

Shire of Perenjori

MINUTES

Ordinary Council Meeting

To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on Thursday 17th May 2007, to commence at **1.30pm**

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7051 PRELIMINARIES

7051.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The President declared the meeting opened at 1.25pm.

7051.2 OPENING PRAYER

The Chairman led Council in the leading Prayer.

7051.3 DISCLAIMER READING

Nil

7051.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

President	Cr Brian Baxter
Councillors	Cr Graeme Reid
	Cr Laurie Butler
	Cr Jennifer Hirsch
	Cr John Bendsorp
	Cr Ian West
	Cr Robyn Benton
	Cr Christopher King
	Mr John Cunningham

CEO	Mr Stan Scott
DCEO	Ms Domenica Orlando
Manager Community Services	Mr Garry Agnew
Economic Development Officer	Mr Phil Cleaver
Works Supervisor	Mr Ken Markham

7051.5 PUBLIC QUESTION TIME

Nil

7051.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

7051.7 NOTATIONS OF INTEREST

Financial Interest – Local Government Act s 5.60A

Proximity Interest – Local Government Act s 5.60B

Cr King – Item 7037.4 Perenjori Primary School

Cr Hirsch – Item 7037.4 Perenjori Primary School

Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

7051.8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7051.9 CONFIRMATION OF MINUTES

Council Resolution

Moved: Cr West

Seconded: Cr Benton

That the minutes of the Ordinary meeting of Council held on 19th April 2007 be accepted as a true and correct record.

Carried 9/0

7051.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Nil

7051.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS

Nil

7052 ECONOMIC DEVELOPMENT REPORT

7052.1 ECONOMIC DEVELOPMENT REPORT

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	PHIL CLEAVER - EDO _____
RESPONSIBLE OFFICER	PHIL CLEAVER - EDO _____
REPORT DATE:	08 March 2007
ATTACHMENTS	Process flow chart & data sheet

Executive Summary:

A Report on Economic Development Projects.

Applicants Submission:

Detailed below are progress reports on current and prospective projects:

Economic Development Results

- Forrest Products Commission +UWA
- UWA

- Dept Of Justice JV for tradesman
- Various Grant applications

Forrest Products Commission

With the help of Agric and other state bodies specific species selection is being worked on for eventual incorporation with bank Carbon sink product ongoing.

Department of Justice

On going & on track. However, until final format of change of act is finalised and read down shall keep monitoring and working on procedures in concert with Ministry of Justice

Grant Applications

Several in Train Bush Telegraph next issue will call for expressions of interest shire wide.

Co-operative and foundation formations

Documentation due to arrive month end or sooner.

Town Dams

As per last meeting this appears to have been resolved and is said to have started.

Business expo now being incorporated into Show Schedule

Ongoing work and formation due to release in June/July after show committee and others approve.

UWA Engineering and involvement with Rise

Discussion started with the principal company on your data sheets.

They indicate and have the financial resources to invest heavily up to 50%.

In capital cost of plant.

Latex trees

Final documentation has been processed and approved by USA.

Trees ready and in nursery just waiting for rain.

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 is attracting interest however separating EDO work and some other aspects in commercial interface may need to be reviewed

Especially on the issues of how we call for expressions of interest in high value commercial ventures.

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.

7053 FINANCE

7053.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY

APPLICANT:	Deputy CEO
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	Domenica Orlando
RESPONSIBLE OFFICER	Domenica Orlando
REPORT DATE:	4th May 2007
ATTACHMENTS	Monthly Statement of Financial Activity Reports

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 is to be adopted by Council at its March meeting of Council. A report detailing the variances is also included. Also included is a report on variances.

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

Statutory Environment:	N/A
Policy Implications:	N/A
Financial Implications:	N/A
Strategic Implications:	N/A
Consultation:	UHF Haines Norton
Voting Requirements:	Simple Majority
Officers Recommendation:	

1. Statement of Financial Activity

That the Statement of Financial Activity for the period ended 30th April 2007 including report on variances be accepted as presented.

2. Finance Report

That the Finance Report for the period ended 30th April 2007 be accepted as presented.

3. Acquisition of Assets

That the Acquisition of Assets Report for the period ended 30th April 2007 with a balance of \$1,094,990 as presented be received.

4. Reserves Report

That the Reserves Report for the period ended 30th April 2007 with a balance of \$1058412 as presented be received.

5. Net Current Assets

That the Net Current Assets report for the period ended 30th April 2007 as presented be received.

6. Bank Reconciliation's

That the balances of the Municipal Fund of \$-116944.76, the Term Deposit of \$210,867.14 and the Trust Fund of \$36107.63 as at 30th April 2007 as presented be received.

7. Sundry Creditors Report

That the Sundry Creditors Report for the period ended 30th April 2007 with a balance of \$59,166.86 as presented be received.

8. Sundry Debtors Report

That the Sundry Debtors Report for the period ended 30th April 2007 with a balance of \$44,806.83 as presented be received.

9. Accounts for Payment

That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 15603 to 15683 and EFT Numbers 55 to 8995342 for \$296899 and the Trust Account consisting of EFT number 58 for \$100.00 for the period ended 30th April 2007 as presented be accepted.

10. Rates Outstanding

That the Rates Outstanding Report for the period ended 30th April 2007 with an outstanding balance of \$59639 as presented be received.

Council Resolution

Moved: Cr Benton

Seconded: Cr King

That Items 1 – 10 relating to the Financial Reports for the period ended 30th April 2007 be approved.

Carried 9/0

7054 HEALTH BUILDING & PLANNING

7054.1 SALE OF HOUSE BY TENDER – LOT 49 RUSSELL STREET PERENJORI

APPLICANT:	SHIRE OF PERENJORI
FILE:	LOT 49 RUSSELL STREET PERENJORI
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	GARRY AGNEW - MCS _____
RESPONSIBLE OFFICER	GARRY AGNEW - MCS _____
REPORT DATE:	10 MAY 2007
ATTACHMENTS	7053.1a, 7053.1b, 7053.1c, 7053.1d and 7053.1e

Executive Summary:

Council is to consider Tenders submitted for the purchase of lot 49 Russell Street Perenjori.

Background:

Council is referred to Item No. 7034.1 of its March 2007 Minutes.

Moved: Cr. West Seconded: Cr. Reid

Due to the anticipated total cost of repair/upgrade of Lot 49 Russell Street being approximately \$40,000.00 the house is to be put up for sale by tender with all proceeds of sale to be placed in the Housing Reserve.

Carried 6/2

Comment:

The following advertisement was placed in the West Australian & Geraldton Guardian on the 11 April 2007 and the Bush Telegraph on the 10 April 2007.



SHIRE OF PERENJORI
SALE OF HOUSING BY TENDER
LOT 49 RUSSELL STREET PERENJORI
TENDER 01/07

Tenders are invited for the purchase of house and land located at lot 49 Russell Street Perenjori.

- 3x1 timber frame, fibro clad, tile roof with ducted evaporative air conditioning.

Inspection of the house can be arranged by phoning the Shire of Perenjori on 99731002.

Tenders must be lodged before 2:30p.m. Friday the 4th May 2007 at the Office of the Shire of Perenjori Fowler Street (PO Box 22) Perenjori WA 6620.

Canvassing of Councillor's will disqualify any tender.

The highest or any tender will not necessarily be accepted.

Stan Scott

CHIEF EXECUTIVE OFFICER

Tenders were opened at 4:38pm on Friday 4 May 2007 – five (5) Tenders were received.

- | | |
|--|-------------------------------------|
| 1. Micelle Fraser
No postal address given | Tendered Price = \$25,000.00 |
| 2. Robert Green
71 Carnamah Road
Perenjori WA 6620 | Tendered Price = \$32,000.00 |
| 3. Kevin Johnston & Margaret Juddery
C/o 28 Russell Street
Perenjori WA 6620 | Tendered Price = \$30,000.00 |
| 4. Kirk & Maryse Pohl
No postal address given | Tendered Price = \$40,000.00 |

5. Neil Sauvarin

PO Box 113

Perenjori WA 6620

Tendered Price = \$45,000.00

A copy of each Tender submission is attached as **Attachments 7053.1a, 7053.1b, 7053.1c, 7053.1d and 7053.1e.**

Statutory Environment:

Local Government Act 1995

3.58 Disposal of Property

(1) In this section –

“**dispose**” includes to sell, lease, or otherwise dispose of, whether absolutely or not;

“**property**” includes the whole or any part of the interest of a local government in Property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to –

- (a) the highest bidder at public auction; or
- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –

- (a) it gives local public notice of the proposed disposition –
 - (i) describing the property concerned;
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

- (b) it considers any submissions made to it before that date specified in the notice and, if its decision is made by the council or committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include –

- (a) the names of all parties concerned;
- (b) the consideration to be received by the local government for the disposition; and
- (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

- (5) This section does not apply to –
- (a) a disposition of land under section 29 or 29B of the Public Works Act 1902;
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has any written law; or
 - (d) any other disposition that is excluded by regulations from application of this section.

Policy Implications:

Nil

Financial Implications:

Proceeds from the sale of Lot 49 Russell Street are to be placed in Council's Housing Reserve.

Strategic Implications:

Disposal of this building will reduce Council's annual building maintenance costs.

Voting Requirements:

Simple Majority

Officers Recommendation:

The tender for \$45,000.00 from Neil Sauvarin C/o PO Box 113 Perenjori for the purchase of Lot 49 Russell Street Perenjori is accepted.

Council Resolution

Moved: Cr King

Seconded: Cr Cunningham

The tender for \$45,000.00 from Neil Sauvarin C/o PO Box 113 Perenjori for the purchase of Lot 49 Russell Street Perenjori is accepted.

Carried 9/0

7054.2 PROPOSED SUBDIVISION – LOT 900 JOHN STREET PERENJORI

APPLICANT: SHIRE OF PERENJORI
FILE: 508.03
DISCLOSURE OF INTEREST: NIL
AUTHOR: GARRY AGNEW - MCS _____
RESPONSIBLE OFFICER GARRY AGNEW - MCS _____
REPORT DATE: 10 May 2007
ATTACHMENTS

Executive Summary:

Council is asked to endorse the appointment of GHD Pty Ltd for the preparation of water reticulation & electrical engineering drawings and specifications for the proposed subdivision of Lot 900 John Street Perenjori and on behalf of Council consult with the Water Corporation and Western Power in respect to the project.

Background:

Council is referred to Item 6113.3 of its November 2007 Meeting.

Moved: Cr. Benton

Seconded: Cr. Bendsorp

That:

With reference to progression of the subdivision process of Lot 900 John Street Perenjori; quotations are to be sought from –

- 1) an Engineer to prepare preliminary design plans for a water main to service subdivided Lot 900 John Street for submission to the Water Corporation for approval and a construction quote; and*
- 2) an Electrical Designer to draw up an electrical plan for the site in order that Western Power can issue a quote; further*
- 3) continuation with the creation of the Deposited Plan for Lot 900 John Street by Hille, Thompson & Delfos is endorsed.*

In the meantime the CEO is to enquire with Landcorp in respect to the possibility of obtaining funding under the Community Development Scheme.

Carried: 8/0

Council has been informed via previous Health, Building and Planning Section general discussions of the difficulty in obtaining submissions from accredited engineering firms to consult with both the Water Corporation and Western Power in regard to the water main and electrical design requirements of the 900 John Street subdivision project.

Comment:

During April 2007 we were successful in obtaining three quotations to carry out the Water Corporation and Western Power design requirements to satisfy the subdivision "Conditions of Approval" specified by the WAPC.

1. Structerre Consulting Engineers, 3/10 Gibberd Road Balcatta WA 6021.
Quotation for water only = \$8,800.00 including GST
2. Sinclair Knight Merz, 7th Floor, Durack Centre 263 Adelaide Terrace Perth WA 6001.
Quotation for electrical only = \$32,000.00 including GST
3. GHD Pty Ltd, 76 Forrest Street Geraldton WA 6530.
Quotation for both water and electrical = \$11,000.00 including GST

Council is informed that following discussion between the CEO and MCS and taking into account the:

- importance to progress this subdivision project;
- the difficulty in obtaining three quotations in the first instance; and
- that \$12,000.00 is budgeted for in 2006/7 for Town Planning and Subdivision Expenses,

GHD Pty Ltd of 76 Forrest Street Geraldton has been appointed by Executive Staff and a Consultancy Agreement signed.

Preliminary work on the water and electrical design work for the 900 John Street subdivision has commenced.

Policy Implications:

Nil

Financial Implications:

\$12,000.00 is budgeted for 2006/7 for Town Planning and Subdivision Expenses.

Strategic Implications:

To increase available freehold "Residential" Lots for development to cater for potential demand in the Perenjori town site.

Voting Requirements:

Simple Majority

Officers Recommendation:

That the appointment of GHD Pty Ltd of 76 Forrest Street Geraldton to prepare water supply and electrical drawings and specifications for the 900 John Street subdivision project and on behalf of Council consult with Water Corporation and Western Power in terms of their requirements to satisfy Conditions '2' and '5' of WAPC subdivision application 130490 is endorsed.

Signing of the Agreement between GHD Pty Ltd and Shire of Perenjori by the CEO on the 23 April 2007 to allow preliminary work on the design drawings and specifications to commence is also endorsed.

Council Resolution

Moved: Cr Hirsch

Seconded: Cr Bendsdorp

That the appointment of GHD Pty Ltd of 76 Forrest Street Geraldton to prepare water supply and electrical drawings and specifications for the 900 John Street subdivision project and on behalf of Council consult with Water Corporation and Western Power in terms of their requirements to satisfy Conditions '2' and '5' of WAPC subdivision application 130490 is endorsed.

Signing of the Agreement between GHD Pty Ltd and Shire of Perenjori by the CEO on the 23 April 2007 to allow preliminary work on the design drawings and specifications to commence is also endorsed.

Carried 9/0

7054.3 INFORMATION ITEMS

1. BUILDING LICENCES

The following Building Licence has been processed since the April 2007 Meeting.

Building Licence No. 01/07

Owner:	R. J. Wood	
Location:	Lot 6 Fowler Street Perenjori	
Description:	Patio	
Builder:	Owner-Builder	
Construction Cost:	\$2,000.00	
Fees:	Building Licence Fee	\$40.00
	BRB Levy	<u>\$35.00</u>
		\$75.00

Building Licence No. 02/07

Owner:	Narelle Clark	
Location:	Lot 14 Fowler Street Perenjori	
Description:	Nursery Shade House	
Builder:	Owner-Builder	
Construction Cost:	\$7,000.00	
Fees:	Building Licence Fee	\$40.00
	BRB Levy	<u>\$35.00</u>
		\$75.00

2. NEW BUILDING ACT & AMENDMENT BILL.

The MCS and EHO/BO attended a Seminar in Geraldton on the 30 April 2007 on the current status of the new Building Act and the Local Government (Miscellaneous Provisions) Amendment Bill.

New Building Act (Progress Report)

- Proposals are being refined through extensive ongoing consultation.
- Detailed provisions and processes for the legislation are in continual development.
- Stakeholder reference groups are assisting the DWH to refine the proposals and prepare detailed drafting instructions

Local Government (Miscellaneous Provisions) Act Amendment Bill

- The Bill is in the Legislative Council.
- It provides for adoption of the National Accreditation Framework for Building Surveyors.
- It increases the penalties for unlawful building works.
- Gives greater flexibility for local government for approving building work.
- It clarifies the definition of swimming pools.
- The Bill provides for Regulations to be made prescribing the National Accreditation Framework for Building Surveyors.
- Existing Building Surveyors will not lose their job.
- The experience of existing Building Surveyors is recognised.
- There will be sufficient transitional time to build on current experience and qualifications.
- In essence there will be a 5 year transitional period during which time existing Building Surveyors can upgrade their qualifications.

3. AUSTRALIAN INSTITUTE OF ENVIRONMENT HEALTH CONFERENCE.

The Australian Institute of Environmental Health held its Annual Conference at the Esplanade Hotel Fremantle from the 9 to 11 May 2007. Council's EHO/BS Andrea Njoku attended A.I.E.H. Conference.

4. CARAVAN PARK CHALETS – AN UPDATE.

The current status of the upgrade of the relocated accommodation units at the Caravan Park is:

1. tiling of shower recesses is nearing complete;
2. new vanity units and mirrors have been ordered;
3. quotes have been requested for shower recess doors;
4. new kitchen bench tops are fitted and tiling complete;
5. rear door exit landings and steps have been designed and the timber ordered;
and
6. new kitchen cupboard doors and drawer fronts are being manufactured.

Subject to availability of staff and punctual response by trade contractor's internal painting can commence during June 2007 and furniture purchased during that month. It is hoped that completion of the upgrade will be during July with hopefully an official opening around August 2007.

GARRY AGNEW, MANAGER OF COMMUNITY SERVICES AND ANDREA NJOKU, EHO LEFT THE CHAMBERS AT 2.00PM.

7055 PLANT & WORKS

BUDGET PROVISION

That in the 2007/2008 budget, provision be made for the installation of a bunded diesel tank, bowser fuel management system and associated costs for the Works Depot.

Council Resolution**Moved: Cr Butler****Seconded: Cr Reid****That Council accept the 27,000lt fuel tank offered by Sovereign Petroleum.****Carried 9/0**

7056 GOVERNANCE**7056.1 DELEGATIONS REGISTER REVIEW**

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
AUTHOR:	DOMENICA ORLANDO - DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	1ST MAY 2007
ATTACHMENTS	Delegations Register

Executive Summary:

The reviewed Delegations Register is attached for Council perusal.

Applicants Submission:

The following changes have been made:

- 1 Changing of job position titles of Accountant to DCEO and Works Foreman to Works Supervisor.
- 2 New Delegations to the CEO of Numbers 032 to 039 which include Occupier Notices, Tender Acceptance Criteria, Council expense reimbursements, Non Council expense reimbursement, Employee expense reimbursement, Cash advance reimbursement, Rates payment Agreements.

Background:

The Local Government Act requires that the Delegations register be reviewed at least once every financial year. The last review took place on the 19th May 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:	LG Act 1995 S5.46
Consultation:	Nil
Comment:	Nil
Voting Requirements:	Simple Majority

Officers Recommendation:

That Council accept the reviewed Delegations Register as presented.

Council Resolution

Moved: Cr King

Seconded: Cr West

That Council accept the reviewed Delegations Register as presented.

Carried 9/0

7056.2 REVIEW OF COMMITTEES POLICY

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER STAN SCOTT – CEO _____
REPORT DATE: 11 APRIL 2007
ATTACHMENTS

Executive Summary:

The current committee structure is not cost effective and Council's business could be handled more effectively through use of a councillor forum preceding each ordinary meeting.

Applicants Submission:

Issues with Committees

The present committee system is proving ineffective for a number of reasons:

- There is additional imposition on Elected Members time in having to attend multiple meetings each month;
- It is often difficult to achieve a quorum for committee meetings. The practice of using proxy members for standing committees is not compliant with requirements of the Act as all members must be appointed by Council. This has not created any real issues because there is no authority delegated to committees, but is still not acceptable practice.
- Staff members appointed to committees are full members of the committee and are entitled to vote. Presently no votes are recorded for employee committee members.
- Full Council frequently overturns recommendations from committees, usually after a repeat of the debate that took place in committee.
- There is significant administrative burden involved in maintaining a committee system. It involves the preparation of multiple agendas each month. The CEO's time alone is a significant cost and may not be the best use of the available time.
- Committee meetings frequently canvas issues that are not included on the committee agenda, and often these matters do not relate to the specific responsibilities of the committee. This may lead to a perception that some Elected Members are not fully included in the decision making process.
- End of month financial procedures and reports are often rushed due to time constraints.

Detailed below is a suggested alternative approach:

Council Forums

Council forums are not covered by the Local Government Act, and hence can be problematic if Council does not have policies governing meeting procedure and behaviour. This is discussed in some detail in the Department of Local Government's Operation guideline Number 05 title *Council Forums* (see attachment). Importantly forums provide an opportunity for information gathering and discussion, but not decision making.

The guideline identifies two types of forums:

- **Agenda Forums** that involve the opportunity for Elected members to ask questions and seek additional information in relation to matters to be considered by Council, but specifically exclude debating these matters. Debate should take place during the Council Meeting.
- **Concept Forums** *"involve elected members and staff meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district"*. In some ways this is similar to some of the territory that is sometimes a cause for concern in committee meetings. In the forum situation, which involves all elected members and relevant senior staff, this is a better venue for these discussions.

Finance Committee

This is the only committee that has been designated as a standing committee. It serves the very useful purpose of examining each month's financial reports in detail. On a couple of recent occasions this committee has met on the same day or the afternoon before the full council meeting without significant issues. It could be argued however that all councillors should participate in the examination of the accounts, and that this task could be performed using an Agenda Forum on the same day as the Council Meeting.

Open Discussion at Conclusion of Council Meetings

At the conclusion of Council meetings each Elected Member is given the opportunity to ask any questions or raise any issues. While sometimes this is after the meeting has closed, frequently it is before the formal closure of meetings. As a consequence Elected Members can make resolutions. The CEO has serious concerns about this part of the meeting:

- This section becomes in effect 'General Business' which was removed when the new Local Government Act was proclaimed in 1995.
- The Shire of Perenjori Standing Orders Local Law in relation to urgent business says the following: *"In cases of extreme urgency or other special circumstances, matters may, with consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting"*. Most of the matters raised would struggle to meet this requirement.
- The present approach encourages elected members to save questions or issues until the conclusion of the meeting. Most of these matters, depending on their nature, could be dealt with more effectively using other means such as a phone call to the CEO, a question on notice or a notice of motion. This would have the advantage of allowing the administration to research the

matters and if necessary prepare a report, which would then allow Council to make an informed decision.

The general questions raised could be better dealt with at a forum.

Fellowship

Presently Council meeting conclude late in the afternoon. This allows elected members and senior staff to share fellowship after the meeting, which helps to build and maintain relationships. This also occurs on occasion after some committee meetings. In considering the timing of meetings this should also be a consideration.

Proposed Approach

The functions of existing committees could be fulfilled by the use of Council forums. The following alternative schedule for Council Meeting days is proposed:

Time	Activity	Purpose	Attendees (In addition to CEO and Elected Members)
11.00 am	CEO Briefing	Discussion between Council and CEO on strategic and performance matters	Nil
11.30 pm	Agenda Forum	Opportunity for Councillors to seek further information or clarification of officer reports, including financial reports	DCEO, EDO, Works Supervisor, Manager Community Services
1.00 pm	Lunch		DCEO, EDO, Works Supervisor, Manager Community Services
2.00 pm	Council Meeting	This is the formal meeting where Council debates recommendations and takes decisions.	DCEO, EDO, Works Supervisor, Manager Community Services (as required)
4.00 pm	Concept Forum	Opportunity for Councillors to discuss strategic issues. May result in reports to future meetings.	DCEO, Senior Staff
5.00 pm	Fellowship		

Forum Policy

To ensure that Council processes remain transparent and accountable the procedures covering the operation of Council forums needs to be set in a policy framework. The following Policy is recommended:

- (i) Council will set dates and times for forums when it sets its Council Meeting dates
- (ii) Forum Papers will be distributed to Elected Members with Agenda Papers for Ordinary Council Meetings

- (iii) The President will chair Council Forums
- (iv) Elected members and staff will disclose financial and conflicts of interest in relation to matters discussed at forums. Persons disclosing interest will leave the room while the matter in which they declared an interest is discussed.
- (v) A record of matters discussed at forums will be kept, but shall not form part of the Council Meeting minutes.
- (vi) Forums will generally be open to the public, except when matters of a confidential nature are discussed. The President shall be guided by the principles set out in Section 5.23 of the Act when determining where to go behind closed doors.
- (vii) All questions and discussions will be directed through the chair. Forums shall not be used to debate matters listed for resolution at a Council meeting.
- (viii) Forums are not Council Meetings and shall not make decisions or resolutions.

Background:

In May 2005 Council considered a report from then Acting CEO Phil Rob to abolish standing committees. Council decided instead to have a standing Finance Committee and occasional committees for 'Plant and Works' and 'Health, Building and Planning'.

Statutory Environment:

Local Government Act 1995 S5.1 to 5.25 sets out requirements for Council and Committee meetings.

Policy Implications:

Forums are not contemplated in the Act, Regulations or Local Law. To ensure transparency and accountability Council would need to adopt a policy to govern the operation of forums.

Financial Implications:

The proposed approach would result in some reduction in sitting fees and mileage allowances for elected members. The more significant saving would be in reducing the administrative load on staff and the CEO in servicing and attending committees.

Strategic Implications:

The proposed approach would provide Council with better information and processes for managing strategy.

Consultation:

The CEO has consulted with CEO's in neighbouring Councils.

Comment:

The proposed approach would help overcome shortcomings in the present approach and improve overall governance.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Council abolish the Finance Committee, Plant and Works Committee and Health Building and Planning Committee.
2. That Council establish Agenda Forums to precede Ordinary Council Meetings and Concept Forums to follow Ordinary Council Meetings
3. That Council meet with the CEO each month prior to the Agenda Forum
4. That Council adopt the following Forum Policy:
 - (i) Council will set dates and times for forums when it sets its Council Meeting dates
 - (ii) Forum Papers will be distributed to Elected Members with Agenda Papers for Ordinary Council Meetings
 - (iii) The President will chair Council Forums
 - (iv) Elected members and staff will disclose financial and conflicts of interest in relation to matters discussed at forums. Persons disclosing interest will leave the room while the matter in which they declared an interest is discussed.
 - (v) A record of matters discussed at forums will be kept, but shall not form part of the Council Meeting minutes.
 - (vi) Forums will generally be open to the public, except when matters of a confidential nature are discussed. The President shall be guided by the principles set out in Section 5.23 of the Act when determining where to go behind closed doors.
 - (vii) All questions and discussions will be directed through the chair. Forums shall not be used to debate matters listed for resolution at a Council meeting.
 - (viii) Forums are not Council Meetings and shall not make decisions or resolutions.

Moved: Cr Bendsdorp

Seconded: Cr West

1. That Council abolish the Finance Committee, Plant and Works Committee and Health Building and Planning Committee.
2. That Council establish Agenda Forums to precede Ordinary Council Meetings and Concept Forums to follow Ordinary Council Meetings
3. That Council meet with the CEO each month prior to the Agenda Forum
4. That Council adopt the following Forum Policy:
 - (i) Council will set dates and times for forums when it sets its Council Meeting dates
 - (ii) Forum Papers will be distributed to Elected Members with Agenda Papers for Ordinary Council Meetings
 - (iii) The President will chair Council Forums

- (iv) Elected members and staff will disclose financial and conflicts of interest in relation to matters discussed at forums. Persons disclosing interest will leave the room while the matter in which they declared an interest is discussed.
- (v) A record of matters discussed at forums will be kept, but shall not form part of the Council Meeting minutes.
- (vi) Forums will generally be open to the public, except when matters of a confidential nature are discussed. The President shall be guided by the principles set out in Section 5.23 of the Act when determining where to go behind closed doors.
- (vii) All questions and discussions will be directed through the chair. Forums shall not be used to debate matters listed for resolution at a Council meeting.
- (viii) Forums are not Council Meetings and shall not make decisions or resolutions.

MOTION LOST 8/1

Council Resolution

Moved: Cr King

Seconded: Cr Butler

Foreshadow motion that Council consider the officers recommendation individually.

Carried 9/0

Council Resolution

Moved: Cr King

Seconded: Cr West

1. **That Council maintain the Finance Committee, Plant and Works Committee and Health Building and Planning Committee.**
Finance Committee Meeting to be held Council day at 9.00am
Plant and Works Committee Meeting to be held the Wednesday a week prior to Council at 5.00pm
Health, Building & Planning Committee Meeting to be held the Wednesday a week prior to Council at 3.00pm
2. **That Council establish Agenda and Concept Forums to precede ordinary Council meetings at 11.00am**
3. **That Council adopt the following Forum Policy:**
 - (i) **Council will set dates and times for forums when it sets its Council Meeting dates**
 - (ii) **Forum Papers will be distributed to Elected Members with Agenda Papers for Ordinary Council Meetings**
 - (iii) **The President will chair Council Forums**
 - (iv) **Elected members and staff will disclose financial and conflicts of interest in relation to matters discussed at**

forums. Persons disclosing interest will leave the room while the matter in which they declared an interest is discussed.

- (v) A record of matters discussed at forums will be kept, but shall not form part of the Council Meeting minutes.
- (vi) Forums will generally be open to the public, except when matters of a confidential nature are discussed. The President shall be guided by the principles set out in Section 5.23 of the Act when determining where to go behind closed doors.
- (vii) All questions and discussions will be directed through the chair. Forums shall not be used to debate matters listed for resolution at a Council meeting.
- (vii) Forums are not Council Meetings and shall not make decisions or resolutions.

Carried 8/1

7056.3 COMPLIANCE & AUDIT RETURN FOR 2006

APPLICANT:	DEPT OF LOCAL GOVERNMENT & REGIONAL DEVELOPMENT
FILE:	105.13
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	DOMENICA ORLANDO - DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	1ST MAY 2007
ATTACHMENTS	COMPLIANCE AUDIT RETURN

Executive Summary:

Council is required to adopt the Local Government Compliance Audit Return for the period 1 January 2006 to 31 December 2006.

Applicants Submission:

Each Section of the Compliance Audit return has been completed and initialled by the responsible officers.. Each councillor is required to have the opportunity to review the return and make comment to the Council.

Background:

Each year Local Governments must submit by 31 March a completed and certified Compliance Audit Return to the Department.

This year a number of changes were made to the format of the return as well as lodgement via the Department of Local Governments website in an electronic format which requires direct entry of data on line (after adoption by Council).

Due to the change of format (no hardcopy received) this process was overlooked by the DCEO and it will be noted by Councils Auditors as an issue of non compliance due to not being submitted by the due date.

Statutory Environment:

The Local Government (Audit) Amendment Regulations 1999 set out the requirements for completion of a compliance audit.

Policy Implications:	Nil
Financial Implications:	Nil
Strategic Implications:	Nil
Consultation:	Nil
Voting Requirements	Absolute Majority

Comment:

For 2006 the Shire of Perenjori was compliant in all respects with the requirements monitored through the Compliance Audit Return accept the following:

- Finance section, Question 40 (Pg9) regarding local public notice of all fees and charges after the adoption of the budget.

- The DCEO was unaware of this procedure
- Finance section, Question 87 (Pg13) regarding matters raised in the auditors report requiring action by the local government, was a report prepared on any actions taken.
- The DCEO was unaware of this procedure but did rectify the non compliance immediately.

Each councillor should review the return and will be given the opportunity to comment. There are no other comments or qualifications in relation to this years return.

When the return is adopted by Council, the return is then finalised and submitted on the website.

Officer's Recommendation:

That Council Adopt the Compliance Audit Return for 2006.

Council Resolution

Moved: Cr Benton Seconded: Cr King

That Council Adopt the Compliance Audit Return for 2006.

Carried 9/0

By Absolute Majority

7056.4 PERENJORI RECREATIONAL LAKE

APPLICANT:	DEPT FOR PLANNING AND INFRASTRUCTURE
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	11 MAY 2006
ATTACHMENTS	Correspondence and map from DPI

Executive Summary:

The Department of Planning and Infrastructure is seeking Council's advice in relation to the future tenure of the Perenjori Recreational Lake and Surrounds.

Applicants Submission:

DPI is considering a proposal from Ivan Solomon to surrender the pastoral lease on the ground of which the lake forms part. He would instead be issued with a grazing lease. Lease of the Lake to a third party including the shire could give rise to a right to negotiate under native title provisions.

The alternative is to create a recreational reserve vested in the Shire of Perenjori, which could be accomplished using Notice of Intention to Take provisions. The Shire would not be able to lease this reserve to a third party.

Background:

The present agreement covering the recreational lake within a pastoral lease would in all likelihood be ineffective.

The Matter was considered by Council in May 2006 and Council resolved as follows:

"That Council investigate whether and what is the difference between a pastoral lease and a grazing lease and then reconsider the current item 6055.6".

Subsequent discussions with DPI can be summarised as follows:

A grazing lease is generally less restrictive than a pastoral lease, and the conditions on the leaseholder are generally less onerous. For example a grazing lessee could undertake pasture improvement, while a pastoral lessee cannot. Grazing leases are generally more expensive.

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:

The matter was discussed between the CEO and Dean Solomon when first proposed, and the Solomon family supports the proposed change.

Comment:

The proposed vesting would in effect formalise the existing arrangements for the recreational lake. The acceptance by the Solomon's of the proposed change in tenure should probably be sufficient assurance for the Shire.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council express its support for the proposed changes and the vesting of the lake in the Shire of Perenjori as a Recreational Reserve.

Council Resolution

Moved: Cr King

Seconded: Cr Reid

That Council express its support for the proposed changes and the vesting of the lake in the Shire of Perenjori as a Recreational Reserve.

Carried 9/0

7056.5 WILDFLOWER COUNTRY REGIONAL COUNCIL

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	4 MAY 2007
ATTACHMENTS	MINUTES MAY 07 ORDINARY MEETING

Executive Summary:

The Wildflower Country Regional Council met on 2 May 2007.

Applicants Submission:

The Minutes of the WCRC are enclosed under separate cover.

Specific developments of interest to Council include:

- The WCRC has adopted policies for purchasing and Records Management
- The WCRC recommended that Councils budget for a collective plant and vehicle management audit in 2007/2008. (Approximate Cost \$3,000 to \$3,600)
- The WCRC CEO and Chairperson will approach BNet to discuss the RIFP Grant .
- The WCRC recommended that Councils budget for initial audit investigation and study brief development on the standardisation of Information & Communication Technology in 2007/2008. . (Approximate Cost \$2,500)

Background:

Perenjori is one of the seven members Council that comprise the WCRC. The WCRC also dealt with other matters of an operational compliance nature including financial statements and payment of accounts, credit card for the CEO, meeting procedures and establishment of an audit committee and adoption of a communication plan.

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 of recommendations include:

- For the RIFP to proceed some support presently provided free by Local Governments may have to be charged to BNet.

- The collective plant and vehicle management audit will cost between \$3,000 and \$3,600
- The audit investigation and project brief for the IT standardisation project will cost around \$2,500.

Strategic Implications:

Establishing regional service delivery arrangements is one of the key expectations of the WCRC, and these proposals are the first steps in ongoing efforts to seek improvements in efficiency or effectiveness.

Consultation:

Nil

Comment:

There are some matters that require individual consideration by member Councils. These matters are set out in detail in the WCRC Minutes. To reduce repetition, included here is a brief summation of the merits of each request. Elected members may read the more extensive discussion in the WCRC Minutes if they choose.

Plant and Vehicle Management Audit

Effective management of assets is a significant issue for Local Governments. The estimated replacement cost of the Shire's fleet is \$3M. The 10 year plant replacement program involves an average annual expenditure of \$340,700. Clearly with this kind of investment it is an important area for the Shire to ensure best practice processes are in place.

IT Standardisation

Opportunities for efficiencies by working collectively are greatest in those areas where the services do not need to be delivered locally. The first step in realising these opportunities is establishing a common IT platform and common reporting processes.

Voting Requirements:

Absolute Majority

Officers Recommendation:

That Council advises the WCRC that:

1. The Shire of Perenjori will participate in the Plant and Vehicle Management Audit in 2007/2008 at an estimated cost of \$3,600
2. The Shire of Perenjori will participate in the audit investigation and study brief for the IT Standardisation project in 2007/2008 at an estimated cost of \$2,500.

Council Resolution

Moved: Cr King

Seconded: Cr Hirsch

That Council advises the WCRC that:

- 1. The Shire of Perenjori will participate in the Plant and Vehicle Management Audit in 2007/2008 at an estimated cost of \$3,600.**
- 2. The Shire of Perenjori will participate in the audit investigation and study brief for the IT Standardisation project in 2007/2008 at an estimated cost of \$2,500.**

Carried 9/0

Council Resolution

Moved: Cr

7056.6 DRAFT LOCAL GOVERNMENT RULES OF CONDUCT REGULATIONS

APPLICANT:	MINISTER FOR LOCAL GOVERNMENT
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	8 MAY 2007
ATTACHMENTS	MINISTERIAL CIRCULAR 2-2007

Executive Summary:

The Minister for Local Government is requesting input from Local Governments on Draft Local Government (Rules of Conduct) Regulations

Applicants Submission:

The Draft Local Government (Rules of Conduct) Regulations includes breach provisions for elected members in relation to the following:

- Contravention of Standing Orders Local Laws
- Misuse of information
- Securing personal advantage or disadvantaging other
- Misuse of Council resources
- Involvement in administration
- Directing, influencing or maligning Local Government employees
- Failing to disclose an interest
- Failure to disclose notifiable gifts or accepting prohibited gifts

These regulations only apply to the behaviour of Council members, not employees. The Minister is seeking feedback by mid June 2007 to allow the regulations to be in place prior to the October 2007 Local Government Elections.

Background:

Rules of conduct provisions have been under development several years.

Statutory Environment:

Local Government Act 1995 will change when the Local Government Official Conduct Act 2007 is proclaimed. This change provides the legislative authority for the proposed regulations and sets up the framework for dealing with alleged conduct breaches by elected members.

Policy Implications:

Council will still be required to maintain a Code of Conduct for Elected Members and staff, but the need to review the code within 12 months of each election has been removed.

Financial Implications: Nil

Strategic Implications: Nil

Consultation:

The Circular suggests that extensive consultation has already taken place with the representative bodies of WALGA and LGMA.

Comment:

While most of the provisions have already been thoroughly canvassed there are a couple that are worthy of further comment.

Regulation 8 – Prohibition against involvement in administration

- (1) A person who is a council member will not undertake tasks that contribute to the administration of council functions
- (2) Sub regulation (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

It is not quite clear what the intent of this regulation is, but the language is a little confusing and is not consistent with the language used in the Act. Administration in the Act relates directly to the conduct of meetings of Council and Committees. This regulation may be intended to separate elected members from the 'executive' functions of the Local Government.

Even if this is the case it may have some unintended consequences. For example, cheques issued by the Shire of Perenjori are generally signed by the CEO and Deputy CEO. If either of these officers are absent this task is undertaken by the President or Deputy President. This would probably be contrary to the regulations.

Regulation 9 – Relations with local government employees

This regulation makes elected members subject to the breach provisions if they direct or attempt to direct local government employees, attempt to influence local government employees by means of threat or reward, or making disparaging comments about local government employees at a Council or Committee meeting where members of the public are present.

This latter provision means that council members must ensure that comments are appropriate. However, the CEO believes that this provision should be strengthened to ensure that any discussion of employee performance is behind closed doors. Council and committee meetings are public forums even when no members of the public are present. Provisions preventing the disclosure of confidential information do not apply to elected members remarks in an open meeting, so anything said by a councillor may be freely disclosed and discussed. The regulation would be stronger if they enforced the discipline of moving into camera for any discussion of employee performance.

Voting Requirements:

Simple Majority

Officers Recommendation:

That the CEO provide feedback to the Minister (with a copy to WALGA) reflecting the concerns raised in the comments section of this item.

7056.4 LOCAL GOVERNMENT WEEK 2007

APPLICANT:	WALGA
FILE:	105.11
DISCLOSURE OF INTEREST:	0
AUTHOR:	D ORLANDO – DEPUTY CEO
RESPONSIBLE OFFICER	D ORLANDO – DEPUTY CEO
REPORT DATE:	08TH MAY 2007
ATTACHMENTS	LG Week 2006 Convention Info & Registrations

Applicants Submission:

Each member has received a registration for Local Government Week which is to be held from the Saturday 4th August to the Monday 6th August 2007.

Members need to read the information program and select Seminars and training Sessions that they are interested in attending. There are also sessions for partners to attend.

All registrations are required to be returned prior to 22nd June 2007.

Background:

Each year WALGA holds its annual convention, Local Government Week at the Burswood Convention Centre. Local Government week is the premier event for elected members and officers within Local Government.

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:

Participation assists elected members' policy development skills.

Financial Implications:

Local Government Week is covered under Members of Council – Conference expenses.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

Rooms for all Councillors have been booked at the Burswood Resort arriving Friday 3rd August and departing Tuesday 7th August 2007 which require confirmation by July.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That members nominate their attendance at Local Government Week 2007 and confirm dates required for accommodation and return the registration to the administration prior to 22nd June 2007.

7056.5 YARRA YARRA CATCHMENT REGIONAL COUNCIL

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	4 MAY 2007
ATTACHMENTS	Letter from Dept of Local Government & Regional Development Copy of Gazettal Notice Copy of Final Establishment Agreement

Executive Summary:

The Minister for Local Government has approved the establishment of the Yarra Yarra Catchment Regional Council (YYCRC). Council must now nominate a member and deputy member to sit on the new regional council.

Applicants Submission:

The Yarra Yarra Catchment Regional Council is a project that has been under development for several years. The Minister for Local Government has approved the establishment of the regional council and endorsed the establishment agreement. The establishment agreement requires each member local government to nominate a member and deputy member.

Background:

The Yarra Yarra Catchment Management group has existed since the mid 1990's and has undertaken extensive work gathering information and undertaking projects related to managing ground water in the catchment.

Statutory Environment:

Local Government Act 1995 S3.61 – 3.68 sets out the process for the establishment of a Regional Local Government.

The Establishment Agreement says as follows:

1.1 Appointment of members

- (1) A Participant is to appoint one member of the council of the Participant to be a member of the YYCRC Council.
- (2) A Participant may appoint one member of the council of the Participant who may act temporarily in place of either member of the YYCRC Council appointed by the Participant during any period in which the member of the YYCRC Council is unable by reason of illness, temporary absence from the State, conflict of interest or for any other cause to perform the functions of the office.

Policy Implications:

Nil

Financial Implications:

Council has committed to contribute \$ 7,812 per year for 3 years to the YYCRC.

Strategic Implications:

Council identified the establishment of the YYCRC as part of this year's focus in its strategic plan.

Consultation:

The formation of the Yarra Yarra Catchment Regional Council has been a collaborative effort between the 6 member Councils. There has also been extensive consultation with other key stakeholders including WALGA, other Local Governments, State and Federal agencies and the Northern Agricultural Catchment Council.

Comment:

Cr King until recently was chairperson of the Yarra Yarra Catchment Management Group, and is deputy Chairperson of the Northern Agricultural Catchment Council. He has recently been appointed by the Minister for Water to the Wheatbelt Drainage Council. This knowledge and experience would be invaluable to the YYCRC, and Cr King would be an obvious candidate for the position of member of the YYCRC.

Council needs to identify a second elected member to act as deputy when Cr King is unable to fulfil his obligations as member of the YYCRC. It is important for members to be aware that when acting as a member of a Regional Council that they must act for the good of the region, not just the Shire of Perenjori.

Much of the work in setting up the YYCRC has fallen to the Shire of Perenjori. Until after the Council has met and made some decisions on its future the CEO will be providing the executive support for the YYCRC. At its first meeting the YYCRC will determine its approach to filling the CEO's position. It is possible that they may ask Perenjori's CEO to also act as CEO of the YYCRC in the short term.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Cr King be appointed as the Shire of Perenjori's member on the Yarra Yarra Catchment Regional Council.
2. That Cr _____ be appointed as the Shire of Perenjori's deputy member on the Yarra Yarra Catchment Regional Council.
3. That the CEO be authorised to act as CEO of the YYCRC in the short term if requested to do so by the Council of the YYCRC.

7056.6 **MIDWEST GROUP OF AFFILIATED AG SOCIETIES**

APPLICANT: **SHIRE OF PERENJORI**
FILE: **206.01**
DISCLOSURE OF INTEREST: **0**
AUTHOR: **D ORLANDO – DCEO**
RESPONSIBLE OFFICER **D ORLANDO – DCEO**
REPORT DATE: **23rd April 2007**
ATTACHMENTS **Letter**

Executive Summary:

The Midwest Group of Affiliated Agricultural Societies present a Mid West District display at the Perth Royal Show each year. This promotes local produce and tourism of the Midwest to visitors at the show.

Applicants Submission:

A request for financial assistance has been received from the Mid West Group of Affiliated Agricultural Societies for the set up of the display for this years show.

Background:

Council has contributed annually an amount of \$250.00.

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:

Budget provision has been made in the 2006/07 budget.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

Provision for the donation of \$250 has been made in the 2006/07 budget.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council donate \$250 to the Mid West Group of Affiliated Agricultural Societies for the purpose of contributing towards the Mid West District Display at the 2007 Perth Royal Show.

7056.7 WA TRANSPORT INFRASTRUCTURE SUMMIT 2007

APPLICANT:	WALGA
FILE:	
DISCLOSURE OF INTEREST:	0
AUTHOR:	D ORLANDO – DEPUTY CEO
RESPONSIBLE OFFICER	D ORLANDO – DEPUTY CEO
REPORT DATE:	08TH MAY 2007
ATTACHMENTS	Info Page and Summit Brochure

Applicants Submission:

A 2 day WA Transport Infrastructure summit, featuring over 25 speakers is being held on 7th and 8th June 2007 at the Sheraton Hotel Perth.

Key government representatives, industry leaders, specialists on infrastructure, road, rail and port operators including those involved with freight logistics, finance and regulations will be in attendance.

Background:

The 2 day summit will look at “Assessing the planning, funding and delivery of sustainable transport infrastructure” A list of Workshops and issues to be covered are detailed in the attached flyer

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:

A 50% discount is available for WALGA members to attend the summit. The discounted rate per delegate is \$1047.50 for the 2 day conference.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

Nil

Voting Requirements:

Simple Majority

Officers Recommendation:

Council determine whether to send a delegate to the WA Transport Infrastructure Summit.

7056.8 CEO PERFORMANCE REVIEW

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	OF CEO
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	8 MAY 2007
ATTACHMENTS	<ol style="list-style-type: none"> 1. CEO Self Assessment 2. Councillor Worksheet 3. Contract Extract 4. CEO Notice – Extension of Term

Executive Summary:

Council is required by the Act and the CEO's Employment Contract to review the CEO's performance annually. Council resolved at its April Ordinary Meeting to conduct the review at the May meeting.

Applicants Submission:

The default process for the review is set out in Section 4 of the Contract, and this is the process agreed by Council. It includes:

- Appointment of a reviewing person to act on behalf of Council. The Shire President will fulfil this role.
- The CEO conducts a self assessment. (see attachment)
- The Reviewing Person collects input from Elected Members. (A Councillor Worksheet is attached to assist elected members prepare input for the reviewing person.) Council may choose to meet behind closed doors with the CEO absent to discuss the collective input.
- The CEO returns to the meeting and the President provides feedback to the CEO based on input from elected members.
- Council passes a resolution reflecting its considerations
- Council authorises the Reviewing person (or a small group of Elected members) to meet with the CEO to negotiate the annual salary review.
- The CEO presents the results of the Salary Review to the June Ordinary Meeting for consideration by Council.

Background:

The anniversary of the CEO's appointment is 31 May 2007.

Statutory Environment:

Local Government Act 1995 S5.38 – sets out the requirement for an annual performance review.

The CEO's employment is governed by the terms of the Contract of Employment. Clause 2 of the contract requires the CEO to notify Council no later than 9 months prior to the expiry of the contract that the contract will expire. Council has until no later than 6 months prior to the expiry of the contract to notify the CEO if it wishes to negotiate renewal of the contract.

Policy Implications:

Nil

Financial Implications:

Council will need to make provision for any change in CEO conditions of employment.

Strategic Implications:

Nil

Consultation:

The nominated Reviewing Person will need to be in a position to gain feedback from Council on their views on the CEO's performance. This may be accomplished through:

- Written feedback to the reviewing person
- Council going behind closed doors in the absence of the CEO to provide oral feedback

Comment:***The CEO's accomplishment's in the last year include:***

1. Working closely with other Local Governments for the formation and implementation of the Wildflower Country Regional Council.
2. Taking the leading role in the formation of the Yarra Yarra Catchment Regional Council. This has included shepherding the Establishment Agreement through legal processes, working with stakeholders and representing the concept to sometimes hostile external forums.
3. Working with mining companies to advance the Councils strategies for developing the industry in this region. This has included: working with the companies, consultants and contractors; constantly keeping Council expectations front and centre; playing a leading role in making the community's case in the environmental approvals process; and working with State agencies for the gazettal of Wanarra Road
4. The Caravan Park Revitalisation Project is nearing completion.
5. Overseeing and contributing to the development of the Strategic Plan.
6. Supervising a comprehensive and challenging economic development portfolio
7. Managing community building functions during a period of extreme drought
8. Overseeing the Shire's most ambitious roads program ever undertaken
9. Maintaining the Shire's staffing at acceptable levels while maintaining compliance standards

10. Representing the Shire very professionally to the community, external stakeholders, government agencies and the media.

The coming year will have a number of challenges including:

1. Negotiating with mining companies and contractors to maximise the benefits of mining to the local community;
2. Construction of the Perenjori to Mount Gibson Road (conservatively estimated at \$12 Million)
3. Completion of land subdivision and freeholding of industrial lots
4. Setting up a Perenjori Community Foundation
5. Construction of additional housing, including potential joint ventures
6. Potential redevelopment of the Shire Hall and consolidation of sporting facilities
7. Implementation of resource sharing strategies through the WCRC
8. Another very ambitious roads program
9. Implementation of planned economic development projects
10. Local Government elections under the new voting system with some potential retirements of elected members.

It is unlikely that subsequent years will be any less challenging.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council review the CEO's performance.

That Council determine the salary review process.

That Council notes the requirements in relation to contract expiry and contract renewal.

7057 OTHER BUSINESS

7057.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

Govt News

Australian Mining

Ericsson – Notification of Upgrade Proposed Upgrade of a Telecommunications Facility at an Existing Site Without Development Application

Dept of Local Govt & Regional Development – Local Govt Elections 2007 – Bulletin

WALGA – Info Page – Proportional Preferential Voting System Proposal

Dept for Community Development – Active Ageing Strategy

Disability Services Commission – Health Check Report

LG News – Issue 18.07, 16.07, 15.07, 17.07

WALGA – Economic Briefing

NACC – Constitutional Changes

Morawa District High School Newsletter

Electoral Distribution Commissioner – Written Suggestion for the 2007 Electoral Distribution

Equal Opportunity Commission – Discrimination Matters

WALGA – Municipal Waste Advisory Council – Information Bulletin

Letter to Liebe Group – Request for Budget Support 2007/2008

Letter to Dept of Environment & Conservation – Reservation of Former Warriedar Pastoral Lease for Conservation

WALGA – State Council Summary Minutes

Australian Local Government Association – National Local Roads and Transport Congress

Tourism WA – Journeys

Minister for Environment – Launch of Zero Waste Plan Development Scheme – Phase 1

RRR Network News

WA Week 2007

The Overflow

Neighbourhood Watch Australia

Country Arts WA – Annual Report 2006

WALGA Info Page – Route Assessment Guidelines – Restricted Access Vehicles

Midwest Developer

7057.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

7057.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

7037.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

7057.4 MATTERS BEHIND CLOSED DOORS

Nil

7057.5 DATE OF NEXT MEETING / MEETINGS

7057.6 CLOSURE
