
Shire of Perenjori
MINUTES
Ordinary Council Meeting

To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on
Thursday 18th OCTOBER 2007, to commence at 1.35PM.

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7101 PRELIMINARIES

7101.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

7101.2 OPENING PRAYER

7101.3 DISCLAIMER READING

Nil

7101.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:	Cr	B T Baxter
	Cr	I F West
	Cr	R A Benton
	Cr	G Reid
	Cr	J H Hirsch
	Cr	L C Butler
	Cr	J A Bendsdorp
	Cr	J R Cunningham

CEO	S Scott
MCS	G Agnew
Works Supervisor	K Markham
EDO	P Cleaver

Minute Taker	Leah Leopold
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Visitor	Alex Aitkin - KD1
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Observer	Jo Wood
	Jodie Gellatly

7101.5 PUBLIC QUESTION TIME

Ms Jodie Gellatly addressed Council in relation to Lot 160 John Street.

7101.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

President welcomed Mr Alex Aitken from KD1 to the meeting.

Mr Aitken updated Council on the recent proceedings of Mt Gibson Iron Extension Hill & Asian Iron. The application to the Department of Environment for the widening of the Perenjori-Rothsay Road was submitted earlier this week.

Asian Iron Pipe line has been approved to proceed with the pipeline. Funding for the project should be available late November, early December for around US\$1 billion dollars.

The power source for the projects is most likely going to be via transmission lines. There are two options. One is to run off the Golden Grove line and two is to run off the Three Springs sub station line.

He is aware that many landowners do not want power line towers on their property, Mt Gibson is committed to work with the Shire and it's landowners to have a happy outcome for all.

7101.7 NOTATIONS OF INTEREST

Financial Interest – Local Government Act s 5.60A

Proximity Interest – Local Government Act s 5.60B

Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

7101.8 APPLICATIONS FOR LEAVE OF ABSENCE

7101.9 CONFIRMATION OF MINUTES

Minutes of meeting held 20th September 2007 follow.

The following amendment to be made to the September 2007 Minutes, Item 7095.1.

Moved: Cr King

Seconded: Cr Cunningham

That 1km of gravel be bituminised at 7m wide from the end of the current bitumen on Rothsay Road.

CARRIED 7/0

Council Resolution

Moved: Cr King

Seconded: Cr Benton

That the minutes of Council meeting held 20th September 2007 be accepted as a true and correct record.

CARRIED 9/0

7101.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Nil

7101.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS

Nil

7102 ECONOMIC DEVELOPMENT REPORT

7102.1 ECONOMIC DEVELOPMENT REPORT

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: PHIL CLEAVER - EDO _____
RESPONSIBLE OFFICER PHIL CLEAVER - EDO _____
REPORT DATE: 11 October 2007
ATTACHMENTS Nil (incorporated within the report)

Executive Summary:

A Report on Economic Development Projects.

Applicants Submission:

Detailed below are progress reports on current and prospective projects:

Economic Development Results

- Development of Nursery
- UWA
- 08 crop seeds
- Follow up on fuel

Nursery:

Visit Due Oct 19 of Guyule People from Qld & SA discussing seedling nursery and inspect trial location with view to going to stages 2 & 3 stage 2= propagation 3 = processing plant 08 09 time line if trial and further land can be tied up .

On going discussion with mining companies on reclamation aspects located within town or shire

Small Business Development Corporation: and Commonwealth departments

Independent contractors seminar funding and stakeholders being collated for seminar to be held within shire late 07 or early 08 –no cost to shire income producing and enhances community engagement of entities that may prove beneficial to the community

UWA

Costings and preliminary engineering aspects for building homes within shire now overdue waiting on sub units of UWA. Additional faculties may be coming to Perenjori to perform similar services to architects and land scape entities. Specifically Civil engineering, hydrology and perhaps agriculture from UWA mid 2008.

New Crops

Ongoing discussion with Wheatbelt Development Commission, Department of Agriculture and commercial partners. Seeking to obtain funding and appropriate licensing for 2 new oil seed crops based on previous mustard seed trials

Price of crop on forward contract appears at time of writing \$350 per ton if lower class seed planted 250 per tonne FOB new class it is said have lower inputs. However, writer is still chasing use for mustard seed meal and contractual uses along with confirmed input costing

Seminar to be held tentatively late Feb covering inputs and chemical management

Follow up on fuel

Expect to have final proposals from all potential suppliers by time of meeting.

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.

Economic Development Officer left chambers at 2.15pm.

7103 FINANCE

7103.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY

APPLICANT:	Deputy Ceo
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	Domenica Orlando
RESPONSIBLE OFFICER	Domenica Orlando
REPORT DATE:	18th October 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 was adopted by Council at its March meeting. A report detailing the variances is also included.

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:	N/A

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 September 2007 including report on variances be accepted as presented.

Moved: Cr West

Seconded: Cr Hirsch

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

Carried 4/0

2. Finance Report

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

Moved: Cr West

Seconded: Cr Hirsch

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

Carried 4/0

3. Acquisition of Assets

That the Acquisition of Assets Report for the period ended 30th September 2007 with a balance of \$202548.63 as presented be received.

Moved: Cr King

Seconded: Cr West

That the Acquisition of Assets Report for the period ended 30th September 2007 with a balance of \$202548.63 as presented be received.

Carried 4/0

4. Reserves Report

That the Reserves Report for the period ended 30th September 2007 with a balance of \$1092242.00 as presented be received.

Moved: Cr King

Seconded: Cr Hirsch

That the Reserves Report for the period ended 30th September 2007 with a balance of \$1092242.00 as presented be received.

Carried 4/0

5. Net Current Assets

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

Moved: Cr Baxter

Seconded: Cr Hirsch

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

Carried 4/0

6. Bank Reconciliation's

That the balances of the Municipal Fund of \$453568.63, the Term Deposit of \$74391.97 and the Trust Fund of \$97347.81 as at 30th September 2007 as presented be received.

Moved: Cr King

Seconded: Cr West

That the balances of the Municipal Fund of \$453568.63, the Term Deposit of \$74391.97 and the Trust Fund of \$97347.81 as at 30th September 2007 as presented be received.

Carried 4/0

7. Sundry Creditors Report

That the Sundry Creditors Report for the period ended 30th September 2007 with a balance of \$63287.65 as presented be received.

Moved: Cr West

Seconded: Cr Hirsch

That the Sundry Creditors Report for the period ended 30th September 2007 with a balance of \$63287.65 as presented be received.

Carried 4/0

8. Sundry Debtors Report

That the Sundry Debtors Report for the period ended 30th September 2007 with a balance of \$28180.64 as presented be received.

Moved: Cr King

Seconded: Cr Hirsch

That the Sundry Debtors Report for the period ended 30th September 2007 with a balance of \$28180.64 as presented be received.

Carried 4/0

9. Accounts for Payment

That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 15951 to 16009 and EFT Numbers 179 to 208 for \$230158.93 for the period ended 30th September 2007 as presented be accepted.

Moved: Cr Hirsch

Seconded: Cr West

That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 15951 to 16009 and EFT Numbers 179 to 208 for \$230158.93 for the period ended 30th September 2007 as presented be accepted.

Carried 4/0

Council Resolution

Moved: Cr West

Seconded: Cr Hirsch

That items 1 – 9 relating to the Statement of Financial Activity for period ended 30th September be accepted as presented.

Carried 9/0

7104 HEALTH BUILDING & PLANNING

7104.1 INFORMATION BULLETIN – OCTOBER 2007

The President asked the Manager Community Services and Ms Gellatly when a suitable time would be for both parties to do a re-inspection of Lot 160 John Street.

Both parties agreed to Tuesday 6th November 2007 at 10.00am. Cr Benton will accompany the Manager Community Services and if unavailable will organize another Councilor as her replacement.

1. FOOD UNIT NOTICE – HEALTH DEPARTMENT OF WA.

The following Food Unit Notice is provided for information only.

FOOD UNIT NOTICE

Notice Number: 07.04	Subject: MEAT BRANDING, PROCESSING AND ILLEGAL SLAUGHTERING OPERATIONS-IMPLICATIONS FOR FARMERS, BUTCHER SHOPS AND LOCAL GOVERNMENT
Supersedes Notice No:	
File No:	Contact Officer: Rod Dixon Scientific Officer Department of Health Ph: (08) 92429620 PO Box 8172 Fax: (08) 92429613 Perth Business Centre WA 6849 Email: Rod.Dixon@health.wa.gov.au
Date of Effect: 4 October 2007	
Distribution of Notice: Local Government Principal Environmental Health Officers, Auditors of Meat premises	

Purpose

To provide local government and Environmental Health Officers information concerning the branding of meat carcasses (with a registered health brand); the processing of meat and the responsibilities of farmers and butcher shop operators, in relation to “illegal slaughtering and processing” activities.

Scope

The following information is applicable to persons providing meat and meat products for human consumption.

Background

From time to time, the Food Unit of the Department of Health is asked to provide advice in relation to farmers slaughtering food animals for their own use, or local butcher shops (usually in country towns) providing a carcass breaking and meat cutting service.

More recently, a butcher shop in a country town was found to have unbranded carcasses on his premises. This is offence under the Health Act.

To clarify this matter, the following extraction from the Health (Meat Hygiene) Regulations 2001, is provided: -

Under Regulation 10 – Restriction on sale of carcasses

- (1) A person must not -
 - (a) sell;
 - (b) offer or expose for sale; or
 - (c) have in his or her possession for the purpose of sale, a carcass unless the carcass –
 - (d) is branded in accordance with this Part; or
 - (e) under regulation 7(2), is not required to be branded.

It should be noted that the definition of sell or have items for sale can include for reward, monetary gains, prize, contract for service, deliver, barter, to further trade or business etc. The butcher is therefore not permitted to handle, store, process any meat or meat products on his premises that has not been branded in accordance with the Regulations.

Penalties for non compliance with the Health (Meat Hygiene) Regulations 2001 are detailed under Regulation 27 – Offences and penalties are as follows: -

- (1) A person who contravenes these regulations commits an offence.

Penalty:

- (a) minimum –
 - (i) in the case of a first offence, \$250;
 - (ii) in the case of a second offence, \$500; and
 - (iii) in the case of a third or subsequent offence, \$1,250;
- (b) Maximum: \$2,500.

(2) If the offence is a continuing offence, the offender is also liable to a daily penalty of not less than \$125 nor more than \$250 for each day for which the offence continues.

Primary producers who slaughter or have slaughtered their own animals on their own property are permitted to do so providing that the carcass/meat does not leave their property. There is also no requirement to have such carcasses inspected or branded. These issues are covered by the Health (Meat Hygiene) Regulations 2001 under Regulation 5(1) and (2) – Application of Part 2 to primary producers which state as follows: -

(1) This part does not apply in respect of an animal if the animal is slaughtered –

- (a) by or for a primary producer;
- (b) on the land on which the primary producer carries on the farming or grazing business; and
- (c) For consumption by the primary producer or his or her immediate family or employees.

(2) In subregulation (1) -

“primary producer” means a person who carries out or is engaged in the business of farming or grazing on land that is –

- (a) zoned for rural purposes under a town planning scheme; and
- (b) used solely or principally for agricultural or grazing purposes or for a combination of those purposes.

Primary producers cannot send their carcasses off their properties to local or town butchers to hold or further process the carcasses without creating an offence.

Primary producers or butchers, to comply with the Regulation, are to send their livestock to an abattoir which provides a service kill, a butcher (shop) may then process that beast.

Actions

Advice can be sought from this Department.

The Department of Health works closely with other agencies to ensure that issues such as illegal slaughtering and meat processing are routinely followed up.

Other agencies who routinely follow up on these matters are the Police Stock Squad and the Western Australian Meat Industry Authority (Compliance).

Where such actions as illegal slaughtering and meat processing are detected, appropriate action should be implemented, and this may require legal action.

References

Health (Meat Hygiene) Regulations 2001.

Stan Goodchild

MANAGER

FOOD UNIT

2. SUBDIVISION OF LOTS 127, 128, 129 & 130 RUSSELL STREET PERENJORI.

Council is informed that the above subdivision has been completed, the Deposited Plan 56045 has been placed "In Order for Dealings" with Landgate (formally the Department of Land Information DOLI), the Shire President and CEO have endorsed the "Application for New Title" and Peter Groom Settlements have been engaged to apply for the new titles (Lots 340 & 341).

Western Power has completed the power supply connection and a Shire Order issued to Council's electrician to complete the internal wiring upgrade.

3. SUBDIVISION UPDATE – 900 JOHN STREET.

Council is informed that copies of the Tender documentation for water and power to the Lot 900 John Street subdivision have been sent to local construction companies in Geraldton to gauge interest. A copy of the water and electrical drawings has also been made available interested local contactors.

4. CARAVAN PARK CHALETS AND MANAGERS RESIDENCE

The New Chalets/Caravan Park Caretaker's Residence upgrades are now complete subject to the receipt of items of furniture.

The first bookings for the Chalets were taken for the 19 October 2007.

7104.2 UNFIT FOR HUMAN HABITATION NOTICE.

APPLICANT: MCS
FILE: 303.02
DISCLOSURE OF INTEREST: NIL
AUTHOR: GARRY AGNEW - MCS _____
RESPONSIBLE OFFICER GARRY AGNEW - MCS _____
REPORT DATE: 9 OCTOBER 2007
ATTACHMENTS

Executive Summary:

Council is asked to endorse the service of Notice under Section 135 of the Health Act 1911 (as amended) declaring the dwelling at 143 Livingstone Street "Unfit for Human Habitation".

Background:

Property: Timber framed, fibro clad and roofed single dwelling situated at Lot 143 Livingstone Street, Perenjori.

Owner: Cherrie Patricia Dunstan

Council will recall previous discussions regarding this property in terms of a failed sewerage system

Comment:

Lot 143 Livingstone Street has been subject of past directions to the owner by the MCS regarding the uncleanliness of the land and residence, obnoxious odour from the failing and open sewage disposal system and structural damage to the building.

The owner Cherrie Dunstan was given some leniency in compliance with those directions because of her perceived personal financial position, whoever this house is now vacant and has been for some time without any indication that the owner is attempting to address the issues.

An inspection of the property was therefore conducted 9 October 2007 and I have attached a Photographic Property Assessment Report for Council's appreciation.

The vacated dwelling at Lot 143 Livingstone Street is unfit for human habitation for the following reasons:

1. UNCLEANLINESS

The yard and every room in the house are strewn with filthy items and other disused material.

Section 139 Health Act 1911

If in the local government's opinion any house is unfit for human habitation by reason of uncleanliness or want of repair, require the owner of such house by notice served on such owner to render clean or to repair such house within the time and in the specified in such notice.

Section 140 Health Act 1911

Whenever any owner fails to comply with a notice served upon him/her under any of the foregoing provisions of this part, within a time therein specified, he commits an offence, and the local government may carry out the terms of the notice and recover all expenses from the owner.

2. MAINTENANCE

Enforcement to carry out maintenance to a dwelling is provided for under the Shire of Perenjori Health Laws 2001.

- a) Fibro roof sheeting is holed, cracked and no longer weather proof – 3.1.1 (a)
- b) Timber porch landings and steps are broken, loose and unsafe – 3.1.1 (c)
- c) Ceilings throughout the house have either collapsed or are sagging and in danger of collapse – 3.1.1(i)
- d) Internal wall lining and external wall cladding is cracked or holed – 3.1.1(i)
- e) Doors are damaged, holed and not in good working order – 3.1.1(j)
- f) The majority of windows to the house have smashed glazing and are not weatherproof – 3.1.1(j)
- g) Pipes, fittings and fixtures connected with water supply, drainage or sewage are in need of repair and sewage system (septic) overflows – 3.1.1(k)
- h) The electrical wiring within the house is suspect because of comments previously made by the owner and that ceilings have collapsed or are sagging and that the light fitting in the kitchen is obviously dislodged.

Clause 10.1.1(1) Shire of Perenjori Health Local Laws 2001

A person who contravenes a provision of these Local-Laws commits an offence.

Section 135 Health Act 1911

Any local government may, of its own motion, and shall, when required by order of the Executive Director, Public Health by notice in writing, declare that any house or specified part thereof, is unfit for human habitation.

Section 137 Health Act 1911

A notice may be served by the local government upon the owner of such house directing him/her, within a time limited by such notice, either to amend the same in some specified manner or take down and remove the same.

Statutory Environment:

Health Act 1911 (as amended)

Shire of Perenjori Health Local Laws 2001

Policy Implications:

Nil

Financial Implications:

Should Council carry out the terms of a notice in respect to cleaning the cost for doing so is unbudgeted for but may be recovered from the owner or as a debt on the property.

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Officers Recommendation:

The house situated at Lot 143 Livingstone Street Perenjori and owned by Cherrie Patricia Dunstan is declared Unfit for Human Habitation pursuant to Section 135 of the Health Act 1911 (as amended) and that the owner is directed to:

- render clean the house and surrounds within 30 days pursuant to Section 139 of the Health Act 1911; and
- carry out specific repairs to the house within 90 days pursuant to Section 137 of the Health Act 1911 (as amended)

Council Resolution**Moved: Cr Butler****Seconded: Cr Bendsorp**

The house situated at Lot 143 Livingstone Street Perenjori and owned by Cherrie Patricia Dunstan is declared Unfit for Human Habitation pursuant to Section 135 of the Health Act 1911 (as amended) and that the owner is directed to:

- **render clean the house and surrounds within 30 days pursuant to Section 139 of the Health Act 1911; and**
- **carry out specific repairs to the house within 90 days pursuant to Section 137 of the Health Act 1911 (as amended)**

Carried 9/0*MCS left chambers at 2.45pm.***7105 PLANT & WORKS****7105.1 PLANT REPORT****SERVICES**

NAME OF VEHICLE	VEHICLE REGO	HOURS/KMS	WORK DONE	ODOMETER READING
Community Bus	PJ1515	90,000 Km	Service	90080 Km
Cat Skid Steer	PJ1585	250 Hour	Service	269 Hours
Volvo Grader	PJ1570	250 Hour	Service	8819 Hours
Ford Falcon Utility-W/F	PJ1500	60000 Km	Service	60987 Km
Hitachi Loader	PJ1577	250 Hour	Service	3717 Hours
Volvo Grader	PJ1557	1000 Hour	Service	3044 Hours

MAINTENANCE

NAME OF VEHICLE	VEHICLE REGO	HOURS/KMS	WORK DONE
Bowling green lawn mower	N/A	N/A	Replaced the main shaft and replaced bearings as needed.
Volvo Grader	PJ1570	9618 Hours	Replace RH globe in reverse warning light. Replace park light globe.
Volvo Grader	PJ1557	2980 Hours	Change front flat wheel. Bring wheel back to workshop and repair.
Hitachi Loader	PJ1577	3700 Hours	Change flat wheel, repair and patch wheel and put on loader.

7106 WORKS SUPERVISOR REPORT

7106.1 ROAD MAINTENANCE SEPTEMBER

APPLICANT: WORKS SUPERVISOR
FILE: 702.01
DISCLOSURE OF INTEREST: 0
AUTHOR: KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER: KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 3rd OCTOBER 2007
ATTACHMENTS: ROAD MAINTENANCE MAP

Executive Summary:

Listed are the roads maintenance graded in September

Karara rd

Perenjori Rothsay rd

Warriedar Coppermine rd

Wanara rd

Wanara East rd

Chisholm rd

Barker rd

Burgess rd

Wilder rd

Mungada rd

Statutory Environment: N/A

Policy Implications: N/A

Financial Implications:

As per Council's road maintenance budget

Strategic Implications:

To maintain roads to a standard

Consultation: N/A

Voting Requirements: N/A

Officers Recommendation:

Council Resolution**Moved: Cr Bensdorp****Seconded: Cr Butler****That a Plant & Works Committee meeting be held in November.****Carried 9/0****7107 GOVERNANCE****7107.1 SPECIAL MEETING OF COUNCIL****APPLICANT: SHIRE OF PERENJORI****FILE: 102.01****DISCLOSURE OF INTEREST: 0****AUTHOR: STAN SCOTT – CEO _____****RESPONSIBLE OFFICER STAN SCOTT – CEO _____****REPORT DATE: 8 OCTOBER 2007****ATTACHMENTS****Executive Summary:**

That Council hold a Special Meeting on Monday 22 October 2007 to elect a Shire President and Deputy Shire President and determine other matters arising out of the commencement of a new term of office for elected members.

Applicants Submission:

The Special Meeting proposed for 22 October 2007 will determine:

- Election of Shire President and Deputy Shire President;
- Membership of Council standing and occasional committees;
- Delegates and Deputy Delegates for Mid West (previously Wildflower Country) Regional Council (meeting scheduled 7 November) and Yarra Yarra Catchment Regional Councils (meeting scheduled 24 October);
- Delegates for external committees and organisations.

Background:

Local Government ordinary elections are scheduled for Saturday 20th October 2007. For Perenjori each of the retiring elected members renominated and was elected unopposed. Members re-elected are as follows:

Bowgada Ward	J (John) Cunningham
Latham Caron Ward	C R (Chris) Chris King
	G K (Graeme) Reid
Maya Ward	R A (Robyn) Benton
Perenjori Ward	B T (Brian) Baxter

Even though the result has been known since the close of nominations on 13 September 2007 the term does not expire (and the new term begin) until 20 October 2007.

Statutory Environment:

Local Government Act 1995:

S2.11 Alternative methods for filling office of mayor or president;

S2.15 Filling the office of deputy mayor or deputy president;

S5.10 – 11 Selection of committee members.

The Establishment Agreements for the WCRC and YYCRC require that delegates be appointed following each Ordinary Local Government Election.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Consultation:

Special Meetings may be called by resolution of Council, at the request of 1/3 of Councillors or by the President.

Comment: Nil

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council convene a Special Meeting at 9 am on Monday 22nd October 2007.

Council Resolution

Moved: Cr Bensdorp

Seconded: Cr Reid

That Council convene a Special Meeting at 4pm on Monday 22nd October 2007.

Carried 9/0

7107.2 ANNUAL REPORT 2006/07

APPLICANT:	SHIRE OF PERENJORI
FILE:	202.02
DISCLOSURE OF INTEREST:	0
AUTHOR:	DOMENICA ORLANDO - DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	12th September 2007
ATTACHMENTS	Annual Report to be tabled

Executive Summary:

An Annual Report is required to be produced every year after the audit for the year has been completed and upon receipt of the Audit Report. The Annual Report must be accepted by Council no later than 31st December 2007.

Applicants Submission:

The Date for the Annual Electors Meeting is also required to be set.

The meeting must be held within 56 days of acceptance of the Annual Report.

We will be required to hold the meeting prior to 13th December 2007.

Fourteen days public notice of the meeting is also required.

Background:

The Auditors are currently finalising the Audit reports and these are expected in time for the document to be tabled at the current meeting.

Statutory Environment:

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

Policy Implications:

Policy 237 – Annual Report distributed to Ratepayers on request.

Financial Implications:

N/A

Strategic Implications:

N/A

Consultation:

N/A

Comment:

Voting Requirements:

Absolute Majority

Officers Recommendation:

1. That the 2006/07 Annual Report as presented be accepted .
2. That the Annual Meeting of Electors be held on _____.

Council Resolution

Moved: Cr King

Seconded: Cr Hirsch

1. That the 2006/07 Annual Report as presented be accepted .

Carried 9/0

Council Resolution

Moved: Cr Hirsch

Seconded: Cr Bendsorp

2. That the Annual Meeting of Electors be held on Wednesday 21st November 2007 at Latham Community Centre commencing at 4.00pm. The Community Bus to be made available.

Carried 9/0

7107.3 MOUNT GIBSON ROAD BUSINESS PLAN

APPLICANT:	SHIRE OF PERENJORI
FILE:	502.12
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	9 OCTOBER 2007
ATTACHMENTS	DRAFT BUSINESS PLAN

Executive Summary:

At its September Ordinary Meeting Council resolved to undertake construction of the Perenjori to Mount Gibson Road. A business plan is required under the Local Government Act for any major trading undertaking.

Applicants Submission:

A draft Business Plan is attached. It covers

- Drivers – why the Shire intends to undertake the project
- Project outline
- Project plan
- Risk management
- Effect on Shire's activities (as required under the Act)
- Financial implications

The purpose of the business plan is to inform the community of the Shire's intentions and provide opportunity for public submissions.

The business plan is to be advertised by

Background:

At its September Ordinary Meeting Council resolved:

1. That Council agree for the Shire:
 - To be the proponent (jointly with the Shire of Yalgoo) for a Section 38 application to the Environment Protection Agency (EPA) for the Wanarra Road Project;
 - To take responsibility for construction of the road, funded by Mount Gibson Iron.
2. That Council broadly supports the approach set out by the CEO
3. The CEO present a business/project plan to Council for endorsement at the earliest opportunity, including calling a Special Meeting if necessary.
4. That the CEO seek legal and technical advice as appropriate in developing contractual arrangements.
5. That the CEO seek an agreement from Mt Gibson Mining for costs incurred.

Statutory Environment:

The Local Government Act 1995 states as follows:

“3.59. Commercial enterprises by local governments

(1) In this section:

major trading undertaking~ means a trading undertaking that ³/₄

(a) in the last completed financial year, involved; or

(b) in the current financial year or the financial year after the current financial year, is likely to involve,

expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

The prescribed amount in the Local Government Functions & General Regulations is \$250,000 or 10% of expenditure.

trading undertaking~ means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of }land transaction~.

(2) Before it :

(a) commences a major trading undertaking;

a local government is to prepare a business plan.

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of :

(a) its expected effect on the provision of facilities and services by the local government;

(b) its expected effect on other persons providing facilities and services in the district;

(c) its expected financial effect on the local government;

(d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56;

(e) the ability of the local government to manage the undertaking or the performance of the transaction; and

(f) any other matter prescribed for the purposes of this subsection.

(4) The local government is to:

(a) give Statewide public notice stating that:

(i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;

(ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the

notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) make a copy of the business plan available for public inspection in accordance with the notice.

(5) After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.

** Absolute majority required.*

The above extract has been edited to remove references to major land transactions. There are further advertising requirements if the business plan is substantially different from that advertised.

Policy Implications:

Nil

Financial Implications:

There are a number of significant implications of the project:

- Council could reasonably expect to make a substantial profit on the project. This would substantially boost Council's reserves at a time where Council is considering several infrastructure projects.
- With the Shire running the project we would be able to make reasonable efforts to maximise local content. This could make a valuable contribution to the continued viability of farm businesses.
- To complete the work it would be necessary to defer some of the proposed works in this year's budget and the 2008/2009 budget.
- To minimise the financial risk associated with the project we need to ensure that we are not locked into a fixed price for the entire project.

Strategic Implications:

The extension Hill project, and the upgrade of Wanarra Road have been part of Council's strategic planning for the last 8 years.

Elected members are well aware of the dire financial circumstances faced by many farmers and businesses within the Shire. The opportunity to maximise the local input to the road project will be of great assistance to a number of local farmers.

Consultation:

Since Council's September meeting the CEO has had several approaches from local farmers and contractors seeking more information on the project, and supporting Council's proposed approach. The CEO met with outside staff on the Monday following the September meeting. The workers were generally positive.

Comment:

The proposed undertaking is both substantial and challenging. The Shire through taking up this project will be seeking to maximise the value of the project to the local community within the bounds of compliance, probity and sound administration. The agricultural industry is the mainstay of the local economy and this project will help preserve some of the human capital associated with that industry.

The Business Plan has identified the risks and appropriate strategies to minimise or mitigate these risks.

The CEO is expecting the project to provide net financial gains for the Shire as well as a significant social return. The value of a significant part of the community working together for a common goal may well have substantial benefits into the future.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council advertise the Business Plan for public consultation.

Council Resolution

Moved: Cr West

Seconded: Cr Butler

That Council advertise the Business Plan for public consultation.

Carried 9/0

7107.4 GIOA PRESS TOUR

APPLICANT:	GERALDTON IRON ORE ALLIANCE
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	11 October 2007
ATTACHMENTS	GIOA Press Tour and Alliance Meeting Itinerary

Executive Summary:

The Geraldton Iron Ore Alliance is arranging a press tour of projects in the region which will include morning tea in Perenjori.

Applicants Submission:

There have been several changes in personnel in Perth Media outlets and the GIOA is arranging a tour of the region to familiarise journalists with proposed projects and developments in the region. The itinerary includes morning tea in Perenjori on 25th October that includes President, Deputy President and CEO from each of Morawa and Perenjori.

The Shire will also be invited to a stakeholders lunch in Geraldton the following day.

Background: Nil

Statutory Environment:

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

Policy Implications: Nil

Financial Implications:

The GIOA will be meeting all costs associated with the event.

Strategic Implications:

Events such as this continue to promote Council's vision for Perenjori.

Consultation: Nil

Comment:

The morning tea with the press provides us with the opportunity to promote Perenjori and reinforce the local support for mining development.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council notes the forthcoming event.

7107.5 PRIVATE POWER LINES

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

ATTACHMENTS

Executive Summary:

Several local land holders have been approached on behalf of mining companies about the erection of electricity transmission lines.

Applicants Submission:

Land holders have been seeking advice from Councillors as to their rights in relation to privately owned power lines, and whether such lines would be more appropriate in road reserves. Many landholders are less amenable to power lines than the other proposed infrastructure such as improved roads or easements for underground services.

Background:

There are several proposed mines to the North and East of Perenjori. These projects, and particularly magnetite projects, will be significant users of energy. It appears the default model will be to purchase power from the South West Interconnected System. This will involve privately owned transmission lines, probably 132Kv, traversing agricultural land.

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 Shire has taken a leading role in facilitating mining projects. Quality information in relation to the legal framework governing private power lines would be useful.

Consultation: Nil

Comment:

The Shire's approach to mining development has been one of promoting and encouraging development and helping proponents to overcome obstacles. We also continue to have a responsibility to agricultural constituents.

For the Shire to continue to facilitate development we need to understand the legal position of privately owned power infrastructure. To achieve this we need to seek professional legal advice This should include:

1. What are the legal requirements for privately owned power lines?
2. Can landowners be compelled to accept private power lines traversing their property?
3. What compensation arrangements apply?
4. Under what circumstances can private power lines be located in or traverse road reserves or other shire reserves?
5. What compensation arrangements apply?

It should be noted that in seeking this advice we are not seeking to prevent the construction of essential infrastructure, but simply to be well enough informed so that we can participate in discussions and facilitate resolution if necessary.

Voting Requirements:

Simple majority

Officers Recommendation:

That Council seek legal advice in relation to private power lines.

Council Resolution

Moved: Cr King

Seconded: Cr Reid

That Council seek legal advice in relation to private power lines.

Carried 9/0

7107.6 PROPOSED AMENDMENTS TO LOCAL GOVERNMENT ACT 1995

APPLICANT: DLGRD & WALGA
FILE: 0
DISCLOSURE OF INTEREST: NIL
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER STAN SCOTT – CEO _____
REPORT DATE: 9 OCTOBER 2007
ATTACHMENTS INFOPAGE & FEEDBACK FORM

Executive Summary:

A number of amendments are proposed to the Local Government Act, and the Department is seeking feedback from Local Governments through WALGA.

Applicants Submission:

There are 35 proposed amendments detailed below. Amendments of particular importance to the Shire of Perenjori are discussed in detail in the CEO's comments. The majority of the amendments are simply sensible changes that reflect actual practice, or overcome unintended constraints. Items requiring further discussion are highlighted in bold.

	Section	Purpose	Comment
1.	1.4	Amend definition of owner to exclude lease for life residents.	Supported
2.	2.7	Clarify Council's role to ensure separation of functions between Council and CEO	Supported
3.	2.25	Disqualification for failure to attend meeting – no effect on Perenjori.	Supported
4.	2.27	Clarification of procedure for qualification to retain membership of Council.	Supported
5.	3.27 & Sch 3.2	Taking of gravel – widening access.	Supported
6.	3.28-3.36 & Sch 3.2	Power of entry to property to deal with graffiti. Costs are borne by Local Government.	Does this create an expectation (and cost) for Local Government
7.	3.47	Impounded shopping trolleys – earlier disposal	Supported
8.	3.58	Disposal of property – relaxation of valuation requirements	Supported

	Section	Purpose	Comment
9.	3.64 & 5.10	Appointment of deputies for Regional Council and Local Government Committees	Supported
10	4.17	When vacant offices can remain unfilled - no effect on Perenjori.	Supported
11	4.3x	Processing of applications for enrolment.	Supported
12	4.3x	Expiry of eligibility to enrol	Supported
13	4.48(2)	Eligibility to be candidate for directly elected mayor or president. - no effect on Perenjori.	Supported
14	4.59	Election gifts – disclosure obligations.	Supported
15	5.27	Electors general meetings to be able to be held in conjunction with ordinary council meetings.	Supported
16	5.36 & 5.37	Advertising of CEO and Senior Officers – clarifying requirements in relation to shared positions and Regional Local Governments.	Supported (eg Yarra Yarra)
17	5.47	Superannuation – alignment with Commonwealth legislation.	Supported
18	5.48(1)	Correcting reference to WALGA	Supported
19	5.60b & 5.68	Enable development of regulations in relation to disclosures for road works.	Supported
20	5.62(2)	Strengthening notifiable gifts provisions.	Supported
21	5.63(1)(b)	Removed exemption where a rating concession or write of is being considered.	Supported
22	5.98	Allows payment of fees to attend external meetings	Supported
23	5.98	Allows payment of fees to deputies when member is receiving annual payment.	Supported
24	5.98(6)	Allows gifts to elected members in accordance with regs.	Supported
25	6.20	Provisions for regs to allow credit cards for members	Supported
26	6.28 & 6.29	Clarifies minister’s powers to determine portions of mining leases that may be rated as GRV.	More information required – this could have significant implications

	Section	Purpose	Comment
27	6.33	Allows differential general rates to apply to redevelopment act properties, and for rating of ancillary land uses such as home business.	Supported
28	6.56	Allows Councils to sell land for unpaid rates without waiting 3 years in some circumstances	Supported
29	8.2(1)	Widens powers of Minister and Departmental CEO to demand information from staff.	Supported
30	9.13 & 9.16	Extends period for issue of parking infringement when driver is not the owner.	Supported
31	Part 9	Fixing of common seal – gives discretion to local governments to not apply to every agreement.	Supported
32	Sch 2.1	Clarifies effect of changed boundaries on Land Administration Act	Supported
33	Sch 2.5	Makes electronic meeting provisions available to LGAB	Supported
34	Sch 3.1	Extends provisions allowing prevention of sand drifts to other materials.	Supported
35		Other technical amendments that may be identified during drafting process.	Needs accelerated consultation process to avoid unintended consequences.

Background:

A number of amendments are proposed to the Local Government Act, and the Department is seeking feedback from Local Governments through WALGA.

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:

Point 9 may create additional expense and expectation on Local Government.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

- 6 3.28- 3.36 & Sch 3.2 Power of entry to property to deal with graffiti. Costs are borne by Local Government.**

While the intent of this amendment is laudable, and is in keeping with the removal of graffiti as quickly as possible, does it create the expectation that Local Government rather than land owners will take responsibility for removing graffiti?

- 9 3.64 & 5.10 Appointment of deputies for Regional Council and Local Government Committees**

Deputy delegates are already included in the establishment agreements for WCRC and Yarra Yarra, but there has been some question of the validity of these arrangements. The use of deputies on Shire committees has also been common practice, but not in accordance with the provisions of the act..

- 16 5.36 & 5.37 Advertising of CEO and Senior Officers – clarifying requirements in relation to shared positions and Regional Local Governments.**

This amendment allows arrangements like CEO Shire of Perenjori to also be CEO Yarra Yarra, or for two local governments to share a CEO without advertising.

- 22 5.98 Allows payment of fees to attend external meetings**

This removes a cost impediment for elected members attending external meetings.

- 26 6.28 & 6.29 Clarifies minister's powers to determine portions of mining leases that may be rated as GRV.**

The detail provided by WALGA here is inadequate. There are a number of major projects planned for this area. Being able to charge GRV on infrastructure such as camps and plant has a potentially huge implication for rate returns from mining projects. It would be better to have clear guidelines in the Act or Regulations rather than a discretionary Ministerial power.

Other technical amendments that may be identified during drafting process.

This could be a Pandora's box if there are no checks and balances.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council advise WALGA that it supports all amendments except:

- 6. – Does this create an additional financial burden for local government;
- 26. – More clarity required on what amendment is proposed – provisions in the Act or Regulations that provide clarity would be preferable.
- 35 – Incidental amendments need to be considered by an accelerated consultation process to avoid unintended consequences.

Council Resolution

Moved: Cr King

Seconded: Cr Reid

That Council advise WALGA that it supports all amendments except:

- **6. – Does this create an additional financial burden for local government;**
- **26. – More clarity required on what amendment is proposed – provisions in the Act or Regulations that provide clarity would be preferable.**
- **35 – Incidental amendments need to be considered by an accelerated consultation process to avoid unintended consequences**
- **5 – Concerns raised on the rights of the landowner.**

Carried 9/0

7107.7 MEETING WITH MINISTER FOR LOCAL GOVERNMENT

APPLICANT: MIDWEST REGIONAL COUNCIL (WCRC)
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER STAN SCOTT – CEO _____
REPORT DATE: 11 OCTOBER 2007

ATTACHMENTS

Executive Summary:

The Hon Ljiljanna Ravlich MLC, Minister for Local Government has agreed to meet with the Midwest Regional Council following its November Ordinary Meeting. To accommodate the meeting with the Minister the venue for the meeting has been changed from Carnamah to Dongara.

Applicants Submission:

The Hon Ljiljanna Ravlich MLC, Minister for Local Government has agreed to meet with the Midwest Regional Council following its 7th November Ordinary Meeting. To accommodate the meeting with the Minister the venue for the meeting has been changed from Carnamah to Dongara. The meeting with the minister be after lunch and also involve Batavia Regional Council members

As with all Regional Council meetings they are open to the public, and are often attended by Councillors from member Shires in addition to the delegate. Other elected members may wish to take the opportunity to attend.

The Minister has requested a list of matters to be discussed.

Background:

The offer to meet with Minister Ravlich was made at the meeting with Minister Chance on 10 October. That meeting was attended by Cr Baxter and Cr King.

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:

A direct meeting with the Minister is a good opportunity to raise matters of strategic importance.

Consultation: Nil

Comment:

There are three matters that the CEO considers would be worth raising with the Minister.

Local Government Act S6.33 Differential General Rate

6.33 (3) States that a Local Government is not to, without the approval of the Minister, impose a differential general rate that is more than twice the differential general rate imposed by it.

It has become practice for a variety of valid reasons for Mining Rates to be imposed at a rate in the dollar that is more than twice that of the lowest rate. While Ministerial approval has not been unreasonably withheld, there may be an opportunity to streamline this process while the act is being amended. If there is a circumstance where numerous Local Governments need to seek Ministerial permission it is a reasonable indication that more flexibility need to be built into the system.

Local Government Act S6.33 Valuation and rates on mining and petroleum interests

Mineral leases are rated on unimproved values. Ministerial permission may be granted in some circumstances for rates to be imposed on Gross Rental Values. This is an area where regulation rather than ministerial approval would be appropriate.

In the Midwest there are a number of significant projects that have substantial built infrastructure including camps that accommodate many hundreds of people, large concentrate plants, aerodromes, power stations, pipelines, railway lines and power transmission lines. If these facilities were located in an industrial area they would be rated on GRV and would contribute significant revenue to the Local Government. As they are on mining leases different rules apply.

Presently local governments are negotiating community contributions through a variety of agreements, including road use agreements. Having transparent rules that allow appropriate levels of contribution through the rating system without the need for a Ministerial decision would be preferable.

Drought and Local Government Grants Commission

The Grants Commission in Western Australia has developed a comprehensive and transparent process for the allocation of grants to Local Governments. The process used generally has the support of Local Governments. However there are no provisions under current arrangements to provide assistance to Local Governments experiencing severe drought.

In Perenjori's case there has been no increase in agricultural rates for the last two years because of the financial circumstances faced by farmers. During this period our costs have continued to rise.

The Local Government Grants Commission methodology is "effort neutral". In determining the level of grant payable it assesses:

- the level of need of the local government (taking account of a range of disability factors such as isolation and indigenous communities serviced etc)
- the local government's rating capacity based on the average rates across the state

Grants are distributed to reflect the difference between level of need and revenue capacity, adjusted for the total level of funding available (which is never enough to meet the assessed need.) In general terms this a sound approach but could be improved to better reflect the impact of drought.

Local Governments experiencing drought do not have the rating capacity that the grants commission methodology produces in its calculations. The methodology should allow, based either on an exceptional circumstances declaration or a state government drought declaration, to make a downward adjustment on the assessed rating capacity. This assessment should persist for a reasonable recovery period after the drought. This would result a temporarily higher FAGS Grant for drought affected shires.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Council notes the meeting with the Minister
2. That Council endorses the issues to be raised with the Minister

Council Resolution**Moved: Cr Benton****Seconded: Cr West**

1. That Council notes the meeting with the Minister
2. That Council endorses the issues to be raised with the Minister

Carried 9/0

7107.8 CABINET STANDING COMMITTEE ON REGIONAL POLICY

APPLICANT: PREMIER'S OFFICE
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER STAN SCOTT – CEO _____
REPORT DATE: 11 OCTOBER 2007
ATTACHMENTS Letter

Executive Summary:

The Cabinet Standing Committee on Regional Policy will visit Perenjori on 31 October 2007.

Applicants Submission:

The CEO wrote to the Kim Chance in his Capacity as Minister for the Midwest, inviting the Cabinet Standing Committee on Regional Development to meet in Perenjori. Cr Baxter reiterated that invitation at a meeting with Minister Chance last week. The Premier's office advised the CEO that this meeting will proceed on 31st October 2007. To date the following Ministers are confirmed as attending:

- Hon Alan Carpenter, Premier of Western Australia (chair)
- Hon John Ford, Minister for Regional Development; Fisheries; the Kimberley, Pilbara and Gascoyne (co-chair)
- Hon Kim Chance, Minister for the Mid West and Wheatbelt; Great Southern
- The Hon Ljiljana Ravlich MLC, Minister for Local Government, Goldfields-Esperance

The remaining Ministers on the Standing Committee have not confirmed their attendance as yet. The other Ministers are:

- Hon Mark McGowan, Minister for the South West
- Hon David Templemen, Minister for Peel.

The meeting in Perenjori will focus on meeting with local stakeholders rather than meeting amongst themselves. The Shire has been asked to prepare a suggested itinerary for the day. Preliminary discussions have involved presentations by WCRC, Yarra Yarra, NACC and North East Farming Futures.

Background:

The purpose of the Cabinet Standing Committee On Regional Policy is as follows:

Responsible for the coordinated development of regional policies, the evaluation of the impact of government policies on regional communities through the application of appropriate indicators, the coordination of regional development across all areas of government, and to make recommendations to Cabinet on regional policy issues.

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

There are likely to be some minor hospitality costs.

Strategic Implications:

Events such as this continue to promote Council's vision for Perenjori.

The visit provides an opportunity to engage cabinet members in Council's vision and seek their support on matters of strategic importance.

Consultation:

At the time of writing only telephone advice had been received. Other stakeholders will be engaged when written confirmation has been received.

Comment:

This item has been listed as the primary item on the Council Forum Agenda. Even though we are hosting the meeting the opportunity for us to present to the committee will be limited. We need to ensure that what we are presenting gives us the best potential return in the valuable high level support.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council notes the proposed meeting.

Council Resolution**Moved: Cr Cunningham****Seconded: Cr Butler****That Council notes the proposed meeting.****Carried 9/0**

7107.9 DISTRIBUTION HEADWORKS SCHEME

APPLICANT:	WESTERN POWER
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	10 October 2007
ATTACHMENTS	Distribution Headworks Scheme Information Sheet & Local Example from Presentation to WCRC

Executive Summary:

Western Power has introduced a new headworks scheme and is seeking feedback.

Applicants Submission:

The new headworks scheme has the following elements:

- Only applies to the South West Interconnected System (SWIS)
- Charges are based on the commercial return to Western Power
- No charge for metropolitan properties
- No charge for properties within 25km of a sub-centre
- No charge for properties where the commercial return to Western Power justifies the investment
- A sliding scale subsidy that kicks in at around 140km from a substation.

In practice this means the headworks charge for new residential lots in Perenjori will be \$1,540 per single dwelling. There is no charge for new lots in Carnamah, Morawa or Three Springs. New lots in Mullewa attract a charge of \$8,265 each, which lots in Kalbarri will cost \$18,200 each after application of the subsidy. Commercial lots each cost 5 times that of residential lots.

Headworks are in addition to the cost of installation of electrical infrastructure which is also charged to the developer.

Background:

Previously headworks charges were calculated on a case by case basis with little obvious methodology.

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:

Perenjori's new subdivision will cost around \$34,000 in headworks plus installation costs. Water supply headworks cost \$60,000 plus installation.

Strategic Implications:

The base cost of land development in Perenjori is higher than that of near neighbours.

Consultation:

Western Power presented details of the Scheme to the last WCRC meeting.

Comment:

Feedback on the scheme closed on 12 October 2007. The CEO made the following comments:

Western Australia is the most urbanised State in Australia. The proposed policy by its nature reinforces the status quo. If you are in the urban areas you pay nothing. If you are close to existing infrastructure you pay nothing. The further away you are the more you pay. In many cases the headworks charges are so out of proportion with the land values (even with the subsidy) that electrical infrastructure becomes a significant barrier to regional development.

I understand that Western Power is required to behave in a commercial manner, and to develop policies that make commercial sense. For Western Power the approach makes sense. As a regional development policy it is counter productive and actively discourages development. It is just plain bad policy.

All that would be required to raise the necessary funds would be a flat rate headworks charge on all new development of \$50 per KVA. This would mean a \$250 per lot charge on all new residential developments. That is less than the annual land rates. The change would have negligible impact on urban development (what difference would \$250 make on a \$200,000 block). Conversely the impact on distant towns where the market value of a residential lot is \$30,000, reducing the cost of headworks from \$11,000 to \$250 would be massive.

In Perenjori we are on the cusp of a mining boom. How much benefit we can glean from proposed mining projects is largely dependent on meeting housing demand and providing an attractive alternative to fly in fly out. We would expect State policy to assist rather than penalise. There is much political rhetoric about the negative effects of fly in fly out on regions, dormitory suburbs and affected families. Part of the solution to fly in fly out is attractive well serviced rural communities. Unfortunately, government action does not match the rhetoric.

The charge per residential lot in Perenjori is \$1,540. In neighbouring Morawa there is no charge. Our proposed 19 lot development (with 3 duplex blocks) will cost around almost \$34,000 in Western Power headworks charges. The same development in Morawa there would be no charges. Land values between the two centres are otherwise comparable. As the lots are being developed by the Shire of Perenjori, that is \$34,000 straight out of the pocket of the local community.

Clearly it is a policy matter for the State, and the State needs to start reinvesting some of the wealth generated by the regions back in the regions.

Headworks charges on the new subdivision will be quoted in accordance with the policy. If we accept the agreement and charges go down as a result of public

consultation our charges will be reduced, but if they go up our charges will remain as agreed. Clearly we need to accept the offer when received.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council notes the proposed Distribution Headworks Scheme.

Council Resolution

Moved: Cr Benton

Seconded: Cr King

That Council endorses the proposed feedback by the CEO.

Carried 9/0

7107.10 STREET LIGHTING ON MAIN ROADS

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

Executive Summary:

WALGA is seeking member endorsement of a range of recommendations included in an interim response to the Main Roads WA Road Lighting Draft Policy Statement.

Applicants Submission:

The WALGA Interim Submission contains a number of recommendations that are set out in the attachment. Primarily the submission involves ensuring that Main Roads carries its fair share of the financial burden involved in lighting main roads.

Background: Nil

Statutory Environment:

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

Policy Implications: Nil

Financial Implications:

The annual cost of street lighting is \$6,000 and we receive a street lighting subsidy of \$1,000 from main Roads WA.

Strategic Implications: Nil

Consultation: Nil

Comment:

Street lighting is important for aesthetics and road and community safety. The WALGA proposal also covers issues such as undergrounding of power on main roads.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council supports the recommendations in the interim response to the Main Roads WA Road Lighting Draft Policy Statement.

Council Resolution

Moved: Cr West

Seconded: Cr Bendsorp

That Council supports the recommendations in the interim response to the Main Roads WA Road Lighting Draft Policy Statement.

Carried 9/0

7107.11 DRY SEASON ASSISTANCE – COMMUNITY AND SOCIAL SUPPORT

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER STAN SCOTT – CEO _____
REPORT DATE: 10 OCTOBER 2007
ATTACHMENTS Flyer and application form

Executive Summary:

Up to \$10,000 is available for Community and Social Support activities or services under the State's 2007 Dry Season Assistance Package.

Applicants Submission:

Under the Dry Season Assistance Package each Shire is entitled to two projects of up to \$5,000 each, for a total of \$10,000. Subsequent discussions with the Department of Agriculture and Food indicate that they will consider multiple projects within the \$10,000 Shire limit. We could for example have one \$5,000 project, one \$2,000 project and three \$1,000 projects.

In order to encourage maximum value and involvement it is proposed to advertise the assistance and encourage applications from community and sporting groups. While applications are open until 31 March 2007 if the available funding is distributed prior to the closing date further applications won't be considered.

Each application for assistance under this program must be endorsed by the Shire CEO, so in effect the Shire is determining how the money is best spent.

There may be the opportunity to seek additional support for specific activities from mining companies. For example in an informal discussion of a possible event an exploration company offered \$2,000 towards the cost of the event.

Background:

A similar program was available in 2006. It was used for two \$5,000 projects, these being the fireman's ball and family fun day. In each case the event was arranged by the Shire with involvement by community groups. Funds remaining after completion of the events were distributed to the organisations that assisted with the running of the events.

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:

Up to \$10,000 is available for distribution.

Strategic Implications:

Careful management will provide the best outcome for the community.

Consultation:

To date the CEO has received one written application from Perenjori Pistol Club and two other community organisations have indicated an intention to apply.

Comment:

The application from the Pistol Club is for the entire \$10,000 available for a fun day and membership drive, and the bulk of the funds would be used to upgrade facilities. The CEO considers that the fun day and membership drive should be supported, but that this program is not the appropriate source of funds for the upgrade. The CEO proposes to invite the pistol club to resubmit its application to reflect this.

It is proposed to advertise the program seeking submissions in time for the December Ordinary Meeting of Council. The program can be readvertised in the new year if there are insufficient applications.

Council may choose instead to support one or two major events as happened in 2006.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council:

1. Advertise the Community and Social Support Dry Season Assistance with applications closing 8 December 2007
2. Write to the Perenjori Pistol Club inviting it to reapply for the event only excluding the upgrade cost.

Council Resolution

Moved: Cr King

Seconded: Cr Cunningham

That Council:

1. **Advertise the Community and Social Support Dry Season Assistance with applications closing 8 December 2007**
2. **Write to the Perenjori Pistol Club inviting it to reapply for the event only excluding the upgrade cost.**

Carried 9/0

7107.12 PERFORMANCE OF 'THE GUN' ANZAC DAY 2008

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO _____
RESPONSIBLE OFFICER STAN SCOTT – CEO _____
REPORT DATE: 10 OCTOBER 2007
ATTACHMENTS

Executive Summary:

The Shire has secured a performance of the play 'The Gun' on Friday 25/04/08 (ANZAC Day).

Applicants Submission:

Council has budgeted the last two years for a performance from the "Shows on the Go' touring menu. One of the shows in which we expressed interest will be available to perform in Perenjori on Friday 25 April 2007.

The Promotional material for the show describes it as:

"A rollicking, Aussie play about shenanigans in the shearing shed..."

Background: Nil
Statutory Environment: Nil
Policy Implications: Nil

Financial Implications:

Council has budgeted \$3,000 for this activity. The Show and Country Arts WA membership will cost \$2,955 plus 10% of the door takings. The balance of door takings will be income.

Strategic Implications:

Participating in programs such as this is important to contribute to the quality of life in Perenjori.

Consultation:

The Telecentre has agreed to manage ticket sales. The event lends itself to combining with a barbeque dinner.

Comment:

The performance fee also includes posters and flyers and TV and radio coverage.

Given the significant workload challenges that will be facing staff over the next 12 months Council may wish to offer this activity to the Telecentre or St John's as a fund raiser with the Shire recognised as a major sponsor.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Council note the scheduled performance
2. That Council determine whether to offer the show to a community organisation as a fund raiser.

Council Resolution

Moved: Cr King

Seconded: Cr West

1. That Council note the scheduled performance
2. That Council determine whether to offer the show to a community organisation as a fund raiser.

Carried 9/0

7107.13 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: 11 October 2007
ATTACHMENTS MINUTES October 07 ORDINARY MEETING

Executive Summary:

The Midwest (Wildflower Country) Regional Council met in Three Springs on 3 October 2007.

Applicants Submission:

The Minutes of the WCRC are enclosed under separate cover.

Specific developments of interest to Council include:

- The WCRC has adopted its Strategic Plan. The final version includes details of consultation process and the outcomes of this process.
- The Code of Conduct has been reviewed to reflect new Code of Conduct Regulations.
- The Service Plan for Environmental Health and Building was adopted.
- The Morawa Community and Business Enterprise Centre was supported.

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.

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 model for the Morawa Business Enterprise Centre is worth examination. This may be a possible model for redevelopment of the old depot site.

Consultation: Nil

Comment:

A copy of the WCRC Strategic Plan has been provided to each Elected Member.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Council note the contents of the Minutes of the WCRC October Ordinary Meeting.

Council Resolution

Moved: Cr Butler

Seconded: Cr Cunningham

1. That Council note the contents of the Minutes of the WCRC October Ordinary Meeting.

Carried 9/0

7108 OTHER BUSINESS

Cr Reid asked that the Latham Standpipe be repaired as leaking at the base of the pipe. Works Supervisor advised that he had organised Ray Wood and himself to go down to Latham and assess the problem and carry out the necessary repairs.

Cr Benton requested that a speed limit sign be placed on Taylor Road.

Council Resolution

Moved: Cr Hirsch

Seconded: Cr Butler

That a meeting be organised with all local business in regards to the Buy Local Policy.

Carried 9/0

Cr Bendsorp asked the Works Supervisor when the mosquito programme will be commencing as they are starting to be a problem. Works Supervisor advised that fogging will start in the next couple of weeks.

7108.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

Minister for Environment – Release of Zero Waste Plan Development Scheme – Phase 2

RRR Network News

Disability Services Commission – 2007 Count Us In Awards

WALGA – Summary of Current Vacancies

WALGA – Local Govt Alcohol Management Package

Letter to Environmental Impact Assessment Program – First Draft per for Karara Magnetite Project (Assessment No 1651)

Elders Rural Bank – Annual Report

Hon Brian Ellis – New member for Agricultural Region

Yilgarn Infrastructure – Developing a proposal to build port and rail infrastructure

WALGA – Municipal Waste Advisory Council – Info Bulletin

Country High School Hostels Authority Annual Report

Dept of Water – Groundwater Vision – Northern Perth Basin

Geraldton Iron Ore Alliance – Mid West Community Support for Iron Ore Industry

Dept of Sport & Recreation – State Infrastructure Strategy Sport & Recreation Findings

Main Roads WA – New Customer Service Charter

Liebe Group Newsletter

Road Safety Council – Newsletter

Office of Crime Prevention – Mobile Closed Circuit Television Units to Assist in Local Graffiti Crime Prevention

Shane Hill MLA – Statement to Parliament

About the House

WALGA – Training & Development

WALGA – LG News – Issue 38.07

WALGA – Info Page – Bilateral Agreement on Indigenous Affairs – Issues for Local Govt Discussion Paper

7108.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

7108.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

7108.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

7108.5 MATTERS BEHIND CLOSED DOORS

Nil

7108.6 DATE OF NEXT MEETING / MEETINGS

Next meeting of Council will be held 14th November 2007

7108.7 CLOSURE

There being no further business meeting closed at 3.56pm.