awareness program. This will help inform local residents as well as provide a promotional tool for external stakeholders and potential project partners. This will include a hard copy and on line newsletter as well as a revamp of the Shire website using expertise from UWA.

The approach to economic development is focussed on developing opportunities that will:

- Diversify the local economy through attracting new industries or emerging technologies;
- Add value to existing agricultural industry through diversification or downstream processing
- Take advantage of existing intellectual capital within the district
- Encourage partnerships with external bodies and agencies
- Overcome barriers to growth such as lack of available land or housing;

Within the scope of these activities we will also:

- Seek funding opportunities to offset the costs and/or widen the scope of economic development activities
- Keep Council and the community informed of economic development activities;
- Seek Council endorsement of any activity that requires a long term commitment from the shire, or involves commitment of funds outside the existing budget.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council notes the Economic Development Report.

Moved: Cr Butler

Seconded: Cr Benton

That Council notes the Economic Development Report.

Carried 7/0

6106.4.4 GENERAL PRACTITIONER SERVICES

APPLICANT: SHIRES OF MORAWA & PERENJORI
FILE: 0
DISCLOSURE OF 0
INTEREST:
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER STAN SCOTT – CEO _____
REPORT DATE: 19 OCTOBER 2006
ATTACHMENTS Doctor Services Agreement (Between Shire of Morawa and Dr Deji Afilaka)
Shared Services Agreement (Between Shire of Perenjori and Shire of Morawa)

Executive Summary:

Dr James Aniyi formally notified the Shire of Morawa of his wish to terminate GP servicing arrangements in Morawa and Perenjori. The termination of services would take place on the 30th November 2006 completing a three contract term with the Shire of Morawa.

Following an extensive advertising process Dr Deji Afilaka applied for the position, was interviewed by the CEO's of both Shires and has agreed to terms for taking of the medical practice.

Applicants Submission:

There are three formal agreements requiring negotiation and execution between the Shire of Morawa and an incumbent GP – a Medical Services Agreement, a Lease Agreement and a Residential Tenancy Agreement. Each agreement will be similar to the same documents as currently agreed and established with Dr Aniyi. Further, the Shire of Morawa and the Shire of Perenjori will need to renegotiate and execute a Shared Medical Service Agreement for access to the new GP service.

Copies of draft agreements are attached.

Background:

An exhaustive advertising process has been completed in an effort to locate a suitable replacement General Practitioner (GP) to service the Morawa and Perenjori communities. There have been three (3) expressions of interest in the position:-

1. Dr GJ (Graeme) Findlay – Currently operates a practice servicing the Kalbarri community and has recently signed up to provide an additional residency service in Mullewa. It is Dr Findlay's intention to acquire additional overseas GP resources to provide a rotational service between the communities of Kalbarri, Mullewa, Morawa and Perenjori. In the interim, Dr Findlay would provide a stand alone service through the sharing of his own time between the four centres. Dr Findlay envisages that the proposed 'group service' would be best structured to take effect in two years time. The interim arrangements would have an indicative three month to one year timeframe.
2. Dr Deji Afilaka – Is a GP of Nigerian descent and is currently residing and working through the Moora Health Centre practice. Dr Afilaka commenced work in Australia at the Mount Gambier Hospital in July 2003 and recently commenced activities at Moora in March 2005. Dr Afilaka has notionally accepted a two year contract to commence GP service activities for Morawa and Perenjori.
3. Dr Ali Sharif – Is a GP of Iraq descent who commenced activities in Australia in June 1998 and is currently working at the Noarlunga Health Service in Adelaide, South Australia. Dr Sharif submitted a late application to the position and therefore has been excluded from formal consideration pending the outcomes of discussions and negotiations held with Dr Afilaka.

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 proposed agreement specifies 3 patient sessions per week each of a minimum of 3 hours at Perenjori. Based on the apportionment of services set out in that agreement this represents one third of the doctors services.

Strategic Implications:

It is imperative from a community perception and demand perspective that a GP service is established for Perenjori.

Consultation:

The bulk of the arrangements for recruitment of the new GP were handled by Morawa, but the CEO was consulted at each decision point. The attached documents were prepared by Morawa.

Comment:

Although the offer by Dr Findlay has merit from a future sustainability perspective, the timing for group practice implementation is premature to the requirements of both Morawa and Perenjori. As also highlighted above, the application by Dr Sharif was late and is therefore considered a contingency back up to arrangements not progressing satisfactorily between Dr Afilaka and the respective Shires.

Dr Afilaka met with representatives from the Shire of Morawa (Chief Executive Officer), the Shire of Perenjori (Chief Executive Officer) and Dr James Aniyi via an informal in-person interview process held at the Shire of Morawa on the 28th September 2006. Dr Afilaka has since confirmed his interest in the position based on a self supporting loan from the Shire of Morawa to cover furniture and pharmaceuticals, nil commercial rent on premises, rent free accommodation including utilities and supply of a motor vehicle.

In return for these conditions, Dr Afilaka will sign up under contract to a two-year GP service agreement on behalf of the communities of Morawa and Perenjori.

We will need to negotiate similar arrangements in relation to pharmaceutical stock at Perenjori.

Voting Requirements:

Absolute Majority

Officers Recommendation:

It is recommended that:-

1. An offer of a two year contract for provision of General Practitioner (GP) Services be provided to Dr Deji Afilaka to service the communities of Morawa and Perenjori.
2. Delegated authority be given to the Chief Executive Officer to negotiate and arrange execution of an appropriate Shared Medical Services Agreement between the Shire of Morawa and Shire of Perenjori.
3. Delegated authority be given to the Chief Executive Officer to negotiate and execute a self supporting loan in relation to pharmaceutical stock held by the Perenjori Medical Practice.
4. Subject to satisfactory GP servicing contracts being agreed and established, an invitation be extended to Dr Deji Afilaka to informally meet with the Perenjori Shire Council for lunch prior to the November 2006 Ordinary Meeting. A similar invitation is to be extended to Dr James Aniyi in recognition of his service to the Shires for the past three years. (Morawa will be inviting both doctors to meet with Councillors after their November meeting on the same day).

Moved: Cr Benton

Seconded: Cr Bendsorp

1. An offer of a two year contract for provision of General Practitioner (GP) Services be provided to Dr Deji Afilaka to service the communities of Morawa and Perenjori.
2. Delegated authority be given to the Chief Executive Officer to negotiate and arrange execution of an appropriate Shared Medical Services Agreement between the Shire of Morawa and Shire of Perenjori.
3. Delegated authority be given to the Chief Executive Officer to negotiate and execute a self supporting loan in relation to pharmaceutical stock held by the Perenjori Medical Practice.
4. Subject to satisfactory GP servicing contracts being agreed and established, an invitation be extended to Dr Deji Afilaka to informally meet with the Perenjori Shire Council for lunch prior to the November 2006 Ordinary Meeting. A similar invitation is to be extended to Dr James Aniyi in recognition of his service to the Shires for the past three years. (Morawa will be inviting both doctors to meet with Councillors after their November meeting on the same day).

Carried 7/0

6106.4.1 MINING RATES

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: DOMENICA ORLANDO – DEPUTY CEO
RESPONSIBLE OFFICER: DOMENICA ORLANDO – DEPUTY CEO
REPORT DATE: 19 OCTOBER 2006
ATTACHMENTS: PERMISSION LETTER & REPLY

Executive Summary:

Council has received approval from the Minister to impose the Mining rate in the dollar of \$20.00. The Minister was however concerned about the magnitude of the increase and has recommended that Council consider introducing the mining rate proportionally over the 2006/07 and 2007/08 financial years.

Applicants Submission:

If the Ministers suggestion is taken up the following will occur:

2006/07 Mining Rate in the dollar	11.90675	Total Revenue	\$100,209
2007/08 Mining Rate in the dollar	20.00	Total Revenue	\$176012

Background:

Council adopted its 2006/07 Budget with a rate in the dollar for Mining Rates of 20.00.

As this rate was more than twice the lowest differential rate of 2.1935 (Rural Rate) , Ministerial Approval was required.

Statutory Environment:

Council sought Ministerial approval as required under:

Section 6.33 (3) of the Local Government Act 1995 for the imposition of a differential general rate which is more than twice the lowest differential rate imposed.

Section 6.35 (5) of the Local Government Act 1995 for the imposition of a minimum rate which is more than the prescribed amount.

Policy Implications:

Nil

Financial Implications:

Nil

Council budgeted for \$165276 income from Mining Rates. If the increase is implemented over 2 yrs the revised income from Mining Rates for 2006/07 will be \$100209

Strategic Implications:

Nil

Consultation:

Nil

Comment:

While the Minister's concern is acknowledged, a single adjustment is probably easier to argue, and justify. Spreading the rise of two years provides a second opportunity for complaints next year.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Council acknowledge the Ministers suggestion to raise Mining Rates proportionally and adopt a Mining Rate in the dollar of 11.90675 for 2006/07 financial year.

OR

2. That Council acknowledge that Minister's approval was granted for the Mining Rate in the dollar of 20.00 for the 2006/07 financial year as adopted.

Moved: Cr Butler Seconded: Cr Reid

That Council acknowledge that Minister's approval was granted for the Mining Rate in the dollar of 20.00 for the 2006/07 financial year as adopted.

Carried 7/0

6106.4.2 OFFICE CLOSURE – CHRISTMAS/NEW YEAR PERIOD

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: DOMENICA ORLANDO – DEPUTY CEO
RESPONSIBLE OFFICER: DOMENICA ORLANDO – DEPUTY CEO
REPORT DATE: 19 OCTOBER 2006
ATTACHMENTS: NIL

Executive Summary:

The closure of the Administration office during the period between Christmas and New Year has been an issue for several years due to the fact that the 5% discount period ended on the 31st December of each year.

Last year 5 persons paid their rates in person at the Admin Office between Christmas and New Year. All other rates transactions (5) were received by mail.

Applicants Submission:

It is proposed that the Admin office is closed from Wednesday 28th to Friday 30th December 2006 as well as Tuesday 2nd January 2007.

The Public Holidays are Monday & Tuesday 25th and 26th December 2006, Monday & Tuesday 1st & 2nd January 2007. (The 2nd January is a designated Local Government Public Holiday)

Staff are entitled to the 2nd January public holiday and can take it on the day it falls or during the year.

At the May 2006 Council Meeting the following was resolved in relation to the 5% discount period:

“That the 5% discount period be altered from ending on the 31st December to the second Friday in January of the New Year.”

This date is the 12th January 2007.

This will allow 9 working days following the office reopening for ratepayers to pay their rates before the discount period is closes on the 12th.

Background:

The Admin Office has only ever been closed for the Christmas and Boxing day holiday and the New Years Day holiday.

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:

Nil

Consultation:

Nil

Comment:

The closure will allow for Admin staff to have a decent break over Christmas and New Year and allow the taking of leave during this period. The closure will be well advertised.

Voting Requirements:

Simple Majority

Officers Recommendation:

That the Shire of Perenjori Administration Offices be closed on Monday 25th December and reopened on Wednesday 3rd January 2007 and that this be well advertised.

Moved: Cr West

Seconded: Cr Bendsorp

That the Shire of Perenjori Administration Offices be closed on Monday 25th December and reopened on Wednesday 3rd January 2007 and that this be well advertised.

Carried 7/0

6106.4.3 EXPRESSION OF INTEREST – SURPLUS EQUIPMENT

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: DOMENICA ORLANDO – DEPUTY CEO
RESPONSIBLE OFFICER: DOMENICA ORLANDO – DEPUTY CEO
REPORT DATE: 19 OCTOBER 2006
ATTACHMENTS: EXPRESSIONS OF INTEREST RECEIVED

Executive Summary:

Expressions of Interest were sought for a number of Items of Surplus Equipment. These closed on the 13th October 2006.

Applicants Submission:

The surplus equipment list included:
1 x second hand truck tyres (295\80R 22.5)
12 x second hand truck tyres (11R 22.5)
1 x 500 gallon fuel tank on trailer
Loading ramps from old sale yards
Old Piano

Background:

Interest for the loading ramps had been received previously and it was decided to advertise to give all an opportunity to submit an expression of interest.

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:

Budgeted Income of \$7000

Strategic Implications:

Nil

Consultation:

Nil

Comment:

Nil

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council accepts the following Expressions of Interest received:

1. Offer of \$900 for the Loading Ramps from Garrity Farms
2. Offer of \$250 for the old Piano from Ken Markham
3. Offer of \$100 for the 500 gallon fuel tank on trailer from Midvale Farms

Moved: Cr Benton

Seconded: Cr Butler

That Council accepts the following Expressions of Interest received:

1. Offer of \$900 for the Loading Ramps from Garrity Farms
2. Offer of \$250 for the old Piano from Ken Markham
3. Offer of \$100 for the 500 gallon fuel tank on trailer from Midvale Farms

Carried 7/0

6106.5 GENERAL BUSINESS

The President read out a letter received from Neil Sauvarin & Sandra Teasdale advising that they intended to commence a Shearing Contracting business and seeking possible accommodation options to house their shearing team. The Ceo to investigate and reply.

The President advised that he had visited Calm recently and discussed a number of issues. They included: Firebreaks on DEC Pastoral Land, Heritage Listing of Old Karara Shearing Shed, Re-opening of the road west of Karara Homestead to Shearing shed road through Mungada Rd, Installation of a pipe near the Karara turnoff on the Warriedar/Coppermine Rd where a grid was removed. All these issues were discussed an agreed upon by both parties.

Cr Benton advised that the Latham Standpipe requires maintenance and that the tank should be elevated.

It was advised that the Light Switch at the Tennis Courts was broken.

6106.6 DATE OF NEXT MEETING / MEETINGS

Next Council meeting to be held on Thursday 16th November 2006.

6106.7 CLOSURE

There being no further business the meeting was closed at 4.15pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held on 19th October 2006.

Signed: _____
Presiding Elected Member

Date: _____