
Shire of Perenjori
MINUTES
Ordinary Council Meeting

To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on
Thursday 19th APRIL 2007, to commence at **9.34am**.

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7041 PRELIMINARIES

7041.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The President declared the meeting opened at 9.34am.

7041.2 OPENING PRAYER

Cr Baxter led Council in the opening prayer.

7041.3 DISCLAIMER READING

Nil

7041.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

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

7041.5 PUBLIC QUESTION TIME

Nil

7041.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

7041.7 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.

7041.8 APPLICATIONS FOR LEAVE OF ABSENCE

Council Resolution

Moved: Cr Butler Seconded: Cr West

That Councillors John Cunningham, Christopher King, Jennifer Hirsch be granted a leave of absence for the current meeting.

Carried 6/0

7041.9 CONFIRMATION OF MINUTES

Council Resolution

Moved: Cr West Seconded: Cr Reid

That the minutes of the Ordinary meeting of Council held on 15th March 2007 be accepted as a true and correct record.

Carried 6/0

7041.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Nil

7041.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS

Council Resolution

Moved: Cr West Seconded: Cr Bendsorp

That Council move into Committee.

Carried 6/0

7042 ECONOMIC DEVELOPMENT

5091.2 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 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

- Fodder Factory
- Development of Nursery
- Forrest Products Commission +UWA
- UWA
- Dept Of Justice JV for tradesman
- Various Grant applications
- Co-op and foundation
- Town Dams
- New Web Site and staff training

Fodder Factory JV in Progress

The Principals and Dr.Geoff Tudor B.AgSc.,MAgrSc., PhD who was an observer to provide oversight on various claims made by the principals met with a small group of farmers (3)

And the discussions revealed that some of the earlier proposals were not as workable as previously understood by the principals' .Who then asked for some investment.

During the meeting the Managing director & EDO discussed specific costing aspects outside the meeting.

Private and further discussions will continue. However, the EDO must audit alternative methods as fodder factories in general have many traps for unwary practitioner's. Ongoing efforts

Nursery:

The Nursery effort is now broken into 4 parts

1 Local retail -assisting proponent with start up including finance and sourcing cost affective stock and other items

2 In Concert with forest commission and UWA selecting species for grow out in this region

3 Mining reclamation aspects Shire personnel have spoken with various mines and early indications are commercial relationship and funding from mining resources (predicated by other factors) are deemed a go ahead project in the shire.

Shire is to advise edo of selected commercial location and how it fits in with current town planning and water resources.

4 After some months negotiations with a well known bank the area is suitable for carbon sequestration by plantings of yet to be chosen best commercial species.

Preliminary discussions have resulted in General Manager of Bank preparing Documents and letter of offer to Shire to commence such a commercial relationship - Shire and bank share income of carbon Credits and REC etc – Edo to brief verbally the meeting

Forrest Products Commission

Below is last month's report which the above now proves positive result

Early and discrete negotiations with the help of UWA are due again In April or late March

Now that the managed investment schemes ruling has at last been handed down from the ATO.

In essence this will fall into various grant applications from a number of departments both federal and state now in hand touching on farming enterprises and diversification ran in concert with new co-op being formed and others.

These talks also centre on final choosing of plant varieties species best suited to the area

For bar gas and other uses also including methanol and other bio diverse species

As well as plantation timber tied to a proposed carbon sink trading scheme (we are waiting on state government to crystallise its thoughts and give some further direction)

Department of Justice:

As per last months report this is moving ahead better than expected and is ongoing.

Result is that Govt has prepared a required change of act allowing such guests to work in the shire. This change of act is due in about August 07 and edo and the department are in regular discussions building the template.

Grant Applications

Have been submitted for Fish Farm and others are coming on line as finished.

Co-operative and foundation formations:

The long awaited change of state laws have at last been promulgated and this aspect should /MUST be finalised by next meeting

Town Dams:

Documentation and original plans have been located

The CEO and works manager are believed to have settled on a program and time line

That hopefully will allow dams to be in at least a partial state to receive rains when they arrive. EDO has located a previously unknown Cat D7 E and operator at a very cheap price to undertake any heavy work. However, EDO suggests comparative quotes for similar machinery is tendered.

The town cemetery

Was mentioned last meeting EDO is unaware of outcome /decision at time of writing. However, grant application is due to go in April 20 and is prepared ready for signature

Small Business Development Corporation:

D Invargson from SBC is said to be working on a day now set down as July 20 to bring a road show of resources he states will benefit the shires –community's residents and businesses better business practices. CEO & EDO are liaising with this person carefully on this aspect. CEO May wish to amplify some aspects.

New Web site and staff training:

Team Leader will travel to JPL to implement new web site and train staff on its upkeep

This not only gives the old one a new make over but allows us to keep up to date in house and add depth of knowledge to our staff and others

Manuals and other pre course materials have been supplied to 2 staff and CEO prior to this training

Press release to Local media

Some discussion took place on this aspect and EDO requests finalisation of methodology and protocols involved.

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.

Council Resolution

Moved: Cr Benton

Seconded: Cr Butler

That Council move out of Committee.

Carried 6/0

Council Resolution

Moved: Cr Reid

Seconded: Cr Bendsorp

That the CEO investigate a site for the wholesale nursery.

Carried 6/0

Council Resolution

Moved: Cr West

Seconded: Cr Butler

That Council grants planning approval for the development of a retail nursery on Lot 14 (50) Fowler Street Perenjori subject to a health and building application being made and approvals being granted.

Carried 6/0

Discussion regarding Dam catchment areas.

Major areas noted – No substantial clearing, Investigate diversion of channel, Run off from CBH Sites and Airport.

Council Resolution

Moved: Cr Reid

Seconded: Cr West

That a costing on the steps necessary to divert water from the diversion channel to the dams be prepared.

Carried 6/0

Council Resolution

Moved: Cr Butler

Seconded: Cr Bendsorp

Council develop a total water plan for the Perenjori Townsite for the 2007/08 budget for the collection of our own water.

Carried 6/0

Council Resolution

Moved: Cr Bendsorp

Seconded: Cr West

That remedial work required at the Perenjori Dam site be carried out.

Carried 6/0

MR PHIL CLEAVER, ECONOMIC DEVELOPMENT OFFICER LEFT THE CHAMBERS AT 10.30AM

7043 **FINANCE**

7043.1 **MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

APPLICANT:	Deputy Ceo
FILE:	0
AUTHOR:	Domenica Orlando
RESPONSIBLE OFFICER	Domenica Orlando
REPORT DATE:	13th April 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 31st March 2007 including report on variances be accepted as presented.

2. Finance Report

That the Finance Report for the period ended 31st March 2007 be accepted as presented.

3. Acquisition of Assets

That the Acquisition of Assets Report for the period ended 31st March 2007 with a balance of \$915,794.84 as presented be received.

4. Reserves Report

That the Reserves Report for the period ended 31st March 2007 with a balance of \$1058412 as presented be received.

5. Net Current Assets

That the Net Current Assets report for the period ended 31st March 2007 as presented be received.

6. Bank Reconciliation's

That the balances of the Municipal Fund of \$74434.25, the Term Deposit of \$280,867.14 and the Trust Fund of \$35652.63 as at 31st March 2007 as presented be received.

7. Sundry Creditors Report

That the Sundry Creditors Report for the period ended 31st March 2007 with a balance of \$79,288.74 as presented be received.

8. Sundry Debtors Report

That the Sundry Debtors Report for the period ended 31st March 2007 with a balance of \$44384.49 as presented be received.

9. Accounts for Payment

That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 15514 to 15601 and EFT Numbers 47 to 8658918 for \$390,968.06 for the period ended 31st March 2007 as presented be accepted.

10. Rates Outstanding

That the Rates Outstanding Report for the period ended 31st March 2007 with an outstanding balance of \$73773 as presented be received.

11. Caravan Park Fees & Charges

That Council review the 2007/08 Fees & Charges for the Caravan Park chalets for both short and long term accommodation and also create a policy in regards to long term accommodation for these units.

Council Resolution

Moved: Cr West

Seconded: Cr Bendsorp

That Items 1-10 relating to the Financial Reports for the period ended 31st March 2007 be approved.

Carried 6/0

Council Resolution

Moved: Cr West

Seconded: Cr Bendsorp

That Council review the 2007/08 Fees & Charges for the Caravan Park chalets for both short and long term accommodation and also create a policy in regards to long term accommodation for these units.

Carried 6/0

**7044.2 MULTI PURPOSE SHED – PERENJORI & DISTRICTS
AGRICULTURAL SOCIETY**

APPLICANT:	PERENJORI & DISTRICTS AGRICULTURAL SOCIETY
FILE:	603.01
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	GARRY AGNEW – MCS _____
RESPONSIBLE OFFICER	GARRY AGNEW - MCS _____
REPORT DATE:	13 APRIL 2007
ATTACHMENTS	7044.2

Executive Summary:

Council is asked to support a proposal from the Perenjori & Districts Agricultural Society for the development of a Permanent Multi-Purpose Shed at the Perenjori Recreation Grounds.

Comment:

The Perenjori & Districts Agricultural Society proposal is attached as **Attachment 7044.2**.

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:

Not budgeted for in 2006/7.

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Officers Recommendation:

Submitted for Council consideration and direction.

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

Council construct a Multi Purpose shed as per the Perenjori & Districts Agricultural Society's proposal specifications. This be included in the 2007/08 budget. Council also accept offer of contribution of funds through "Seeds of Renewal Program" Grants from the Ag Society.

Carried 6/0**Council Resolution****Moved: Cr West****Seconded: Cr Bendsorp**

Council advise the Perenjori & Districts Agricultural Society that it is not supportive of the sale of the ram sale shed.

Carried 6/0

GARRY AGNEW, MANAGER OF COMMUNITY SERVICES LEFT THE CHAMBERS AT 11.37AM

7045 PLANT & WORKS

7045.1 PLANT REPORT

PJ 1574	Isuzu Truck 70000 service
PJ 1567	Triton Ute 15000 service
PJ 1563	Ford /New Holland Tractor Replace fanbelt and idler pulley
PJ 1554	Water Tanker Replace tail light, side lights And repair wiring at rear of tank. Pacific Broom Replace drive sprocket and modify mount bracket for hydraulic motor
PJ 1502	Case Vibromax Roller Replace engine Send radiator away for recore
PJ 1575	Cat Backhoe Replace L H Door glass Repair window latch

7045.2 WORKS SUPERVISORS REPORT

7045.2.1 ROAD MAINTENANCE MARCH

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER	KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE:	29TH MARCH 2007
ATTACHMENTS	ROAD MAINTENANCE MAP

Executive Summary:

Listed are the roads maintenance graded for the month of March

Applicants Submission :

S Cannon road	Metcalfe road
Baxter road	Camac road
Caron East road	Old Well road
Caron road	Syson road
Farrs road	Rabbit Proof Fence road

Statutory Environment: N/A

Policy Implications:	N/A
Financial Implications:	
As per Council's road maintenance budget	
Strategic Implications:	
Consultation:	N/A
Voting Requirements:	Simple Majority
Officers Recommendation:	N/A

7045.2.2 SEALING PROGRAM

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER	KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE:	29th March 07
ATTACHMENTS	

Executive Summary:

The first part of the sealing program has been carried out, with the Maya Bin road, Latham streets and Summers road being sealed.

Background

These roads are part of the 2006/07 road program, with the Maya Bin road being gravelled, formed & sealed to cater for the traffic at the Maya wheat bin, Latham streets being resealed and then sections re-kerbed and Summers road widened to 7 metres and extended to Syson road.

Statutory Environment:	N/A
Policy Implications:	N/A
Financial Implications:	N/A
Strategic Implications:	N/A
Consultation:	N/A
Voting Requirements:	N/A
Officers Recommendation:	N/A

7045.2.3 VEHICLE TENDERS

APPLICANT:	WORKS SUPERVISOR
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER	KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE:	2/4/07
ATTACHMENTS	SPREADSHEET

Executive Summary:

Tenders were called for the replacement of two of Council's utilities as per the 2006/07 plant replacement program.

Background

PJ1568 – 2004 Toyota Hilux and PJ1562 Mitsubishi Triton were offered for sale by tender, trade or outright purchases. The attached spreadsheet lists the tenders received would be from John Hughes.

Statutory Environment: N/A

Policy Implications: N/A

Financial Implications:

The change over prices for two Mitsubishi tritons would total \$12,294 with our budgeted figures totalling \$18,000. This would result in a saving of \$5706.

Strategic Implications: N/A

Consultation: N/A

Voting Requirements: Simple Majority

Officers Recommendation:

That Council accept the tenders received from John Hughes for both vehicles tendered, for a net changeover of \$12,294.

Council Resolution

Moved: Cr Butler

Seconded: Cr West

That Council accept the tenders received from John Hughes for PJ1568 and PJ1562 tendered, for a net changeover of \$12,294 total.

Carried 6/0

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.

Item deferred until next meeting for full Council debate.

7046.2 ADOPTION OF STRATEGIC PLAN

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	12 APRIL 2007
ATTACHMENTS	ADVERTISEMENT STRATEGIC PLAN

Executive Summary:

The Shire of Perenjori Strategic Plan has been advertised for public input and may now be adopted by Council

Applicants Submission:

Ms Wendy Newman facilitated a review by Council of a draft strategic plan at the November Ordinary Meeting. The revised draft incorporates the results of that discussion.

The plan is a culmination of consultation with the community and with Council, and leads on from the recently completed Pracsys Report.

The draft plan the details was widely advertised and circulated within the community, with comments closing 12 April 2007. No public submissions have been received.

Background:

Ms Wendy Newman from Quintessence Consulting prepared the draft plan on Council's behalf. This process involved input from:

- The Pracsys Report on Economic Development
- Community consultation
- A full day Council forum
- Consideration by senior staff

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. S 5.56 requires Local Governments to plan for the future.

Policy Implications: Nil

Financial Implications:

The plan when adopted will guide Councils investment over the medium term.

Strategic Implications:

The plan specifies key strategies, Key Performance Indicators and Key activities and should be very useful for guiding activities.

Consultation:

There has been significant community input into the development of the plan. The draft document was widely advertised for community feedback. The advertisements included a summary of the strategic goals and key strategies.

Comment:

The final plan is the result of a lengthy and exhaustive process but should provide a sound basis for future activity. The plan has involved significant commitment from elected members and community input.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council adopt the Shire of Perenjori Strategic Plan 2006 to 2010.

Council Resolution

Moved: Cr Butler

Seconded: Cr Benton

That Council adopt the Shire of Perenjori Strategic Plan 2006 to 2010.

Carried 6/0

7046.3 ROADS TO RECOVERY

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	DOMENICA ORLANDO - DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	12TH APRIL 2007
ATTACHMENTS	CORRESPONDENCE FROM DOTARS

Executive Summary:

The Department of Transport and Regional Services noted that Council failed to meet its expenditure target from its own funds in 2005/2006, and sought explanation from Council.

Council responded noting the impact from the January 2006 Cyclone and capacity constraints within the Councils workforce.

Applicants Submission:

The Department of Transport and Regional Services has indicated that it will exempt Council from the conditions set out in clauses 2.2 to 2.4 of the Roads to Recovery funding conditions in respect of its own sources' expenditure for the financial year 2005-06.

It has stressed however that the exemption is made on the basis that Council will be complying in the 2006-07 financial year provided unusual circumstances do not again intervene.

DOTARS has also noted the difficult conditions facing Council in the next few years but would like Council to make up the shortfall of \$81200 before the current RTR programme ends on 30th June 2009.

If for any reason Council has difficulty achieving this for 2006-07, we are required to indicate the reasons in the covering letter to our next annual report.

Background:

Council as a condition of Roads to Recovery funding is required to maintain its own efforts in road funding. The Commonwealth is trying to ensure that Roads to Recovery funding is not substitute for Council funding. The own source funding requirement for Perenjori, based on an average of the 5 year period 2001 – 2005 is \$141,200.

Council resolved the following at the March meeting of Council:

That Council amend budget allocation to reduce RTR reserve funding for roads to \$100k and use Council funds

Statutory Environment:

The Roads to Recovery Agreement includes the requirement for Councils to maintain their own source expenditure.

Policy Implications: Nil

Financial Implications:

Roads to Recovery makes an annual contribution to \$313,353 to Council's road infrastructure. There was also an additional \$313,353 allocated in 2005/2006 to be spent over 3 financial years.

The next payment is expected in May 2007.

Strategic Implications:

The contribution of R2R to road infrastructure is huge, and this year constitutes one third of Council's total road expenditure.

Consultation: Nil

Comment:

WALGA and Cr West have raised this matter previously.

Voting Requirements:

Simple majority

Officers Recommendation:

That Council note the exemption approved by the Department of Transport and Regional Services.

Council Resolution

Moved: Cr Reid Seconded: Cr West

That Council note the exemption approved by the Department of Transport and Regional Services.

Council also acknowledge the efforts by the Ceo's on resolving this issue and his efforts with the Strategic Plan.

Carried 6/0

7046.4 ELECTORAL BOUNDARY REDISTRIBUTION

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	Letter from Office of Electoral Distribution Commissioners Brochure – Where will you be in 2009? Electoral Region and District Maps

Executive Summary:

The Electoral Distribution Commissioners will be completing an electoral redistribution between April and October this year and are seeking input from Local Government.

Applicants Submission:

In determining Electoral boundaries the commissioners have a tolerance of plus 10% to minus 20% from the average district allowance. The Commissioners are required to take account of a number of matters including:

- community of interest
- land use patterns
- means of communication and distance from the capital
- physical features
- existing boundaries of regions and districts
- existing local government boundaries
- the trend of demographic changes

Background:

Electoral distributions now commence as soon as practicable 2 years after polling day following each State general election (previously as soon as practicable 1 year after polling day following two successive State general elections). The 2003 Electoral Distribution was due to commence on 11 February 2002 but was delayed pending the outcome of litigation on 'one vote, one value' legislation.

Statutory Environment:

The Electoral Act 2007 (as amended) sets out the matter to be taken account in electoral redistribution.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

The North Midlands is presently split between 3 Electoral Districts:

- Perenjori is in the Merredin Electorate, which covers the Eastern Wheatbelt in an arc from Hyden in the south to Perenjori in the North;
- Morawa, Mullewa, Mingenew and Three Springs are in the Greenough Electorate;
- Carnamah and Coorow are in the Moore Electorate.

Consultation:

Nil

Comment:

It could be argued that, given the strong community of interest within the North Midlands that all seven Shires should be included in a single electorate (probably Greenough).

The Counter argument is that under present arrangements the North Midlands grouping has access to 3 separate MLA's.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council determine whether to make a submission in relation to the electoral redistribution.

Council Resolution

Moved: Cr West

Seconded: Cr Benton

That Council submit the preference to be in the Greenough Electorate for the electoral redistribution.

Carried 6/0

7046.5 RESERVATION OF WARRIEDAR PASTORAL LEASE

APPLICANT:	DEPT OF ENVIRONMENT AND CONSERVATION
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	12 APRIL 2007
ATTACHMENTS	Letter from DEC and Map

Executive Summary:

The Department of Environment and Conservation is seeking the Shire of Perenjori's support for the Warriedar Pastoral Lease to be reserved for conservation purposes.

Applicants Submission:

The Warriedar Pastoral Lease has been acquired by DEC with the assistance of the Commonwealth's Natural Heritage Trust. DEC is seeking the Shire of Perenjori's support for the lease to be reserved for conservation purposes.

Background:

Warriedar Pastoral Lease covers 72,219 hectares. Adjacent pastoral leases of Lochada, karara and Kadji Kadi have already been reserved for conservation purposes, creating a combines conservation reserve of some 472,000 hectares.

Mount Gibson and White Wells Stations have also been acquired by groups with conservation goals, which provides the possibility of a massive conservation reserve within easy reach of Perenjori.

Statutory Environment:

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

The proposed reservation for conservation purposes is as an unclassified reserve (that is not an A Class or C Class reserve.) Unclassified reserves do not preclude mineral exploration or mining. Decisions in relation to these activities rest with Minister for Industry and Resources. The Minister for Environment and Conservation has the power to recommend, but not veto mining activities on unclassified conservation reserves. This does not affect the Public Environmental Review process required for major projects.

Policy Implications:

Nil

Financial Implications:

There is some potential loss of rating income for which we may be able to receive an ex gratia payment. In the past obtaining the ex gratia payments has been problematic.

Strategic Implications:

Council has identified eco tourism as a potential future activity. It is possible to use input to the Warriedar proposal to advance this strategy.

Consultation:

The CEO discussed the proposal with DEC to clarify the nature of the proposed reserve type and the potential effect on other activities such as mining. The CEO also expressed concern at the lack of investment in existing conservation reserves (staffing, signage, access and interpretation) and the potential benefits of eco tourism.

Comment:

In light of the proposal for the lease to be an unclassified conservation reserve it would be appropriate for Council to support the proposal. The support should however be accompanied by requests for certain actions by the Department including:

- Provision of an ex gratia payment in lieu of rates foregone;
- Appropriate management of the property including fire control plans and feral animal control;
- Investment in staffing, signage, facilities and interpretation;
- Working with owners of adjacent properties that share conservation objectives
- Working with the Shire to help promote the combined conservation reserve as a destination for eco tourism and academic research.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Council support the reservation of the former Warriedar Pastoral Lease for conservation purposes;
2. That the letter of support request:
 - Provision of an ex gratia payment in lieu of rates foregone;
 - Appropriate management of the property including fire control plans and feral animal control;
 - Investment in staffing, signage, facilities and interpretation;
 - Working with owners of adjacent properties that share conservation objectives
 - Working with the Shire to help promote the combined conservation reserve as a destination for eco tourism and academic research.

Council Resolution

Moved: Cr Benton

Seconded: Cr West

- 1. That Council support the reservation of the former Warriedar Pastoral Lease for conservation purposes;**
- 2. That the letter of support request:**

- **Provision of an ex gratia payment in lieu of rates foregone;**
- **Appropriate management of the property including fire control plans and feral animal control;**
- **Investment in staffing, signage, facilities and interpretation;**
- **Working with owners of adjacent properties that share conservation objectives**
- **Working with the Shire to help promote the combined conservation reserve as a destination for eco tourism and academic research.**

Carried 6/0

7046.6 EXPANSION OF GENERAL NOTICE NETWORK

APPLICANT:	NICK ROYAL
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	12 APRIL 2007
ATTACHMENTS	Advice to Main Roads WA of Result of Sept 05 Review

Executive Summary:

Mr Royal has requested that Council consider expansion of the general endorsement network to include additional roads.

Applicants Submission:

The majority of Mr Royal's work is for farmers, most of it is transportation of bulk commodities, and most of the work is done on a tonnage rate. He argues that the larger the configuration he is able to operate the more viable is his business. He points out that the weight that may be transported by a particular configuration is determined by axle loadings, and longer combinations produce less rather than more damage per tonne than smaller combinations, because larger combinations mean less trips.

Background:

Council undertook and extensive review of its harvest and general routes in September 2005.

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:

Mr Royal's request would require a further review of heavy vehicle policies.

Financial Implications: Nil

Strategic Implications: Nil

Consultation:

The September 2005 review involved consultation with operators.

Comment:

Council's last review resulted in a substantial increase in the number of routes available to longer vehicles, especially in the South of the Shire, and especially during harvest and the drier months. The CEO considers that further expansion may have implications for safety and damage to roads during winter months. While permits do have a condition that certain roads not be used when visibly wet this is

difficult to enforce. Size limits are however enforceable. Further increasing vehicle combinations during winter months also has implications for safety.

While Mr Royal has a reputation as a responsible operator and would no doubt observe weather restrictions and operate responsibly, the same is not true of all operators. The inclusion of roads on the notice network make them available to all operators with a permit for that combination, and we are obliged to consider the implications for all operators.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council determine whether to further review the notice network.

Council determined not to review the notice network.

7046.7 COMMON SEAL – CONNECTING LOCAL GOVERNMENTS GRANT

APPLICANT:	DEPT OF LOCAL GOVERNMENT
FILE:	0
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	12 APRIL 2007
ATTACHMENTS	LETTER AND FINANCIAL ASSISTANCE AGREEMENT

Executive Summary:

The Shire of Perenjori has been offered a \$10,000 grant under the feasibility provisions of the Connecting Local Governments Grant program. The Grant is to assist with the set up of the Yarra Yarra Regional Local Government. The Financial Assistance Agreement for the grant requires application of the common seal.

Applicants Submission:

The funding will fund a consultant to work with the Regional Local Government and the Yarra Yarra Catchment Management Group to determine roles and responsibilities under new arrangements.

Background:

The Shire of Perenjori has played a leading role in the development of the Yarra Yarra governance model.

Statutory Environment:

The *Shire of Perenjori Standing Orders Local Law 2006* sets out the requirements for affixing the common seal to any document:

Part 16 – Common Seal

16.1 The Council's Common Seal

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

Penalty \$1,000

Policy Implications:

Nil

Financial Implications:

There is no additional cost to Council other than existing commitments to support the Yarra Yarra arrangements.

Strategic Implications:

Nil

Establishment of the Yarra Yarra RLG is a specific activity set out in the strategic plan.

Consultation:

Nil

Comment:

Nil

Voting Requirements:

Simple Majority

Officers Recommendation:

That the Shire execute the Financial Assistance Agreement related to the Connecting Local Governments Program.

Council Resolution

Moved: Cr West

Seconded: Cr Butler

That the Shire execute the Financial Assistance Agreement related to the Connecting Local Governments Program.

Carried 6/0

7046.8 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: 12 APRIL 2007
ATTACHMENTS: MINUTES APR 07 ORDINARY MEETING

Executive Summary:

The Wildflower Country Regional Council met on 4 April 2007.

Applicants Submission:

The Minutes of the WCRC are enclosed under separate cover.

Specific developments of interest to Council include:

- The WCRC has appointed UHY Haines Norton as its auditor
- The WCRC will be providing under contract the administrative support for the Northern Country Zone of WALGA.
- The WCRC CEO will be developing a service delivery plan for a Health, Building and Planning Service within the region.
- The WCRC CEO will be developing a service delivery plan for a Finance and Accounting Service within the region.

In other developments:

CEO's and key staff participated in training delivered by AIM on the development of a business case. Every project or service considered by the WCRC must include a business case, and ensuring key staff had a common understanding of this issue was considered very important.

CEO's met to consider opportunities for the WCRC, and in particular gaps and shortcomings in existing service delivery.

Elected members and officers participated in a forum facilitated by Stephen Goode to help develop a strategic plan for the WCRC.

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:

All services offered by the WCRC will be fee for service. Funds to be allocated towards planning consultancy would be available to purchase planning services from the WCRC. We are presently well serviced in Health and Building through our existing partnership with Carnamah and Three Springs, so there is no immediate financial implication.

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.

Health Building and Planning

As council is aware we are planning to include an allocation for a review of the Town Planning Scheme in the 2007/2008 budget. This allocation would be in the order of \$25,000. In addition council can reasonably expect to spend \$10 - \$15,000 each year on Planning work is presently undertaken by the Manager Community Services, so there may some opportunity to utilise any spare capacity created for other purposes.

Finance and Accounting

Accounting functions are presently handled in house. There would be the opportunity to seek high level accounting support from the WCRC including continuous improvement, staff development, development of best practice and the development of regionally comparable accounting standards.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council advises the WCRC that:

1. The Shire of Perenjori would be interested in participating in a Town Planning Service with an expected contribution of about \$15,000 per year ongoing, and up to an additional \$25,000 in 2007/2008 for a review of the Town Planning Scheme.
2. The Shire of Perenjori is well serviced by its existing Health and Building arrangements, but would consider rolling these arrangements into a regional

service if there are appropriate safeguards to retain existing staff and assure ongoing service levels.

3. The Shire of Perenjori would consider purchasing high level accounting services for the purposes of continuous improvement, staff development, development of best practice and the development of regionally comparable accounting standards but are presently well services for existing day to day finance and accounting functions.

Council Resolution

Moved: Cr Butler

Seconded: Cr Bendsorp

That Council advises the WCRC that:

1. **The Shire of Perenjori would be interested in participating in a Town Planning Service with an expected contribution of about \$15,000 per year ongoing, and up to an additional \$25,000 in 2007/2008 for a review of the Town Planning Scheme.**
2. **The Shire of Perenjori is well serviced by its existing Health and Building arrangements, but would consider rolling these arrangements into a regional service if there are appropriate safeguards to retain existing staff and assure ongoing service levels.**
3. **The Shire of Perenjori would consider purchasing high level accounting services for the purposes of continuous improvement, staff development, development of best practice and the development of regionally comparable accounting standards but are presently well services for existing day to day finance and accounting functions.**

Carried 6/0

7046.9 SPORTS CLUB TELEVISION

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	12 APRIL 2007
ATTACHMENTS	LETTER

Executive Summary:

Perenjori Sports Club is seeking support for the purchase of a new television.

Applicants Submission:

The Sports Club is requesting a donation to assist with the purchase of a new television.

Background:

The request has been well supported by local sporting clubs and businesses.

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 CEO has advised the Sports Club that the Shire would donate a similar amount to that of sporting clubs and local businesses (ie \$200). Council may wish to consider making a larger donation.

Strategic Implications:

Nil

Consultation:

The CEO is a member of the Sports Club Committee and was involved in discussions relating to the purchase.

Comment:

This is a strategic purchase for the club. The biggest single impact on the viability of the club is bar sales. The large screen television with satellite dish is likely to:

- Attract more patrons, especially when major sporting events are televised;
- Encourage patrons to stay longer

This should contribute to bar taking and hence profitability. It will contribute to takings without a significant change in fixed costs.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council contribute \$200 to the purchase of a large screen television at the sports club.

Council Resolution

Moved: Cr Bendsorp

Moved: Cr Reid

That Council contribute \$200 to the purchase of a large screen television at the sports club.

Carried 6/0

7046.10 FINANCIAL SUPPORT FOR NORTH EAST FARMING FUTURES
(NEFF)

APPLICANT:	NORTH EAST FARMING FUTURES
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	12 APRIL 2007
ATTACHMENTS	1. Letter from NEFF 2. NEFF Flyer 3. Outcomes of Planning Meeting of 5 Dec 2006 4. NEFF Constitution 5. NEFF Business Plan

Executive Summary:

The North Eastern Farming Futures (NEFF) is a newly formed regional farming network making up the areas of Morawa, Perenjori, Mullewa and Chapman Valley (Yuna). The establishment committee of NEFF are seeking seed capital and an annual financial contribution from each of the respective four Shires to assist in the commencement and ongoing operations of the organisation now and into the future.

Applicants Submission:

NEFF is seeking a start of contribution of \$10,000 from each of the Shires, followed by a \$5,000 annual contribution.

Background:

NEFF was formed following the completion of project specific work identified and carried out through the Agricultural Development Partnership (ADP). The ADP in itself was a joint Australian / State Government funded initiative established to investigate options for agricultural diversification within the north eastern agricultural area. The ADP Steering Committee consisted of Shire delegates and representatives of the funding bodies.

The remaining funds held in balance following the completion of ADP studies was approved to be allocated towards a feasibility study into the possibility of establishing a 'grass roots' farming alliance made up of the farmers located in the four above mentioned Shires. The study itself was undertaken by Mr Cameron Weeks of Planfarm (formerly Executive Officer of the Mingenew Irwin Group). The study confirmed that subject to individual farmer take up a regional farming alliance would be feasible and offer significant strategic benefits to the farmers of the region.

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:

NEFF is seeking \$10,000 this financial year followed by \$5,000 per year in each subsequent year.

Strategic Implications:

The Shire of Perenjori Draft Strategic plan identifies as part of the 2006/07 focus : *Encourage diversification in the Goring Quarter and establishment of a farm improvement group*. The NEFF has been directly established as the next step for the goring quarter.

NEFF has the potential to be the most important strategic farming initiative taken up by farmers in the region. With the incidence of low rainfall events arguably increasing, it will become increasingly important and indeed essential that a collective approach is given to the challenges and opportunities available to the farmers of the region.

Consultation:

The formation of the NEFF was as a result of a consultative process in which the Shire was involved. A key success factor identified in all discussions was the need for the Goring Quarter to be farmer led. The formation of NEFF is the result of this approach.

Similar agenda items will be considered this month by the other 3 Shires involved. Much of the content of this agenda item is based on the item prepared for the Shire of Morawa.

Comment:

There are ample examples of regional farming alliances proving successful i.e. Mingenew Irwin Group, LIEBE Group, etc. Essentially, these groups are made up of and act on behalf of all the farmers located in their respective regions. Individually and even collectively on a shire per shire basis, farmers do not have the clout or voice to plan or influence key decision-makers. However, regionally the story is vastly different. The farming areas of Morawa, Perenjori, Mullewa and Chapman Valley (Yuna) all have something very much in common – low rainfall. This underlining climatic difficulty can in fact be turned around into a strategic advantage for the farmers of the region. The size of the NEFF region has the potential to be a large and very influential voice in an array of various departments and Government corridors of power. Given the size of the regional collective, NEFF will also demand serious consideration to corporate sponsorships and similar forms of organisational support.

An extensive amount of preliminary work has already been undertaken by an establishment committee which has culminated in the production of several strategic documents that are included in Council's attachments.

An important phase of the proposed NEFF establishment has also commenced with local farmers meeting with and promoting the new concept within the four respective shires. It is vitally important that farmer ownership to the NEFF concept be taken up. It will not work as a Shire driven strategy. Initial contact held with the various farm

improvement groups and farmers individually has been encouraging. Importantly, in approaches with meetings held with the Morawa and Yuna Farm Improvement Groups, the NEFF concept has been promoted as a structure which would compliment the local groups and assist to add value and support to their existing structures and operations.

Council presently makes an annual contribution to the Liebe group. It could be argued that, given its focus on agriculture in areas with marginal rainfall, that NEFF has more strategic importance to the long term future of the shire. As elected members are aware much of the work of the EDO relates to agricultural diversification, and the NEFF will be a worthwhile partner in developing these initiatives.

Voting Requirements:

Absolute Majority

Officers Recommendation:

1. That Council make a \$10,000 contribution to the NEFF this financial year, and this be recognised as unbudgeted expenditure.
2. That Council include an annual \$5,000 contribution to NEFF in its budgets for the next 3 financial years .

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

1. That Council make a \$10,000 contribution to the NEFF this financial year, and this be recognised as unbudgeted expenditure. (from Ute savings and Masonic Lodge savings)
2. That Council include an annual \$5,000 contribution to NEFF in its budgets for the next 3 financial years .

Carried 6/0

7046.11 LOCAL GOVERNMENT OFFICIAL CONDUCT BILL 2005

APPLICANT:	DEPARTMENT OF LOCAL GOVERNMENT
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	DOMENICA ORLANDO – DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	12TH APRIL 2007
ATTACHMENTS	CIRCULAR 01-2007

Executive Summary:

The Local Government Official Conduct Bill 2005 progressed unamended in the Legislative Council. The bill introduces disciplinary framework to deal with individual misconduct by elected members.

The Act will establish a statewide standards panel to deal with complaints about minor breaches of a new code(rules) and give the State Administrative Tribunal (SAT) powers to review the conduct of elected members where the Act or regulations have been breached.

Applicants Submission:

The Minister for Local Government will be consulting with local governments on the development of the proposed new rules of conduct.

It is envisaged that the new legislation and associated regulations will be in place for the next ordinary election in October this year.

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:

Financial Implications: Nil

Strategic Implications: Nil

Consultation: Nil

Comment:

The Department will be forwarding information to all local governments regarding the process for the introduction of this legislation and details of information sessions to be conducted.

Voting Requirements: Simple Majority

Officers Recommendation:

Council notes the changes to the Local Govt Official Conduct Bill 2005.

Noted by Council

7046.12 WALGA AGM

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	DOMENICA ORLANDO – DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	12TH APRIL 2007
ATTACHMENTS	Notice of AGM

Executive Summary:

The WALGA AGM will be held at Local Government Week on Sunday 5th August 2007 at the Burswood Convention Centre.

Applicants Submission:

Two voting delegates representing Council are required for the AGM.

Council may wish to consider issues it would like to be considered at the AGM.

Background:

The 2007 Local Government Convention is the premier event for Elected Members and Officers within Local Government. The Association's Annual General Meeting, as an integral part of this event, is a critical forum for mobilising the views of Western Australian Councils, confronting emerging issues and developing directions forward for our sphere of 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:

AGM resolutions will be pursued by WALGA in the coming year.

Financial Implications: Nil

Strategic Implications: Nil

Consultation: Nil

Comment:

The closing date for submissions of motions is Friday 15th June 2007.

Any Motions proposing alterations or amendments to the Association's Constitution must be received by 6th June to satisfy the 60 day notice requirements.

Voting Requirements: Simple Majority

Officers Recommendation:

- That Council nominate two voting delegates to represent Council at the WALGA AGM
- That any Councillors wishing to attend advise the CEO
- That Council determine whether it wishes to submit any motions

Council Resolution

Moved: Cr Butler

Seconded: Cr Bendsdorp

That Council nominate Cr Baxter and Cr West as voting delegates to represent Council at the WALGA AGM.

Carried 6/0

Council Resolution

Moved: Cr Bendsdorp

Seconded: Cr West

That a motion in regards to the Ambulance Service being funded through the ESL Grant be brought up.

Carried 6/0

7046.13 WA ASSET MANAGEMENT IMPROVEMENT PROGRAM**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** INFOPAGE & Expression of Interest**Executive Summary:**

WALGA is seeking expressions of interest for participation in the WA Asset Management Improvement (WAAMI) Program at a cost of \$14,900 plus GST..

Applicants Submission:

WAAMI is a structured asset management programme that develops the capacity of Local government to determine their asset renewal funding gap through the auditing, planning and management of infrastructure assets.

Background:

WAMMI is a partnership between LGMA, DLGRD and the Institute of Public Works Engineering Australia (IPWEA), in alliance with the CT Management Group. It consists of 4 visits over a 2 year period.

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 cost of the program may be paid up front by instalments prior to each visit. The cost could be spread over the 07/08 and 08/09 financial years.

Strategic Implications:

Council is considering significant investment in infrastructure over the next 2 years and participating in a best practice asset management program would be appropriate.

Consultation: Nil

Comment:

WALGA is seeking State Government funding support in 07/08 for this program.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council express interest in participation in WAAMI and notionally allocate funds in the next two financial years to meet the cost.

Council Resolution

Moved: Cr West

Seconded: Cr Bensdorp

That Council express interest in participation in WAAMI and notionally allocate funds in the next two financial years to meet the cost.

Carried 4/2

7046.14 CONFLICTS OF INTEREST

APPLICANT:	CORRUPTION & CRIME COMMISSION
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	DOMENICA ORLANDO – DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	12TH APRIL 2007
ATTACHMENTS	PHAMPLET

Executive Summary:

The Corruption & Crime Commission is launching a statewide education strategy in March 2007 entitled “Dealing with Conflicts of Interest - A Practical Guide for the Western Australian Public Sector”

Applicants Submission:

Free workshops are being held in Geraldton on Wednesday 2nd May 2007 at 8.30-10.30am and 2.00pm – 4.00pm.

Background:

The aim of the workshop is to provide public officers with the skills to identify, disclose and manage potential conflicts of interests between their public duty and personal lives.

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:

Financial Implications: Nil

Strategic Implications: Nil

Consultation: Nil

Comment:

The workshop would be of benefit to Councillors needing clarification on issues in relation to conflict of interests.

Voting Requirements: Simple Majority

Officers Recommendation:

- Councillors interested in attending the “Dealing with Conflicts of Interest” workshop in Geraldton register their interest with the DCEO as soon as possible.

Noted by Council

7046.15 MALLEE FOWL BROCHURE

APPLICANT:	NORTH CENTRAL MALLEE FOWL PRESERVATION GROUP
FILE:	0
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	DOMENICA ORLANDO - DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	13TH APRIL 2007
ATTACHMENTS	CORRESPONDENCE

Executive Summary:

The North Central Mallee Fowl Preservation Group have advised that printing of brochures has been completed and once the display board has been erected in Perenjori the balance of the brochures will be forwarded to display.

The Group has also invited any Councillors interested to a National Malleefowl Conference in Katanning from the 8th – 11th September 2007.

Background:

The North Central Mallee Fowl Preservation Group approached Council in August last year requesting financial assistance to print brochures.

The North Central Mallee Fowl Preservation Group were donated \$1000 towards the cost of 3000 brochures that would be distributed via the interpretive sign previously agreed by the Shire. The brochure includes the Shire of Perenjori Logo.

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 brochures were allocated against Area Promotion Expenses (Account 13200)

Strategic Implications:

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

Consultation:

The Shire of Dalwallinu also contributed to the brochures and signage

Comment: Nil

Voting Requirements: Simple Majority

Officers Recommendation:

For Council information

Noted by Council

7046.16 RATING OF ABORIGINAL LAND / RATING OF CHARITABLE ORGANISATIONS

APPLICANT:	SHIRE OF PERENJORI
AUTHOR:	DOMENICA ORLANDO - DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	12 APRIL 2007
ATTACHMENTS	WALGA INFO PAGE

Executive Summary:

The State Administrative Tribunal has determined that a private business, whose directors are local aboriginal people, is deemed a Charitable Organisation, hence not liable for local government rates on a pastoral station lease.

Applicants Submission:

The Shire of Derby/ West Kimberley (the Local Authority concerned) is appealing the decision in the Supreme Court. Appeals costs are likely to be between \$40000 and \$60000. The matter potentially has State-wide implications.

Background:

The State Administrative Tribunal has made a determination to uphold a claim for exemption from rates levied by the Shire of Derby/West Kimberley on a pastoral lease in the far North West of the State. The exemption was sought on the basis that the land was being used only for charitable purposes.

The Council on the other hand deemed the property to be rateable as the land is run as a pastoral station and believed that this was not a charitable purpose.

The Tribunals decision was based on the view that the pastoral enterprise is charitable because it serves the social, economic and "traditional" advancement of a clearly disadvantaged group.

The decision may seriously impact on the rates income of some local authorities.

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. S 5.56 requires Local Governments to plan for the future.

Policy Implications: Nil

Financial Implications: Nil

Comment:

The Shire does have an area of 193,220 hectares of pastoral land currently owned by Calm and three other separate entities.

Voting Requirements: Simple Majority

Officers Recommendation:

That Council note this matter and determine whether it wishes to contribute to the legal appeal costs.

Noted by Council

7046.17 LIEBE GROUP DONATION

APPLICANT:	LIEBE GROUP
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	DOMENICA ORLANDO - DCEO
RESPONSIBLE OFFICER	DOMENICA ORLANDO - DCEO
REPORT DATE:	13 APRIL 2007
ATTACHMENTS	CORRESPONDENCE

Executive Summary:

The Liebe Group are requesting a \$2000 contribution towards the operation of the group

For the 2007/08 financial year.

Applicants Submission:

The Group services the Shires of Dalwallinu, Perenjori and Coorow and employees five staff.

Background:

Council has previously contributed \$2000 for the last few years to the group.

The Group does receive substantial membership contributions, sponsorship and grants from other sources.

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.

Financial Implications: 2007/08 budget allocation

Strategic Implications: Nil

Consultation:

Dalwallinu Shire contributes. Coorow Shire does not.

Voting Requirements:

Simple Majority

Officers Recommendation:

Council consider the request from the Liebe Group to contribute in the 2007/08 financial year.

Council Resolution

Moved: Cr Benton

Seconded: Cr West

That Council cease membership of the Liebe Group.

Carried 5/1

7047 OTHER BUSINESS

**7047.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL
 CHAMBERS**

Shane Hill MLA – Road Safety Forum

WALGA – State Council Agenda

WALGA – Info Pages – Changes to the Library Board of WA Act 1951, The Builders Registration Act 1939 – Increase in the Limit for Unregistered Building

WALGA LG News – Issue 11.07, 10.07, 12.07, 14.07, 13.07

Liebe Group Newsletter

Morawa District High School Newsletters

ICCWA Newsletter

WALGA Economic Briefing

Dept of Local Govt & Regional Dev – Queens Birthday Holidays Request for Alternative Dates

Walk WA

North Midlands Sub Regional Road Group – Minutes of Meeting

SSS Taskforce Bulletin

McLeods Barristers & Solicitors – Newsletters

Dept for Community Development – Call Out Procedures

Dept of Education & Training – Career Development Newsletter

WALGA – Summary of Current Vacancies

Family Bulletin

Road Safety Council – Road Safety Network

Hon John Kobelke – A Blue Print for Water Reform in WA: Final Advice to The WA Govt and Govt Response

Preventing Crime

WALGA – Chairmanship WA Local Govt Grants Commission

Office of Crime Prevention – Australian Crime and Violence Prevention Awards 2007

Dept of Housing and Works – Building Standards in WA

Q3 BCA Quarterly

Scope

CAN WA – Cultural Planning

Reconciliation News

WALGA – Wheatbelt Drainage Governance

Max Trenorden – Lotterywest Outlet

Minister for LG – Cabinet Reshuffle

Municipal Waste Advisory Council – Information Bulletin
 WALGA – Info Page – Captivate Local Govt Participation for all
 FESA – Discovering the Leader in You
 Talking Native Title
 Application for Mining Tenement – Sinosteel
 Inside Waste

7047.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

7047.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

7037.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

7037.4.1 MOWER FOR LATHAM GOLF COURSE

APPLICANT:	LATHAM GOLF CLUB
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO
RESPONSIBLE OFFICER	STAN SCOTT – CEO
REPORT DATE:	17 APRIL 2007
ATTACHMENTS	Letter from Latham Golf Club (12 March 2007) CEO's Response (email 19 March 2007) Letter from Latham Golf Club (Dated 26 March, received 16 April 2007)

Executive Summary:

Latham Golf Club has expressed concern that the present gang mower is in adequate and even if repaired would not be sufficiently reliable.

Applicants Submission:

Latham Golf Club has requested that Council revisit the issue of funding and purchase of a new mower for the Latham Golf Course as a matter of urgency.

Background:

In its 2005/2006 budget \$25,000 was allocated for the purchase of a "finishing mower" for the Latham Golf Course. The intention was to purchase a second hand mower, but the Works Supervisor was unable to locate a mower within the budget

allocation. The allocation for a mower for the Latham Golf Course was not carried forward to the present year's budget.

The mower presently used by the Perenjori Golf Club was purchased with equal contributions from the Shire and the golf club

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 previous \$25,000 allocation was inadequate for a replacement mower, so if Council was to purchase a new mower \$35 – 40,000 would be more realistic. One possibility would be to reinstate the \$25,000 allocation, with any additional cost to be met by the Latham Golf Club.

Strategic Implications:

Recreation assets in Latham are very important to the Latham community.

Consultation:

The CEO sought the advice of the Works Supervisor and the Mechanic, and was advised that the existing gang array with proper maintenance would be serviceable in the short term.

The gang mower is a series of reels and produces a very good finish if the vegetation is not too long.

Comment:

As can be seen in the original response, the two short term options without substantial capital outlay are:

- Repair the existing gang mower. While the mechanic has formed the view that these can be repaired to fulfil the requirement, this is not a long term solution;
- Share the mower based at the Perenjori Golf Course between the two locations. This could for example be week about.

Neither solution would be ideal.

Council could allocate funds for 2007/2008 but with the timing issues this would not have effect until part way through the season at the earliest. The process could be expedited by inviting quotes before the end of the financial year, but not committing to the purchase until the budget is adopted.

The situation with the mower at the Latham Golf Course highlights a problem that exists with a range of community and recreation assets. Ownership, maintenance and replacement responsibility are a combination of individual recollection and handshake agreements. It is probably timely for an 'audit' of devolved equipment and assets and for these items to be included in our plant replacement program.

As mentioned previously recreation assets are highly valued in the community. Golf, bowling and tennis in particular form the core of many community activities, and the Shire of Perenjori boasts formidable teams in both Perenjori and Latham. Council, with the support of the State government has made a significant commitment to community based activities this year. It could be argued that providing support to the

needs of sporting clubs is more important in those years when the community's capacity is diminished.

Voting Requirements:

Absolute Majority would be required for unbudgeted expenditure this year.

Officers Recommendation:

That Council provide guidance to the CEO to resolve the issues raised by the Latham Golf Club.

Council Resolution

Moved: Cr West

Seconded: Cr Butler

That Council purchase a replacement mower (\$22,000 delivered) for the Latham Golf Club for payment in the 2007/08 budget year.

Carried 6/0

7037.4.2 CEO PERFORMANCE REVIEW

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	CEO
AUTHOR:	STAN SCOTT – CEO
RESPONSIBLE OFFICER	STAN SCOTT – CEO
REPORT DATE:	16 APRIL 2007
ATTACHMENTS	1. Extract from CEO Contract 2. Performance Criteria

Executive Summary:

Council is required by the Act and the CEO's Employment Contract to review the CEO's performance annually.

Applicants Submission:

The default process for the review is set out in Section 4 of the Contract (see Extract attached). The CEO and Council can agree to an alternative process, but in the absence of such an agreement the default process is used.

Features of the process are:

- Appointment of a reviewing person to act on behalf of Council. This may be a Councillor, a consultant such as Mike Fitz Gerald, or another person.
- The CEO conducts a self assessment.
- The CEO and the Reviewing Person meet to discuss the review and provide feedback
- The CEO and Reviewing Person prepare a report for Council

Section 6 of the Agreement makes provision for an annual salary review.

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.

Policy Implications: Nil

Financial Implications:

Council will need to make provision for any increase in salary

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
- If Council elects to appoint a consultant, a special meeting may be needed.

Comment:

The process set out in the contract is the default process if no alternative process is agreed between the parties.

It is suggested that the reviewing person also be given some authority by Council to negotiate and make a recommendation on salary review. The previous salary review process was not particularly useful for building the relationship between Council and the CEO. Negotiation by its nature requires some discussion with an agreed outcome.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Council review the CEO's performance at the May Ordinary Meeting.
2. That Council appoint a Reviewing Person to conduct the CEO performance review (this may be an Elected Member or a Consultant.)
3. That Council determine the method for providing input to the Reviewing Person.
4. That Council authorise the Reviewing Person to negotiate and make a recommendation on the CEO's salary review for the June Ordinary Meeting.

Council Resolution

Moved: Cr West

Seconded: Cr Benton

1. **That Council review the CEO's performance at the May Ordinary Meeting.**

Carried 6/0

7047.4 DATE OF NEXT MEETING / MEETINGS

The next ordinary meeting of Council to be held on Thursday 17th May 2007.

7047.5 CLOSURE

There being no further business the meeting closed at 12.47pm

I certify that this copy of the Minutes is a true and correct record of the meeting held on 19th April 2007.

Signed: _____

Presiding Elected Member

Date: _____