Shire of Perenjori
MINUTES
Ordinary Council Meeting
To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 16th October 2008, to commence at 1.30PM.

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8101 PRELIMINARIES

8101.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
The Chairman opened the meeting at 1.30pm.

8101.2 OPENING PRAYER
Cr Baxter led Council in the opening prayer.

8101.3 DISCLAIMER READING
Nil

8101.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE
Present: Cr B T Baxter  
    C R King  
    Cr J A Bensdorp  
    Cr L C Butler  
    Cr J H Hirsch  
    Cr I F West  
    Cr J R Cunningham  
    Cr G K Reid  

DCEO Domenica Curtin  
Works Supervisor Ken Markham  
MCS Garry Agnew  
Minute Taker Leah Leopold  

Visitors Jo Wood  
    Dene Solomon  
    Gary Mason  

Apologies Cr R A Benton  
CEO Stan Scott

8101.5 PUBLIC QUESTION TIME
Cr Baxter welcomed and invited Gary Mason and Dene Solomon to address Council on the replacement of the Perenjori Swimming Pool.

Dene Solomon explained to Council that a petition was formed by Mark Gledhill and Les Hepworth due to the concern from the community on the location of the proposed new swimming pool. The petition was placed at various locations in the shire accompanied by a map showing the Council endorsed site and the alternatively proposed site endorsed by signing the petition. Mr Solomon advised that about 50 signatures are on the petition which he thought was a pretty strong indication that the community want to pursue with the alternative location. Before the petition was created Council was asked to reconsider the location to the alternative
site but was not accepted and that is why the petition was created to show how strong the community feels about keeping all the sporting facilities together.

Gary Mason expressed that his main concern was the financial impact on the Shire by replacing the new swimming pool and advised Council of new technology that could be utilised to restore the existing swimming pool.

Cr Baxter advised the meeting that the estimated cost of replacing the pool is $2.4 million with approximately $1.6 million being funded by the Shire.

Garry Agnew, Manager of Community Services emphasised that the new pool has to be built in accordance with the Code of Practice Standards. The existing pool does not conform. In 2003 a consultation was carried out and reported to council highlighting there recommendation that the pool could not be upgraded. This was concluded by core samples taken from the pool shell. Council has been aware that the pool would require replacing and has been setting aside funds in the reserves for this purpose but had not accounted to be so soon. The bowl has been cracking due to tree roots growing through the expansion joints. In April 2008 an audit was undertaken by the Royal Life Saving Society reporting the pool was in a bad condition and the pool would have to close in the very near future. It was advertised to the Perenjori Community about 12 months ago for members to form a committee to decide on the best form of action to keep a swimming pool located in the Shire of Perenjori. The committee has looked at the existing location and various alternative locations for the new pool.

Site 1 adjacent to the swimming pool
  - site is not large enough, would have to encroach on the existing pool.
  - there are septic tanks, power lines, water pipe and the existing pools back wash is located in this site, this would mean closure of the existing pools for at least 12 months.
  - Parking problems

The closure in the pool would expose the Shire to a high risk of losing all swimming lessons including VacSwim and Interm as once these services have been relocated it is not likely to receive the services back. The Department of Sports and Recreation may view that that community can commute to other towns and utilise their facilities as having coped without the services for 12 months.

Site 2 Extension to the Perenjori Recreation Centre
  - Removal of the road way
  - Site level, require extensive earthworks
  - Requirements of safety and security, could not share change rooms or toilets when pool is open
  - Septic tanks, Power located on site

Site 3 Pavillion Car Park
  - Area to small
Site 4 Between Hockey Oval and Oval entrance
- Site is clean and level (less site preparation = less cost)
- In the recreation reserve, adjacent to the pavilion and parking
- Location highly visible as runs parallel to highway making it favourable for possible funding bodies for advertisement
- Close to town, being the majority of users

The Committee reported to Council in April 2008 the above information on all sites and it was resolved that the Committee’s preferred location be endorsed by Council.

In conclusion, the existing Swimming Pool is beyond repair and the Department of Sport and Recreation funding application has to be in on the 31st October 2008 or we will have to wait 12 months longer leaving a higher chance of closure to the pool.

95% of the funding application has been completed.

As stated earlier closure of the pool would greatly diminish the success of the funding application.

The decision has not been made lightly, a lot of time and consideration has been taken. The site adjacent to the pool (shown in the petition) was Council’s main preferred site at the start but too many major factors went against it.

Mr Solomon responded that many of the advantages that apply to site 4 also apply to site 1.

The MCS, Garry Agnew explained that a full season would be lost even if the planning and construction went to plan if site 1 was proceeded with.

Cr King was pleased that the community want to be involved in the swimming pool project and emphasised that the opportunity has been available to the community to be fully involved from the start and it is a shame it has been left to the last minute. He suggested a public meeting be held this month to gauge the community’s feelings on the Council selected site and if strongly opposed the application be cancelled for this round of funding.

Cr Baxter suggested the community maybe interested in helping by way of labour etc. There are a lot of good ideas that come from the community and Council would love to hear them on this issue.

Cr West feels that the biggest factor in the swimming pool replacement is the cost not the site location.

Cr Reid advised that time is of the essence as costing of construction may increase the longer the pool is delayed.

Cr King stated that in 2003 the cost of replacing the pool was approximately $800,000.

Cr Baxter thanked Dene Solomon and Gary Mason for attending the meeting.

_Dene Solomon and Gary Mason left the meeting at 2.00pm_
8101.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

8101.7 NOTATIONS OF INTEREST

Financial Interest – Local Government Act s 5.60A
Cr King Item 8104.1 Town Planning Scheme Review – Owner of land adjacent to town

Proximity Interest – Local Government Act s 5.60B
Cr King Item 8104.1 Town Planning Scheme Review – Owner of land adjacent to town
Cr King Item 8106.2 Telecommunications Facilities – Owner of land

Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

8101.8 APPLICATIONS FOR LEAVE OF ABSENCE

Moved: C R King
Seconded: Cr L C Butler

That Council approve a leave of absence for Cr R A Benton for the current and November meeting.

CARRIED: 8/0

8101.9 CONFIRMATION OF MINUTES

Minutes of Ordinary meeting of Council held 18th September 2008 are attached.

Moved: C R King
Seconded: Cr J R Cunningham

That the Minutes of the Ordinary meeting of Council held 18th September 2008 be accepted as a true and correct record.

CARRIED: 8/0

8101.10 ANOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Nil

8101.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS

Nil
8102 ECONOMIC DEVELOPMENT REPORT

8102.1 HOUSING PROJECT

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 9 October 2008
ATTACHMENTS Nil

Executive Summary:
The CEO and EDO met with Westaus Group in Perth on 26 September 2008 to develop arrangements for the provision of housing as a result of the EOI Process. A draft proposal is attached.

Applicants Submission:
The following proposal has been presented to Westaus as the basis for an agreement:

Flat Packed Housing
The Shire of Perenjori will use its best endeavours to license the Shire of Perenjori UWA flat packed housing concept to the Westaus Group. The parties understand that this will require the endorsement of UWA and may take some time to resolve.

Construction of Mining Housing
The Shire of Perenjori will supply 4 (four) serviced lots for the construction of dwellings. Westaus will supply 4 (four) executive dwellings in different designs and fund their construction so that they are in a state that is ready for occupancy. Westaus will be the Registered Builder for all 4 residences. The Shire of Perenjori will be responsible for landscaping. If Westaus is in the position to supply fencing materials, the Shire of Perenjori will install the fencing.

On completion of the work ownership of the residences will be as follows:
- The Shire of Perenjori will retain ownership of one residence;
- The remaining 3 residences will be owned by the Westaus Group;

The Shire of Perenjori will lease the 3 residences from Westaus for 15 years at an annual lease of $15,600 per annum ($300 per week) per property. The Shire of Perenjori will lease all 4 residences to Gindalbie metals at an annual lease of $20,800 per property. During the term of the lease the Shire of Perenjori will be responsible for all maintenance and management of the properties, with the exception of faults within the scope of statutory building warranties.

At the conclusion of the lease period Westaus Group will allow the Shire of Perenjori the option to purchase the residences at the conclusion of the lease at a value assessed by a licensed valuer agreeable to both parties.
If Westaus chooses to dispose of the properties before the completion of the lease period the Shire of Perenjori shall be entitled to have 4 weeks to match any bona fide offer to purchase prior to Westaus selling the properties to a third party.

**Single Persons’ Quarters**

Westaus Group has within its product range flat packed single persons’ quarters. Westaus would like to showcase this concept and the Shire of Perenjori needs more overnight accommodation at its caravan park.

The Westaus Group will, at its expense, deliver, erect and prepare for occupancy one group of four sleeping units at the Perenjori Caravan Park, including the installation of a veranda at the front of the units. The Shire of Perenjori will arrange connection of the building to water, power and septic disposal, and provide furniture, linen and small appliances as required. The Westaus Group will supply and erect a sign promoting the concept.

The Shire of Perenjori will rent the units as short term accommodation for visitors. The shire of Perenjori will pay to the Westaus Group $35,770 (GST exclusive) per annum for use of the units (based on $35 per night x 4 units x 365 nights x 70% occupancy). After 3 years ownership of the units will revert to the Shire of Perenjori.

**Promotion and Referral**

The Shire of Perenjori understands that the Westaus Group’s key target market is the supply of housing and accommodation to rural and remote locations including but not limited to the mining industry. The Shire of Perenjori will refer potential clients to the Westaus Group. In the event that any such referral results in business for the Westaus Group, the Westaus Group will pay a referral fee to the Shire of Perenjori. The Westaus Group understands that the Shire will disclose the referral fee to the potential client at the time of referral.

Licensing fees for the Perenjori UWA flat packed housing concept will be the subject of a separate tripartite agreement.

**Statutory Compliance**

The Shire of Perenjori is responsible for enforcement of statutory planning and building controls for residential development. The Westaus Group understands that the Shire of Perenjori is required to meet the same requirements as any other project proponent, and will assist in the preparation of applications for Planning Consent and Building Licenses.

**Background:**

The Shire of Perenjori:
- Is developing at its own cost a new land subdivision.
- Has entered into a collaboration with the University of WA School of Architecture to develop innovative passive solar flat packed housing.
- Has negotiated with Gindalbie Metals for the lease of 4 residences at a rate to be determined but approximating $400 per week, for 15 years.
- Manages an existing portfolio of rental accommodation, primarily for staff.
- Is seeking to meet the mining housing demand without incurring unnecessary debt.

The Westaus Group:
- Is concentrating its efforts on the development of housing options for rural and remote Western Australia.
- Is interested in developing and marketing the Shire of Perenjori / UWA flat packed housing concept when it is market ready, including construction of the prototypes.
- Has established a relationship with a Chinese manufacturer of component housing.
Responded to an Expression of Interest process for the development of housing for the mining industry, and was assessed as the preferred provider. As no other expressions of interest were received a tendering process is not required.

- Has access to private finance to develop housing.

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.

As Westaus was the only expression of interest we are in a position to negotiate an satisfactory arrangement with them.

Policy Implications:

Nil

Financial Implications:

In effect we will be swapping 3 residential lots for a house. We will also be managing the rental of three properties on Westaus behalf. It allows us to meet the demand for Gindalbie housing without substantial cost.

Westaus will also supply a flat packed building which will house 4 sleeping units at the caravan park in exchange for a portion of the rental income. The proposed return is quite conservative given the occupancy levels we are experiencing at the caravan park.

Strategic Implications:

This project will allow us to commence building on the new subdivision almost immediately the lots are available which is important in generating additional activity.

Consultation:

The CEO has now met the Westaus principals on 3 occasions.

Comment:

The proposed arrangements will deliver additional residences without further debt obligation for Council. The UWA houses can still be advanced at the appropriate time, but we are no longer restricted by delays in the project.

Westaus will also be able to work with the Shire to offer house and land packages at the new subdivision.

There is little point in Council signing off on the draft agreement as there is still a lot of detail to be finalised. Council can however note the progress.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council notes the progress on the housing development.

Council Resolution

Moved: Cr J R Cunningham Seconded: Cr J H Hirsch
That Council notes the progress on the housing development.

CARRIED: 8/0
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 2008 including report on variances be accepted as presented.

2. Finance Report
That the Finance Report for the period ended 30th September 2008 be accepted as presented.
3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 30th September 2008 with a balance of $160764.25 as presented be received.

4. Reserves Report
That the Reserves Report for the period ended 30th September 2008 with a balance of $1203948.00 as presented be received.

5. Net Current Assets
That the Net Current Assets report for the period ended 30th September 2008 as presented be received.

6. Bank Reconciliation’s
That the balances of the Municipal Fund of $654852.81 and the Trust Fund of $35888.31 as at 30th September 2008 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 30th September 2008 with a balance of $49728.41 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 30th September 2008 with a balance of $30119.14 as presented be received.

9. Accounts for Payment
That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 16635 to 16651 and EFT Numbers 575 to 625 for $368016.78 and the Trust Account consisting of Cheque Number 756 to 756 and EFT Numbers 577, 618 and 624 for $5558.55 for the period ended 30th September 2008 as presented be accepted.

Council Resolution
Moved: C R King Seconded: Cr I F West
That items 1-9 relating to the Statement of Financial activity for period ended 30th September 2008 be accepted as presented. CARRIED: 8/0
8104   HEALTH BUILDING & PLANNING

Cr C R King declared an interest in item 8104.1

Moved: Cr I F West    Seconded: Cr J H Hirsch
That Cr C R King be permitted to stay in the meeting and be allowed to vote.
CARRIED: 7/0

8104.1   TOWN PLANNING SCHEME REVIEW AND LOCAL PLANNING STRATEGY

APPLICANT:       MCS, PLANWEST
FILE:              508.02
DISCLOSURE OF INTEREST:  NIL
AUTHOR:          GARRY AGNEW - MCS
RESPONSIBLE OFFICER   GARRY AGNEW - MCS
REPORT DATE:      7 OCTOBER 2008
ATTACHMENTS      8104.1a

Executive Summary:
Council is asked to consider the adoption of its draft town planning scheme review documents – Scheme Review Report, Local Planning Strategy and Town Planning Scheme No.2 - see Attachment 8104.1a.

Comment:
Council is reminded of a meeting with its Planning Consultant Planwest on 23 September 2008 to go through the detail of the draft Town Planning Scheme Review documents to identify any errors, misleading statements and provide additional information sought by Paul Bashall of Planwest.

Cr. West, the CEO and MCS attended the meeting with Paul Bashall - Planwest.

Minor amendments (corrections and text improvements) were made to the draft Scheme Review Report and Local Planning strategy.

The major and possibly most contentious change was made to proposed zonings in the draft Town Planning Scheme No.2 – that being removal from the TPS No.2 maps of the “Rural Residential” zonings north and south of town as well as the R10 “Residential” zoning east of town.

Note: These proposed zonings remain in the draft Local Planning Strategy. Paul Bashall has had advice from the WAPC that inclusion of the above proposed zonings in the draft Town Planning Scheme Maps will trigger the Environmental Protection Authority to require an Environmental Assessment of each of these areas prior to giving its approval to
advertise. This additional requirement will significantly hinder approval and final adoption of TPS No.2 and Council will be accountable/responsible for all costs associated with carrying out the Environmental Assessments by the EPA.

It is important to accept that not having these proposed zonings included on the Scheme maps does not erase the opportunity for future subdivision as they are captured in the Local Planning Strategy. Application may still be made to develop these areas with the submission of a DA and the preparation of an Outline Development Plan (ODP). If the ODP is acceptable to Council then an amendment to the TPS NO.2 can be made to the WAPC but in this case the owner/developer will be accountable for the cost of carrying out the Environmental Assessment by the EPA; not Council.

Council is further advised that once approval to advertise is issued by the EPA and advertising is carried out Council is also able to make a submission/comment on the adopted draft Town Planning Scheme No.2.

**Statutory Environment:**
Planning and Development Act 2005
Shire of Perenjori Town Planning Scheme No.1
Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.

**Common Seal**
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 President and the CEO or a senior employee authorised by him or her.

**Policy Implications:**
Nil.

**Financial Implications:**
$35,000.00 has been budgeted for in 2008/09 for the Town Planning Scheme Review.

**Voting Requirements:** Simple Majority

**Officers Recommendation:**
The draft Shire of Perenjori Town Planning Scheme Review Report, Local Planning Strategy, Planning Scheme No.2 text and Scheme Maps as presented are adopted and the CEO and Shire President are authorised to sign the formal documents and placement of the Common Seal.

**Council Resolution**
Moved: Cr I F West Seconded: Cr G K Reid
The draft Shire of Perenjori Town Planning Scheme Review Report, Local Planning Strategy, Planning Scheme No.2 text and Scheme Maps as presented are adopted and the CEO and Shire President are authorised to sign the formal documents and placement of the Common Seal.

CARRIED: 8/0
Executive Summary:
Council is asked to consider proposed Town Planning Scheme No.2 Local Planning Policies (LPP).

Comment:
When considering determination on the adoption of the Shire of Perenjori Town Planning Scheme No.2 Council will notice reference to proposed local Planning Policies (LPP) under Clause 5 of the Scheme Review Report.

These Local Planning Policies have been prepared and will be adopted once the enabling Scheme (No.2) has been gazetted.

A Local Planning Policy is not part of the Scheme and does not bind Council in respect to any application for planning approval but the local government is to have regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

I have attached a copy of the proposed Policies for Council’s perusal – see Attachments 8104.2a

Statutory Environment:
Proposed Shire of Perenjori Town Planning Scheme No.2
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
Voting Requirements: Simple Majority

Officers Recommendation:
Proposed Town Planning Scheme Policies 8104.1.2a/b/c/d/e/f/g/h are acknowledged.

Council Resolution
Moved: C R King        Seconded: Cr I F West
Proposed Town Planning Scheme Policies 8104.1.2a/b/c/d/e/f/g/h are acknowledged.
CARRIED: 8/0
1. APPLICATION FOR CSRFF FUNDING – NEW PERENJORI PUBLIC SWIMMING POOL

Council is informed that preparation of the Application for Community Sport and Recreational Facility Funding (CSRFF) to the Department of Sport & Recreation for contribution to develop the new Perenjori Swimming Pool has been time consuming, notwithstanding the CSRFF Application is now generally complete – see Attachment.

The concern at present is whether the preparation and receipt of a schematic sketch and perspective of the proposed new Perenjori Swimming Pool will be available in time – CSRFF applications must be submitted to the Department of Sport and Recreation by [4pm on the last day of October]. Late applications will not be accepted in any circumstance.

An acceptable adopted plan is an essential component of CSRFF application for funding through the Department of Sport and Recreation.

Officers Recommendation
The CSRFF Application as attached is endorsed.

Council Resolution

Moved: C R King
Seconded: Cr J R Cunningham

The CSRFF Application as attached is endorsed subject to satisfactory community consultation from the Community Pool meeting.

CARRIED: 8/0
2. 900 John Street Subdivision

Final payment has been made for the electrical installation at the John Street Subdivision and we are now only waiting for Western Power testing and sign-off. Once Western Power has signed off the subdivision can be presented to the WAPC for dealings and the issue of title.

3. Downer Street Subdivision

Council is referred to its September 2008 Minutes where it agreed that Lot 60 Downer Street is to be subdivided into 3 x approx 1000m² lots and 1 x approx 1856m² lot. Correspondence has been sent HTD Planners requesting that they proceed with subdivision of Lot 60 Downer Street as per the drawing attached.

4. Accreditation as Building Surveyor

Council is reminded that the Department of Housing and Works adopted amendments to provisions in Part XV of the Local Government (Miscellaneous Provisions) Act 1960 (the Act), along with associated regulations, those amendments have been proclaimed and became operative on the 1 July 2008.

The amendments relate to:
- Building Surveyor Qualifications;
- Delegation of Authority;
- Building Approval Certificates; and
- Revised Building Licence Application Fees.

In terms of Building Surveyor Qualifications: WA adopted the National Accreditation Framework for building surveyors over a transitional period of 5 years. Existing practitioners were required to apply to upgrade qualifications or pursue a pragmatic assessment of experience and knowledge for recognition according to the National Accreditation Framework.

Council is advised that the Manager Community Services has been awarded Certification as a Building Surveyor Level 2 by the Building Surveyors Qualification Committee. Certified Accreditation by the Building Surveyors Qualification Committee under the Local Government (Miscellaneous Provisions) Act 1960, and the Local Government (Building Surveyors) Regulations 2008 legitimises the MCS’s status as a Building Surveyor and which is portable.
PETITION – LOCATION OF PERENJORI SWIMMING POOL

APPLICANT: LES HEPWORTH & MARK GLEDHILL
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 8 OCTOBER 2008
ATTACHMENTS: PETITION

Executive Summary:
A petition has been lodged with the Shire requesting reconsideration of the proposed location for the new swimming pool.

Applicants Submission:
The petition is framed as follows:

We the undersigned support the new pool being constructed in the same vicinity as its current location. This is within the prescribed area of the Mullewa-Wubin Road, tennis courts and the pavilion.

Background:
The pool location determined by Council based on recommendations from the swimming pool committee is between the hockey field and the main entrance to the Perenjori show grounds.

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 Shire of Perenjori Local Law Standing Orders places the following requirements on petitions:

A petition, in order to be effective, is to -

(a) be addressed to the [insert ‘Mayor’ or ‘President’];
(b) be made by electors of the district;
(c) state the request on each page of the petition;
(d) contain the names, addresses and signatures of the electors making the request, and the date each elector signed;
(e) contain a summary of the reasons for the request;
(f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;
(g) be in the form prescribed by the Act and Local Government (Constitution) Regulations 1996 if it is -

(i) a proposal to change the method of filling the office of [insert ‘Mayor’ or ‘President’];

(ii) a proposal to create a new district or the boundaries of the Local Government;

(iii) a request for a poll on a recommended amalgamation;

(iv) a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.

While it could be argued that is not an ‘effective petition’ under the Local Law this would serve no purpose.

Policy Implications:  Nil

Financial Implications:

The alternative site specified in the petition would significantly increase the cost of the pool project (already estimated at in excess of $2M.

Strategic Implications:

It would be almost certain that to construct the pool in the alternative location would require closure of the existing pool during construction.

Consultation:

Council advertised for community members to participate in the swimming pool committee and held a public meeting to seek feedback on the committee’s recommendations.

Comment:

In preparing its recommendations the committee considered a number alternative locations. The alternative site proposed in the petition was the first site considered by the pool committee but was rejected due to the multiple barriers to construction at that location.

A comparison of the relative merits of the two sites is set out in the table below:

<table>
<thead>
<tr>
<th>Feature</th>
<th>Agreed Site</th>
<th>Alternative Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distance to Sports Club</td>
<td>200 m</td>
<td>20 m</td>
</tr>
<tr>
<td>Distance to Tennis Courts</td>
<td>180 m</td>
<td>Adjacent</td>
</tr>
<tr>
<td>Distance to Pavilion</td>
<td>20m</td>
<td>100m</td>
</tr>
<tr>
<td>Distance to Bowling Green</td>
<td>210 m</td>
<td>30 m (too close)</td>
</tr>
<tr>
<td>Distance from town</td>
<td>200 m</td>
<td>400 m</td>
</tr>
<tr>
<td>Other infrastructure affected</td>
<td>None</td>
<td>Underground cables</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Septic tank</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Play Ground</td>
</tr>
<tr>
<td>Topography</td>
<td>Level site</td>
<td>Sloping site</td>
</tr>
<tr>
<td>Existing pool</td>
<td>Can remain open during</td>
<td>Would need to be closed</td>
</tr>
</tbody>
</table>
While the alternative site is closer to the pavilion tennis courts and sports club, there are significant disadvantages to the proposed site, the most serious of these being the need to close the existing pool during construction. Council has had letters from bowling club members requesting that the pool not be located too close to the bowling green as the noise from the pool could affect the quiet contemplation required for lawn bowls.

The main concern expressed in the petition seems to relate to the need for sporting facilities to be closely grouped. This will allow family members participating in multiple activities to be very close by, and there is some attraction in that aim. This is however outweighed by the advantages of the swimming pool being closer to the townsite (the biggest group of customers is unaccompanied children either on foot or bicycle). The 200 metre walk to and from the Sports Club and Tennis Courts is not unreasonable.

Having an uncomplicated Greenfield site provides more freedom to design the better facility rather than being unduly restricted by a less suitable site.

Finally, the funding application for the Community Sports and Recreation Facilities Fund closes on 31 October 2008 and any delays in committing to a location has the potential to delay the application for another year. Incidentally we have had 3 visits from representatives from the Department of Sport and Recreation (the funding body) and they consider the agreed site is the most suitable.

Involvement and interest by the community is a positive thing and should be encouraged. It is proposed that we hold an additional public meeting to explain the process for determining the best site, and that each of the petitioners be individually invited to attend.

Voting Requirements:
Simple majority

 Officers Recommendation:

1. That Council hold an additional public meeting to showcase the site selection process, the alternatives considered and the reason for the selection of the swimming pool site;

2. That each of the petitioners, including the people promoting the petition, be individually invited to attend.

Council Resolution

Moved: Cr J R Cunningham  Seconded: Cr J H Hirsch

That a public meeting be held on the 28th October 2008 at 4pm.

CARRIED: 8/0

Ken Markham left the meeting at 2.30pm
Ken Markham re-entered the meeting at 2.23pm
PETITION

PERENJORI SWIMMING POOL

We the undersigned support the new pool being constructed within the same vicinity of its current location. This site is within the prescribed area of the Mullewa-Wubin Road, tennis courts and the pavilion.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>SIGNATURE</th>
</tr>
</thead>
</table>
Les Hepworth & Mark Gledhill
On behalf of concerned residents
PO Box 87
Perenjori
6620

Shire of Perenjori
September 30, 2008
PO Box 22
Perenjori
6620

RE: New Perenjori Swimming pool location

Dear Stan,

After discussions and with many residents in and around Perenjori we have decided the best method of confirming opinions for the Location of the new pool to remain in or near its current location was to establish support through a petition.

The attached petitions commenced on the 22nd September 2008 and where collected on the 30th September 2008. Residents have been asked to sign this if they support the pool in its current location in order to retain all sporting facilities in a central position.

The concept of having all sporting facilities together is the envy of other towns and we wish to keep it this way. If it is at all possible we request you please reconsider the location of the new pool and at least consider the communities views during this public consultation period.

Given the relative short time frame the petition was publicly displayed we feel overwhelming support is shown for this request with the fifty signatures gathered.

Regards

Les Hepworth / Mark Gledhill & Residents
8105   PLANT AND WORKS

Nil
Executive Summary:
The MWRC met on 1 October 2008 and appointed Ian Fitzgerald (CEO of Three Springs and Mingenew) as Acting CEO with support from Murray Brown.

Applicants Submission:
Regional Council Resolutions were as follows:

1. Council appoint Mr. Ian Fitzgerald as the MWRC Acting CEO under the following contractual conditions:
   a) Commencing immediately on the departure of the existing CEO to the 31st December 2008 at which time this arrangement will be reviewed;
   b) Term of appointment will also be based upon an on-going review of how the role impacts upon his duties with the Shires of Mingenew & Three Springs;
   c) No remuneration will be paid to Mr. Fitzgerald for the Acting CEO position. However, all disbursements associated to the position incurred by the Shires of Mingenew & Three Springs are to be reimbursed by the MWRC;
   d) All other conditions of appointment to be in accordance with those stipulated in correspondence from Mr. Fitzgerald accepting the role of Acting Chief Executive Officer.

2. Mr. Murray Brown be initially employed for up to three (3) days per week or as otherwise determined by the Acting CEO, under the following conditions:
   a) to assist the Acting CEO with MWRC compliance and to progress the portfolio’s assigned to the member Shire CEOs
   b) Hourly Rate of $65, which is inclusive of all on-costs associated with the position;
   c) Existing CEO’s vehicle be made available to Mr. Brown for business and commuter use only whilst assisting the MWRC Acting CEO, with all operational costs covered by Council;
   d) Existing Mobile phone made available to Mr. Brown, with all business calls covered by Council;
   e) There will be no leave accrual or other Award conditions associated with the contractual position, as this will be included in the hourly rate paid to Mr. Brown;
f) All Fringe benefits associated with the contract will be covered by Council.

3. The Acting CEO and Mr. Brown are to focus on the following areas as core tasks, unless otherwise determined by Council:
   a) MRWA – Integrated Service Agreement;
   b) Engineer & Technical Services Delivery Unit
   c) Integrated Strategic Waste Management Plan;
   d) Regional Refuse Collection Service;
   e) Infrastructure Study Mid West Regional Development
   f) Dozer Service;
   g) Legislative and corporate compliance requirements of the MWRC;
   h) ICT Standardisation Project
   i) Records Management
   j) Tourism Promotion within the region;
   k) Resource Sharing;
   l) Plant Procurement.

Background:
Mr Battilana has resigned and will complete his posting at the end of October 2008.

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 MWRC in the immediate future will be more reliant on member Councils driving the agenda.

Consultation:
A president’s forum was held on 25th September 2008.

Comment:
Mr Fitzgerald was the only CEO who indicated a willingness to act as CEO of the MWRC. Given the work to be dome by Murray Brown, it is not clear why he was not appointed as acting CEO.

Voting Requirements: Simple Majority
Officer Recommendation:
That Council notes the outcome of the MWRC Meeting.

Council Resolution

Moved: C R King  Seconded: Cr I F West
That Council notes the outcome of the MWRC Meeting.

CARRIED: 8/0
Cr C R King declared an interest in item 8106.2

Moved: Cr G K Reid  
Seconded: Cr J H Hirsch  
That Cr C R King be permitted to stay in the meeting and have a casting vote.  
CARRIED: 7/0

8106.2  TELECOMMUNICATIONS FACILITIES – ROAD CONSTRUCTION

APPLICANT: CENTRAL EARTHMOVING / FLETCHER COMMUNICATIONS
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 7 October 2008
ATTACHMENTS NIL

Executive Summary:

Fletcher Communications has requested permission on behalf of Central Earthmoving to mount a directional antennae and install a UHF repeater on the Shire’s mast in Chris King’s property east of Perenjori.

Applicants Submission:

Greg Fletcher from Fletcher Communications writes as follows:

As per our telephone conversation last week in regards to the use of the Shires mast south east of Perenjori.

Our client Central Earthmoving has asked Fletcher Communications to provide radio communications for safety and workforce co-ordination on their Mt Gibson haul road project.

To achieve this we would request permission from the shire to install a UHF CB radio repeater on the shires existing mast on Kings property. This equipment will include a 25 watt repeater, power supply unit and two directional antennas mounted as high as possible on the mast for the duration of the project. All antenna rigging will be carried out by properly qualified riggers and the radio equipment installed by Fletcher Communications. The repeater station license will be held by Central Earthmoving and a arrangement between the shire and Central Earthmoving for reasonable costs associated with the repeater, power usage etc.

It is envisaged at the end of the project the equipment will be removed from site.

Background:

The proposed new facility would improve the quality and reliability of communication between construction crews working on the road.

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

**Policy Implications:** Nil

**Financial Implications:** Nil

**Strategic Implications:** Nil

**Consultation:** Nil

**Comment:**
The proposed arrangement would be temporary and improve the efficiency of road construction. Even though the intent is to remove the infrastructure on completion of the project there is some possibility that the trucking contractor would seek to retain the facility to support trucking operations.

While the operating costs of the installed facility will be negligible, we could be setting a precedent for ongoing use of the tower. A nominal rental of say $100 per month would be appropriate.

**Voting Requirements:**
Simple Majority

**Officers Recommendation:**
That Council grant permission for Fletcher Communications to mount equipment on the Shire’s mast on Chris King’s property, subject to payment of $100 per month rental.

**Council Resolution**

Moved: Cr J H Hirsch  
Seconded: Cr J R Cunningham  
That Council grant permission for Fletcher Communications to mount equipment on the Shire’s mast on Chris King’s property, subject to payment of $100 per month rental.  
CARRIED: 8/0
278106.3 REVIEW OF LG GRANTS COMMISSION METHODOLOGY

APPLICANT: WA Local Government Grants Commission
FILE: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER STAN SCOTT – CEO
REPORT DATE: 8 October 2008
ATTACHMENTS Discussion Paper and Completed Questionaire

Executive Summary:
The WA Local Government Grants Commission is reviewing its methodology for calculating General Purpose Grants for Local Governments.

Applicants Submission:
The current methodology used by the WA Local Government Grants Commission (the Commission) for calculating General Purpose Grants has been in place since 1994, albeit with a number of modifications to the existing standards and disability factors.

Over the past four years as part of the Commission’s public hearing program, a total of 175 separate issues were identified by local governments as having a negative impact on their General Purpose Grants. The majority of these issues relate to the General Purpose Grants, not the Road Grants.

In March 2008 the Grants Commission decided that the current methodology should be reviewed with a view to simplification of, and greater transparency in the grants determination process. This review only applies to the General Purpose Grants methodology and not the Roads Grants which are calculated using the Asset Preservation Model.

Background:
The Commission is a statutory body established under the Local Government Grants Act 1978 and its function is to make recommendations to the State Minister for Local Government on the distribution of Commonwealth Financial Assistance Grants to local governments in Western Australia. The Financial Assistance Grants are made up of two components; the General Purpose Grants and the Road Grants.

In determining General Purpose Grants, the Commission is required to make its recommendations in accordance with the following National Principles:

1. Horizontal Equalisation
   General Purpose Grants will be allocated to local governing bodies, as far as practicable, on a full horizontal equalisation basis as defined by the Act. This is a basis that ensures that each local governing body in the State/Territory is able to function, by reasonable effort, at a standard not lower than the average standard of other local governing bodies in the State/Territory. It takes account of differences in the expenditure required by those local governing bodies in the performance of their functions and in the capacity of those local governing bodies to raise revenue.

2. Effort Neutrality
   An effort or policy neutral approach will be used in assessing the expenditure requirements and revenue-raising capacity of each local governing body. This
means as far as practicable, that policies of individual local governing bodies in terms of expenditure and revenue effort will not affect grant determination.

3. **Minimum Grant**

   The minimum General Purpose Grant allocation for a local governing body in a year will not be less than the amount to which the local governing body would be entitled if 30 per cent of the total amount of General Purpose Grants to which the State/Territory is entitled under section 9 of the Act in respect of the year were allocated among local governing bodies in the State/Territory on a per capita basis.

4. **Other Grant Support**

   Other relevant grant support provided to local governing bodies to meet any of the expenditure needs assessed should be taken into account using an inclusion approach.

5. **Aboriginal Peoples and Torres Strait Islanders**

   Financial assistance shall be allocated to councils in a way, which recognises the needs of Aboriginal peoples and Torres Strait Islanders within their boundaries.

6. **Council Amalgamation**

   Where two or more local governing bodies are amalgamated into a single body, the general purpose grant provided to the new body for each of the four years following amalgamation should be the total of the amounts that would have been provided to the former bodies in each of those years if they had remained separate entities. Note; the WALGGC applies a five, rather that four year limit.

Statutory Environment:


Policy Implications: Nil

Financial Implications:

The Shire of Perenjori General Purpose Grant for 2008/09 is $633,591.

Strategic Implications:

An equitable distribution of Financial Assistance Grants is critical to the financial future of the Shire.

Comment:

The Grants Commission visited Perenjori during is last round of hearings, and provided an explanation of its methodology. An indicator of the complexity of the grant distribution process is the need to employ a consultant to prepare a submission.

Voting Requirements: Simple Majority

Officers Recommendation:

That Council endorse the feedback in the completed questionnaire.

Council Resolution

Moved: Cr I F West    Seconded: Cr C R King

That Council endorse the feedback in the completed questionnaire.

CARRIED: 8/0
Executive Summary:
Council requested advice on whether to change the status of Perenjori Aerodrome from its current status as an “other aerodrome.”

Applicants Submission:
There are different categories of aerodrome defined by the Civil Aviation Safety Authority. These are from the highest to the lowest compliance requirement as follows:

- Certified Aerodromes – this includes major airports such as Perth, Jandakot and Broome. Certification is required for regular passenger transport (RPT) or frequent charter with more than 30 passengers.
- Registered Aerodrome – same physical standards as Certified aerodromes, but no RPT.
- Other aerodromes – no RPT or charter flights with more than 30 passengers.

Registered Aerodromes in WA
- Listed below are the registered aerodromes in WA.

<table>
<thead>
<tr>
<th>Registration Number</th>
<th>Aerodrome Name</th>
<th>Operator Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>R032</td>
<td>Balgo Hill</td>
<td>Wirrimanu Aboriginal Community</td>
</tr>
<tr>
<td>R143</td>
<td>Forrestania</td>
<td>Western Areas N/L</td>
</tr>
<tr>
<td>R127</td>
<td>Kalumburu</td>
<td>Kalumburu Mission</td>
</tr>
<tr>
<td>R138</td>
<td>Rottnest Island</td>
<td>Rottnest Island Authority</td>
</tr>
<tr>
<td>R093</td>
<td>Truscott - Mungalalu</td>
<td>ShoreAir Pty Ltd</td>
</tr>
<tr>
<td>R128</td>
<td>Wyndham</td>
<td>Shire of Wyndham East Kimberley</td>
</tr>
</tbody>
</table>

Of these only Wyndham is operated by a Local Government, the Shire of Wyndham East Kimberley, which also operates the certified aerodrome at Kununurra and could share expertise.
Certified Aerodromes operated by Local Governments

The table below lists the Certified Aerodromes operated by Local Governments in Western Australia:

<table>
<thead>
<tr>
<th>Cert. Number</th>
<th>Aerodrome Name</th>
<th>Operator Name</th>
<th>RPT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-6JL0</td>
<td>Albany</td>
<td>City of Albany</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6JL3</td>
<td>Busselton</td>
<td>Busselton Shire Council</td>
<td>No</td>
</tr>
<tr>
<td>1-6JLG</td>
<td>Carnarvon</td>
<td>Shire of Carnarvon</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GB0</td>
<td>Esperance</td>
<td>Esperance Shire Council</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GB3</td>
<td>Fitzroy Crossing</td>
<td>Shire of Derby West Kimberley</td>
<td>Yes</td>
</tr>
<tr>
<td>1-4M7HA</td>
<td>Geraldton</td>
<td>City of Geraldton-Greenough</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GB9</td>
<td>Halls Creek</td>
<td>Shire of Halls Creek</td>
<td>Yes</td>
</tr>
<tr>
<td>1-Y6MC</td>
<td>Kalbarri</td>
<td>Shire of Northampton</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GBD</td>
<td>Kalgoorlie-Boulder</td>
<td>City of Kalgoorlie-Boulder</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GBG</td>
<td>Karratha</td>
<td>Shire of Roebourne</td>
<td>Yes</td>
</tr>
<tr>
<td>C014</td>
<td>Kununurra</td>
<td>Shire of Wyndham East Kimberley</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GBM</td>
<td>Laverton</td>
<td>Laverton Shire Council</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GBQ</td>
<td>Leonora</td>
<td>Shire of Leonora</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GBV</td>
<td>Meekatharra</td>
<td>Shire of Meekatharra</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GBY</td>
<td>Mount Magnet</td>
<td>Mount Magnet Shire Council</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GC1</td>
<td>Newman</td>
<td>Shire of East Pilbara</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GC4</td>
<td>Onslow</td>
<td>Shire of Ashburton</td>
<td>No</td>
</tr>
<tr>
<td>1-VOXO</td>
<td>Port Hedland</td>
<td>Town of Port Hedland</td>
<td>Yes</td>
</tr>
<tr>
<td>C009</td>
<td>Ravensthorpe</td>
<td>Shire of Ravensthorpe</td>
<td>Yes</td>
</tr>
<tr>
<td>1-6GCQ</td>
<td>Wiluna</td>
<td>Wiluna Shire Council</td>
<td>Yes</td>
</tr>
</tbody>
</table>

As can be seen from the table the only certified aerodromes operated by Local Governments without RPT flights are Busselton and Onslow. It would be fair to assume that these aerodromes support charter operations.

There are a further 12 Certified Aerodromes which support mining operations (and in some cases RPT as well). There are a further 6 Certified Aerodromes operated privately (Broome, Christmas Island, Cocos Island, Jandakot, Monkey Mia and Perth).

There would be no justification for the Shire of Perenjori to operate a certified aerodrome.
Requirements for Aerodrome Categories

The table below sets out the requirements for each category.

### Aerodrome categories under CASR Part 139

<table>
<thead>
<tr>
<th></th>
<th>Certified Aerodromes</th>
<th>Registered Aerodromes</th>
<th>Other Aerodromes - more than 9 but not more than 30 passengers</th>
<th>Other Aerodromes - operations under proposed CASR 135</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum level of service provided</strong></td>
<td>RPT or frequent charter with more than 30 passengers</td>
<td>Same physical standards as certified aerodrome</td>
<td>Not certified or registered but served by RPT or by charter operations at least once per week.</td>
<td></td>
</tr>
<tr>
<td><strong>Who is responsible for certification/registration?</strong></td>
<td>CASA</td>
<td>Approved Person</td>
<td>AOC Holder Responsibility</td>
<td>AOC Holder Responsibility</td>
</tr>
<tr>
<td><strong>Where are the standards defined?</strong></td>
<td>MOS</td>
<td>MOS</td>
<td>MOS</td>
<td>MOS Chap 13</td>
</tr>
<tr>
<td><strong>Is an aerodrome manual required?</strong></td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><strong>Is a Safety Management System required?</strong></td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><strong>Is an Aerodrome Technical Inspection required?</strong></td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><strong>Is an Aerodrome Safety Inspection required?</strong></td>
<td>No</td>
<td>Yes (if RPT or charter operations with more than 9 passenger seats.)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>Is a Trained Reporting Officer required?</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>AOC Holder Responsibility</td>
</tr>
<tr>
<td><strong>Are aerodrome details published in ERSA/NOTAM?</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><strong>Is the aerodrome operator required to monitor obstacles?</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>AOC Holder Responsibility</td>
<td>AOC Holder Responsibility</td>
</tr>
<tr>
<td><strong>Can non-precision instrument approach procedures be made available?</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

*CASR is Civil Aviation Safety Regulations.*
Background:
The information set out in this item has been obtained from the CASA website. RPT information was sourced from the WA Department of planning and Infrastructure website.

AMS has been contacted to carry out an inspection of the aerodrome and provide recommendations on the future status of the aerodrome.

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.

Airport Operations are covered by the commonwealth Civil Aviation Safety Regulations.

Policy Implications: Nil

Financial Implications:
To become a registered aerodrome there would be significant investment required in the aerodrome and a significant increase in operating costs.

Strategic Implications:
Our strategy to make Perenjori a mining centre is not unduly limited by the current status of the aerodrome. There is little likelihood of either RPT or ongoing regular charters.

Major mining projects at Extension Hill and Karara will be developing their own aerodromes, and these would in all likelihood be certified. It is likely that Mid West Corporation would use the certified aerodrome to be developed by Gindalbie.

Consultation:
Major mining projects at Extension Hill and Karara will be developing their own aerodromes, and these would in all likelihood be certified. Mining companies take the view that road transport between the aerodrome and the mine site is a safety issue and a significant long term operating cost. There has been little support for upgrading the Perenjori aerodrome.

It is likely that Mid West Corporation would use the certified aerodrome to be developed by Gindalbie.

Comment:
While there is some attraction in upgrading the Perenjori aerodrome, there is little justification in seeking either registration or certification. Decisions on upgrade requirements and investment in the aerodrome need to be based on a realistic assessment of likely usage.

It will still be worthwhile to seek advice from the consultant undertaking the safety inspection on the aerodrome on the gap between the present standard and registration standard, as well as any recommended work not linked to registration. Even without seeking registration we can still seek to upgrade the quality of the aerodrome infrastructure.

Voting Requirements:
Simple Majority

Officers Recommendation:
1. That Council notes the requirements for registration and certification;
2. That Council notes that we will receive advice from the consultant undertaking the safety inspection on the gap between the current standard and the registration standard.
Council Resolution

Moved: Cr B T Baxter    Seconded: Cr C R King

1. That Council notes the requirements for registration and certification;
2. That Council notes that we will receive advice from the consultant undertaking the safety inspection on the gap between the current standard and the registration standard.

CARRIED: 8/0

8106.5    AUSTRALIAN COUNCIL OF LOCAL GOVERNMENT

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 8 OCTOBER 2008
ATTACHMENTS NIL

Executive Summary:
The Prime Minister will invite all mayors and presidents to the First Meeting of the Australian Council of Local Government in Canberra on 28 November 2008.

Applicants Submission:
In a media release on 20 September 2008 the Prime Minister announced as follows:

All Australian mayors and shire presidents will be invited to attend the first meeting of the Australian Council of Local Government at Parliament House this year.

This unprecedented gathering of the nation’s 565 local councils will be held on November 28 and is the Rudd Government’s next step in forging a new, nation-building partnership with local communities.

Local government represents the third arm of the Australian Federation – and the Rudd Government is committed to a new cooperative engagement with that level of the government closest to local communities.

Invitations will also be extended to local government peak bodies and the Local Government and Planning Ministers in State Governments.

This initiative will give local communities a real voice in the future of Australia’s national infrastructure.

The one-day meeting will address issues of national and local significance including:

- Building national and local infrastructure to boost our economic capacity and improve the quality of life in our communities;
• Tackling immediate challenges facing major cities and growth corridors, including urban congestion, urban planning and design; and
• Steps towards constitutional recognition for local government.

The ACLG builds on a $2.2 billion investment for local governments this year through financial assistance grants and the Roads to Recovery program. In addition, we are partnering with local government in the $512 million Housing Affordability Fund; and the $176 million Better Regions program.

This first meeting of the Council will also assist in the development of the Government’s new regional and local community infrastructure fund, which will commence next year to support local communities.

The Rudd Government recognises the rising cost of infrastructure provision and growing demand for services in local communities.

A 2006 PricewaterhouseCoopers report estimated a $1.1 billion annual under-spend in community infrastructure renewals by local government.

A 2008 Productivity Commission report found that 20 per cent of local councils relied on Commonwealth and State grants for half of their revenue.

The Rudd Government is determined to address the concerns of local councils because of their importance:

• To national infrastructure, with their responsibility for 657,000 kilometres of roads across Australia;
• To the national economy, with their activities worth $22.1 billion in 2006-07, and 168,000 jobs; and
• To local communities, who rely on councils for a range of services from child care and aged care to meals-on-wheels and library facilities.

Local government is central to the Rudd Government’s nation-building agenda.

The Rudd Government is reigniting the spirit of co-operative federalism and reaching directly to the level of government closest to the community.

This new partnership is the most significant step forward for local government since the 1970s when the then Labor Government introduced Financial Assistance Grants to support services at the local government level.

The November 28 meeting will also see the announcement of the ongoing membership and charter of the Australian Council for Local Government.

The Rudd Government will work in partnership with local government and our state and territory counterparts to deliver reform for local communities.

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:
Councils must meet the costs of their representatives attending.

Strategic Implications:
“Local government is central to the Rudd Government’s nation-building agenda.”

Consultation: Nil

Comment:
The formal invitation has yet to be received.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council endorse the attendance by the President (or his delegate) at the above forum.

Council Resolution
Moved: Cr J H Hirsch Seconded: Cr L C Butler
That Council endorse the attendance by the President (or his delegate) at the above forum.

CARRIED: 8/0

8106.6 KOOLANOOKA – BLUE HILLS PER

APPLICANT: MIDWEST CORPORATION LIMITED
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 8 October 2008
ATTACHMENTS PER Executive Summary

Executive Summary:
Midwest Corporation has published its Public Environmental Review for the Koolanooka – Blue Hills Direct Shipping Ore (DSO) Project. Submissions close 17 November 2008.

Applicants Submission:
The Project involves the recommencement of open pit mining activities at Koolanooka, with similar activities commencing 1.5 years into the project at the Mungada East and Mungada West pits at Blue Hills. This work will involve a maximum of five mining campaigns during the project.

Background:
These three mines were previously operated by the Geraldton Operations Joint Venture (GOJV) from 1966–1972 as Australia’s first export iron ore operations. Most work will be conducted in existing disturbed areas.

An extract from the executive Summary of the PER is reproduced in the pages that follow.
Statutory Environment:

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

**Policy Implications:** Nil

**Financial Implications:**

The proposed Blue Hills pits are within the Shire of Perenjori and generate rates income for the Shire.

**Strategic Implications:**

Development of the iron ore industry is a significant element of the Shire’s diversification strategy. The Midwest Corporation proposal includes the development of a mining camp near the old Karara homestead, including the removal of outbuildings, restoration of the Karara wool shed and contribution to a tourist trail.

**Consultation:**

The CEO and Shire President have met with Midwest Corporation on several occasions. Midwest is holding open days in Perenjori and Morawa on 22nd and 23rd October respectively.

**Comment:**

The proposed project is relatively small scale and short term compared to some of the other projects under development in the region. This means economic benefits will flow more quickly. The primary economic benefit will accrue to Morawa on a similar basis to the impact of the Mount Gibson Haematite project to Perenjori. The project is based on ‘brownfield’ sites – pits that have been previously mined so the level of disturbance is less than would be the case for most projects.

The area of environmental concern would be the extension of the Koolanooka pit into the Koolanooka threatened ecological community. The disturbance is less than 3 ha of the 5000+ ha of the Koolanooka TEC. This is in the CEO’s view and acceptable impact in light of the offset package and economic and social benefits.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

1. That the Shire submits a letter to the EPA supporting approval of the Koolanooka – Blue Hills Direct Shipping Ore (DSO) Project.

2. That Council notes the public Information Session for the PER will be held at the Perenjori Pavilion on Wednesday 22 October between 11 am to 1 pm, and 4 pm to 7pm.

**Council Resolution**

Moved: Cr I F West Seconded: Cr J A Bensdorp

1. That the Shire submits a letter to the EPA supporting approval of the Koolanooka – Blue Hills Direct Shipping Ore (DSO) Project.

2. That Council notes the public Information Session for the PER will be held at the Perenjori Pavilion on Wednesday 22 October between 11 am to 1 pm, and 4 pm to 7pm. CARRIED: 8/0
KOOLANOOKA/BLUE HILLS DIRECT SHIPPING IRON ORE (DSO) MINING PROJECT
Midwest Corporation

Executive Summary

The Project
Midwest Corporation Limited (Midwest) proposes the Koolanooka/Blue Hills Direct Shipping Iron Ore (DSO) Mining Project (the Project). The Koolanooka mine site is located approximately 160 km south east of Geraldton and 21 km east of Morawa, and the Blue Hills mine site is located 60 km to the east of Koolanooka, Figure 1-1.

The Project involves the recommencement of open pit mining activities at Koolanooka, with similar activities commencing 1.5 years into the project at the Mungada East and Mungada West pits at Blue Hills. This work will involve a maximum of five mining campaigns during the project. These three mines were previously operated by the Geraldton Operations Joint Venture (GOJV) from 1966–1972 as Australia’s first export iron ore operations. Most work will be conducted in existing disturbed areas.

Midwest is currently exporting previously mined material from stockpiles at Koolanooka at the rate of 1.0 Mtpa, through the port of Geraldton. The operational workforce of approximately 50 resides in Morawa and Geraldton, providing a significant economic benefit to the region.

Approval of the Project will allow the continuation and expansion of these regional benefits. The Project involves:

- A minor extension to the south east of the existing open pit at Koolanooka to access haematite iron ore.
- Cutback and deepening of the existing open pits at Mungada East and Mungada West to access haematite iron ore.
- Reopening of the existing haul road between Koolanooka and Blue Hills to allow the transportation in road trains of ore from the Mungada pits to Koolanooka for processing.
- Stockpiling of mined ore at Koolanooka on existing disturbed areas.
- Installation of a crushing and screening plant at Koolanooka (with relocation to Blue Hills 1.5 years into the project life) to blend and process the ore into lump and fine products at the combined rate of up to 2 Mtpa.
- Establishment of infrastructure at Koolanooka and Blue Hills, including an office, two workshops, warehouse and magazine buildings, power, water supply and communications, and an accommodation facility at old Karara Homestead.

Iron ore from the existing operations is currently transported by road to Geraldton. Transition of this transport task from road to rail is well advanced. It is anticipated that from late 2008 onwards, iron ore will be transported 20 km by road to a rail siding at Tilley siding north of Morawa and then loaded onto trains for raling to the Geraldton Port. There the ore will be stockpiled in the existing covered storage facility then loaded onto ships for export. The Koolanooka/Blue Hills DSO Mining Project is expected to run for up to 5 years, with development scheduled to commence in the second quarter of 2009.
Existing Environment

The Koolanooka study area is located within the Avon-Wheatbelt Bioregion of Australia (Thackaway and Cresswell, 1995), in relatively close proximity to the intersection of the South-Western and Eremaean Botanical Provinces of Western Australia. The study area is located within the Perenjori Botanical District (Beard, 1976c).

The Blue Hills area occurs within the Yalgoo Bioregion on the boundary between the Austin Botanical District of the Eremaean Botanical Province and the Avon Botanical District of the South-Western Botanical Province (Beard, 1990).

Physical Environment

The Koolanooka mine site is at the north-western end of Koolanooka Hills which rise approximately 140 m above the surrounding undulating plain striking north north-west to south south-east for 13 km. These hills are composed of banded iron formations (BIF).
The Blue Hills range also consists of BIF: the ridge line is known as the Windaning Ridge. Dips are generally steep and where the BIF outcrops the topography is often rugged.

The regional area has low topography, with elevations being generally between 250 and 400 m Australian Height Datum (AHD). Prominent ridges such as Koolanooka Hills attain 450 m AHD; highest elevations exceeding 500 m AHD occur in the eastern sector, e.g. at Blue Hills and Mount Mulgine.

Drainage is mainly weak and low-gradient, predominantly to the Mongers Lake palaeodrainage system which passes a few kilometres to the north of Koolanooka Hills and includes the Yarra Yarra Lakes to the west of Carnamah (Rockwater, 2004b).

Koolanooka Spring, an ephemeral creek line is located to the south-east of the Koolanooka pit but to the west of the Mungada pits between two granite hills, draining northwards. Within the Blue Hills region is a Gilgai system located approximately 700 m due south of the Mungada East pit.

**Vegetation and Flora**

The vegetation associated with the Koolanooka System is described as consisting of several vegetation types (Beard, 1976): Open woodland of Sheoak; Mallee *Eucalyptus ebbanoensis*, *Acacia acuminata* and *Dodonea inaequifolia* interspersed with thickets of *Allocasuarina campestris*; *Acacia acuminata* thicket with *Grevillea stenochalya*, *Melaleuca cordata*, *M. nematophylla* and *M. radula*; *Eucalyptus loxophleba* (York Gum) woodland interspersed with the same thicket, which forms the vegetation pattern on the foot slopes of Koolanooka Hills, while the granite outcrops support mixed Acacia spp. (*A. tetragonophylla*, *A. quadrimarginata* and *A. ramulosa*) (Beard, 1976).

The plant assemblages of the Koolanooka System have been defined as a Threatened Ecological Community (TEC). The vegetation of these areas is dominated by Sheoak and mixed shrub land of *Allocasuarina campestris* (hilltops) and *Acacia exocarpoides* (on granite). The zone of impact at Koolanooka Hills falls within the mapped areas for the TEC, and makes up a small proportion of this. The Koolanooka Hills TEC covers two areas totalling 5444 ha. The Koolanooka Hills area is 3496 ha and the Perenjori Hills area 1948 ha.

The Blue Hills area falls within the Yalgoo sub-region. The major vegetation types of this sub-region include:

- heath on granite outcrops (*Borya, Thryptomene, Baeckea* and *Calycopelus*);
- acacia scrub (*Acacia acuminata, A. ramulosa* and *A. quadrimarginata*);
- acacia-Melaleuca thicket (*Acacia ramulosa*, *A. acuminata, Melaleuca uncinata* with variations including *M. nematophylla*);
- scrub with scattered trees (*Acacia ramulosa, A. acuminata, Hakea preissii, Eucalyptus loxophleba, E. oleosa, Callitris columellaris, Bursaria spinosa* and *A. aneura*) and;
- salt flats surrounded by samphire (*Halosarcia* spp., teatree e.g. *Melaleuca / Leptospermum*, and *Acacia-Eremophila* scrub).

One Declared Rare Flora (DRF) taxa, *Acacia woodmaniorum*, protected under the Western Australian Wildlife Conservation Act 1950, has been recorded in the zone of impact at Blue Hills during the surveys.

No priority flora were recorded within the areas surveyed at Koolanooka. However, the record of the taxon *Acacia sclerosperma* subsp. *sclerosperma* is of interest, as this represents a southerly range extension from its previously known distribution.

Three species of conservation significance were recorded at the Mungada East and Mungada West proposal impact areas. These taxa are *Micromyrtus acuta* (P1), *Micromyrtus trudgenii* (P3) and *Persoonia pentasticha* (P3).
No rare or priority flora have been recorded within the existing Mungada Haul road footprint that is proposed to be reinstated.

Fauna

Two species of Commonwealth conservation significance have been recorded within the Koolanooka or Blue Hills regions. These are the Malleefowl (*Leipoa ocellata*) from Koolanooka, Blue Hills and haul road and the Western Spiny-tailed Skink (*Egernia stokesii badia*) from Koolanooka.

Three scheduled species, as listed under the WA Wildlife Conservation Act 1950, were recorded at Koolanooka: Malleefowl (*Leipoa ocellata*), Gilled Slender Blue-tongue (*Cyclodomorphus branchialis*) and the Western Spiny-tailed Skink (*Egernia stokesii badia*). Four scheduled species were recorded at Blue Hills: Malleefowl (*Leipoa ocellata*); Peregrine Falcon (*Falco peregrinus*); Major Mitchell’s Cockatoo (*Cacatua leadbeateri*); and Gilled Slender Blue-tongue (*Cyclodomorphus branchialis*).

Two scheduled species were recorded along the Mt Karara/Mungada haul road: Malleefowl (*Leipoa ocellata*); and; Major Mitchell’s Cockatoo (*Cacatua leadbeateri*).

A number of migratory species listed under the Environment Protection and Biodiversity Act (EPBC) 1999 were observed within the Blue Hills and Koolanooka regions, with eight species of migratory conservation significance recorded within the Blue Hills region and 12 species recorded within the Koolanooka region.

Sampling for stygofauna at the existing Koolanooka borefield and in surrounding regional bores yielded only two cosmopolitan copepod stygofauna specimens. Four phases of troglofauna surveying were conducted for this project. A single troglobitic spider (Family *Gnaphosidae*) was collected during the survey from outside the TEC cutback impact area and is expected to occur along the entire Koolanooka Range. No additional troglobitic species were recorded.

Heritage

The Aboriginal groups consulted regarding the proposed project are the Widi Mob, Pandawn Descendants, Yamatji Marpla Barna Baaba Aboriginal Corporation and the Amangu Mob.

Two sites of Aboriginal heritage significance have been recorded within the Koolanooka Hills project impact area (DIA 4496 and DIA 5868). Approval to disturb DIA 4496 has been obtained under Section 18 of the Aboriginal Heritage Act 1972 (ref 0321145). It has been determined that DIA 5868 is actually a duplicate of DIA 4496.

Two other sites of Aboriginal heritage significance are found within the local area (DIA 20817 and DIA 20816). Should Midwest’s project activities call for these sites to be disturbed a full approval for this work will be obtained through Section 18 of the Aboriginal Heritage Act, 1972 prior to any disturbance.

At Blue Hills, three sites of Aboriginal heritage significance have been recorded near the East Mungada pit; Blue Hills Larger Cave (site ID 20857); Blue Hills Smaller Cave (site ID 20858) and Granite Pavement with rockhole (site ID 20860). If disturbance is required to any of these caves full approval will be gained via a Section 18 approval prior to disturbance.

Lastly, during the reinstatement of the Mt Karara haul road, several heritage sites bordering this location will remain undisturbed as the haul road reinstatement will only involve clearance of up to 3 m in width of predisturbed area on either side of the present road. If disturbance is required to these sites at a later date, full approval will be gained via a Section 18 approval prior to disturbance.
### Table S1 Key Characteristics of the Koolanooka / Blue Hills DSO Project (EPA Assessment No. 1653)

<table>
<thead>
<tr>
<th>Key Aspect</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mining Operations</strong></td>
<td></td>
</tr>
<tr>
<td>Proposed operation commencement</td>
<td>Second Quarter 2009</td>
</tr>
<tr>
<td>Project life span</td>
<td>Estimated to be 5 years</td>
</tr>
<tr>
<td>Anticipated year of decommissioning</td>
<td>2011-2013</td>
</tr>
<tr>
<td>Proposed mine locations</td>
<td>Koolanooka and Blue Hills</td>
</tr>
<tr>
<td>Size of ore body</td>
<td>3Mt at Koolanooka, 5.5 Mt at Blue Hills</td>
</tr>
<tr>
<td>Ore type</td>
<td>Tightly folded sub vertical haematitic banded ironstone</td>
</tr>
<tr>
<td>Ore mining rate</td>
<td>Up to 2 Mtpa</td>
</tr>
<tr>
<td>Overburden mining rate</td>
<td>Average 1.7 Mtpa</td>
</tr>
<tr>
<td>Total estimated production (processed ore)</td>
<td>1,940 M m³</td>
</tr>
<tr>
<td>Overall stripping ratio (overburden:ore)</td>
<td>2.35:1 waste:ore</td>
</tr>
<tr>
<td><strong>Koolanooka mine pits</strong></td>
<td></td>
</tr>
<tr>
<td>Depth of new sections</td>
<td>350 m AHD</td>
</tr>
<tr>
<td>Depth of water table</td>
<td>Approximately 255 m AHD</td>
</tr>
<tr>
<td>Overburden Stockpiles</td>
<td>External dump volume: 1.622 M m³ in addition to existing dump areas</td>
</tr>
<tr>
<td>Topsoil Stockpiles</td>
<td>Where required, but will be stockpiled within waste dump areas as indicated with this PER</td>
</tr>
<tr>
<td>Area of new clearing Koolanooka</td>
<td>2.68 ha, with an additional 3.14 ha being impacted within the dust buffer zone area of potential influence.</td>
</tr>
<tr>
<td>Area of predisturbed land Koolanooka</td>
<td>38.2 ha (26 ha for west waste dump, 6.6 ha for south waste dump, 5.6 ha for infrastructure)</td>
</tr>
<tr>
<td><strong>Mungada East pit details</strong></td>
<td></td>
</tr>
<tr>
<td>Depth of new section</td>
<td>350 m RL AHD. Mining will not proceed below the level of the water table without further approval</td>
</tr>
<tr>
<td>Depth of water table</td>
<td>332-337 m RL AHD</td>
</tr>
<tr>
<td>Overburden Stockpiles</td>
<td>External dump volume: 2.33 M m³</td>
</tr>
<tr>
<td><strong>Mungada West pit details</strong></td>
<td></td>
</tr>
<tr>
<td>Depth of new section</td>
<td>355 m RL AHD. Mining will not proceed below the level of the water table without further approval</td>
</tr>
<tr>
<td>Depth of water table</td>
<td>333-334 m RL</td>
</tr>
<tr>
<td>Overburden Stockpiles</td>
<td>External dump volume: 2.2 M m³</td>
</tr>
<tr>
<td>Topsoil Stockpiles</td>
<td>Where required, but will be stockpiled within waste dump areas as indicated with this PER</td>
</tr>
<tr>
<td>Area of new clearing Blue Hills</td>
<td>80.3 ha (39.5 ha of this is re-clearing of the regrowth edges of the Mt Karara / Mungada haul road)</td>
</tr>
<tr>
<td>Area of predisturbed land Blue Hills</td>
<td>11.7 ha (5.3 ha Mungada West, 6.4 ha Mungada East)</td>
</tr>
<tr>
<td><strong>Processing Requirements</strong></td>
<td></td>
</tr>
<tr>
<td>Crushing &amp; Screening</td>
<td>One new semi mobile crushing and screening plant, initially deployed at Koolanooka with relocation after 1.5 years to Blue Hills for the remainder of the project life. Processing capacity of 2 Mtpa rate.</td>
</tr>
<tr>
<td>Product characteristics</td>
<td>Average DSO quality threshold of 58% Fe</td>
</tr>
<tr>
<td><strong>Mine Site Infrastructure</strong></td>
<td></td>
</tr>
<tr>
<td>Power source</td>
<td>Supplied by diesel generators</td>
</tr>
<tr>
<td>Anticipated power requirement</td>
<td>500-1000 kW</td>
</tr>
<tr>
<td>Water source</td>
<td>Dust suppression water for Koolanooka and Blue Hills will be sourced from the Koolanooka pit and local Koolanooka bores, water will be trucked from Koolanooka to Blue Hills where necessary.</td>
</tr>
<tr>
<td>Key Aspect</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Anticipated water requirement</td>
<td>180 kL/day for dust suppression, first at Koolanooka then later at Blue Hills. Also an extra 1000 kL/day will be required for a one year period for the construction of the haul road, and 50 kL of potable water will be required for the combined operation per week.</td>
</tr>
<tr>
<td>Anticipated annual water requirement</td>
<td>146.0 Ml pa for dust suppression at Koolanooka then the Blue Hills operation, 365.0 Ml pa for the haul road redevelopment, and 2.6 Ml pa for potable water for the combined workforce.</td>
</tr>
</tbody>
</table>
| Ancillary infrastructure    | • A 72 person accommodation facility is to be built at Old Karara Homestead;  
• A small workshop is to be developed both at Koolanooka and Blue Hills, which will include bulk diesel storage in double skin tanks;  
• Portable offices, ablutions and a first aid facility are to be developed at both locations; and  
• Secure explosives magazines at both sites. |
| Total estimated area of new clearing | 82.98 ha, of which:  
• 2.68 ha is from a TEC* at Koolanooka;  
• 40.8 ha in the Blue Hills locality; and  
• 39.5 ha of regrowth on the Mt Karara / Mungada Haul road  
With an additional 3.14 ha at Koolanooka TEC being within the buffer zone, potential area of influence of dust impacts. |
| Total estimated area of predisturbed land to be used | 49.9 ha, of which:  
• 38.2 ha covers waste dumps and infrastructure locations at Koolanooka  
• 11.7 ha in the Blue Hills area covering infrastructure and pit expansion areas. |

* TEC = Threatened Ecological Community

Project Characteristics Table Key:

<table>
<thead>
<tr>
<th>PER</th>
<th>Public Environmental Review</th>
<th>DSO</th>
<th>Direct Shipping Ore</th>
</tr>
</thead>
<tbody>
<tr>
<td>AHD</td>
<td>Australian Height Datum</td>
<td>mm</td>
<td>millimetre</td>
</tr>
<tr>
<td>Gl</td>
<td>Gigalitre</td>
<td>Mbcm</td>
<td>Million bank cubic metres</td>
</tr>
<tr>
<td>GWh</td>
<td>Giga Watt hour</td>
<td>Mt</td>
<td>Million tonnes</td>
</tr>
<tr>
<td>ha</td>
<td>hectares</td>
<td>pa</td>
<td>per annum</td>
</tr>
<tr>
<td>km</td>
<td>kilometre</td>
<td>RL</td>
<td>Reduced level</td>
</tr>
<tr>
<td>m</td>
<td>metre</td>
<td>t</td>
<td>tonne</td>
</tr>
<tr>
<td>ML</td>
<td>megalitre</td>
<td>Kl</td>
<td>kilolitres</td>
</tr>
</tbody>
</table>
8106.7 MOUNT GIBSON IRON – HAEMATITE HAULAGE S45 EPA PROCESS

APPLICANT:  MOUNT GIBSON IRON
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR:  STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER  STAN SCOTT – CEO ________________________
REPORT DATE: 8 October 2008
ATTACHMENTS  Letter from Mount Gibson Iron

Executive Summary:
Transport of haematite from Extension Hill was not included in the original PER and is hence subject to additional assessment.

Applicants Submission:
Mount Gibson Iron wrote to the Shire in the following terms:

Mount Gibson Mining Limited (Mt Gibson) is the proponent of the Extension Hill Hematite Haulage proposal (Haulage Proposal), which is the subject of the report and recommendations of the Environmental Protection Authority (EPA) in its Report 1296.

Mt Gibson has been advised by the Appeals Convenor’s office that the Appeals Convenor will soon start the process of consulting relevant Decision-Making Authorities (DMAs) under Section 45 of the Environmental Protection Act 1986 (WA) (Section 45 Process). Mt Gibson has also been advised by the Appeals Convenor’s office that it considers your Shire Council a relevant DMA and will consult with the Shire as part of the Section 45 Process.

This letter sets out background to and information about Mt Gibson’s Haulage Proposal, with the intention of assisting the Shire to understand, consider and formulate its response to the Appeals Convenor.

The entire letter is attached to this item.

Background:
The EPA Recommendations were as follows:
The EPA submits the following recommendations to the Minister for the Environment:

1. That the Minister notes that the proposal being assessed is for the upgrading, widening and straightening of existing local roads and construction and operation of a rail siding south of Perenjori, to facilitate the transport of hematite iron ore from the already approved Extension Hill mine site at Mount Gibson to Geraldton Port for export;

2. That the Minister considers the report on the key environmental factors as set out in Section 4;

3. That the Minister notes that the EPA has concluded that the proposal can be managed to meet the EPA’s environmental objectives, provided there is satisfactory implementation by the proponent of the recommended conditions set out in Appendix 2; and
4. That the Minister imposes the conditions and procedures recommended in Appendix 2 of this report.

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.

*Error! Use the Home tab to apply Name of Act/Reg to the text that you want to appear here.* s 45 states in part:

(1) The Minister shall, after he has caused a report to be published under section 44(3) —

(a) if the decision-making authority, or one or more of the decision-making authorities, to which or whom a copy or copies of the report has or have been given under that section is or are another Minister or other Ministers, consult that Minister or those Ministers and, if possible, agree with him or them; or

(b) if neither the decision-making authority, nor any of the decision-making authorities, as the case requires, referred to in paragraph (a) is another Minister, consult that decision-making authority or those decision-making authorities and, if possible, agree with it or them,

on whether or not the proposal to which the report relates may be implemented and, if that proposal may be implemented, to what conditions and procedures, if any, that implementation should be subject.

Policy Implications: Nil

Financial Implications:

The Shire has agreements in place that are dependent upon the road project. The Shire is likely to contract for construction of part of the road.

Strategic Implications:

Development of the iron ore industry is a significant element of the Shire’s diversification strategy.

Consultation: Nil

Comment:

Council’s views on the Mount Gibson proposal are well documented.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council authorises the CEO to represent its views to the appeals convenor and assist in the resolution of any outstanding matters.

Council Resolution

Moved: C R King  
Seconded: Cr J H Hirsch

That Council authorises the CEO to represent its views to the appeals convenor and assist in the resolution of any outstanding matters.

CARRIED: 8/0
3 October 2008

Mr Stan Scott
Chief Executive Officer
Shire of Perenjori
P O Box 22
PERENJORI WA 6620

Dear Stan

RE: MOUNT GIBSON’S EXTENSION HILL HEMATITE HAULAGE PROPOSAL
SECTION 45 EP ACT PROCESS

Mount Gibson Mining Limited (Mt Gibson) is the proponent of the Extension Hill Hematite Haulage proposal (Haulage Proposal), which is the subject of the report and recommendations of the Environmental Protection Authority (EPA) in its Report 1296.

Mt Gibson has been advised by the Appeals Convenor’s office that the Appeals Convenor will soon start the process of consulting relevant Decision-Making Authorities (DMAs) under Section 45 of the Environmental Protection Act 1986 (WA) (Section 45 Process). Mt Gibson has also been advised by the Appeals Convenor’s office that it considers your Shire Council a relevant DMA and will consult with the Shire as part of the Section 45 Process.

This letter sets out background to and information about Mt Gibson’s Haulage Proposal, with the intention of assisting the Shire to understand, consider and formulate its response to the Appeals Convenor.

BACKGROUND

Ministerial Statement 753 approved Mt Gibson’s proposal to:

- mine and process iron ore (in hematite and magnetite forms) from Extension Hill and Extension Hill North within the Mt Gibson Ranges;
- construct a pipeline to transport magnetite slurry to Geraldton Port within a specified services corridor; and
- construct infrastructure at the port to strip the ore from the slurry for export (Extension Hill Proposal).

The transportation of hematite from Extension Hill to Geraldton Port was not included in the Ministerial Statement, and is instead the subject of EPA Report 1296.

.../2
THE HAULAGE PROPOSAL

It is important to place the Haulage Proposal in the context of the Extension Hill Proposal and the overall project. The Extension Hill Proposal has already been extensively considered, assessed and approved by the Minister. The Haulage Proposal is a relatively minor aspect of the overall project.

Broadly, Mt Gibson proposes to:

- upgrade, widen and straighten existing local roads; and
- construct and operate a rail siding,

south of Perenjori to facilitate the transport of hematite from Extension Hill to Geraldton Port.

This proposal is the subject of EPA Report 1296 and will soon be the subject of the Section 45 Process.

ROAD DESIGN

The road the subject of Mt Gibson’s Haulage Proposal already exists; the proposal is merely to upgrade, widen and straighten that road to an engineered national highway standard (which it currently is not).

As it is presently designed and constructed, the road acts as a sump, creating a hydrological impediment. The proposed works on the road have been designed and will be carried out according to best engineering and environmental practices (including catering for 1 in 100 year rainfall and flooding events).

When the proposal has been completed, Mt Gibson believes that the drainage design – which incorporates environmentally sensitive table drains, off-shoot drains and culverts – will result in a net environmental benefit by actually improving drainage in the area from north to south.

CLEARING

Borrow Pits

The area required to be cleared to source road material was discussed extensively with the EPA Special Unit during the environmental impact assessment process.

Mt Gibson identified a number of potential sites for sourcing road material, but was not able to get access to those sites to fully assess the amount of material available and, therefore, whether clearing would be required (and if so, how much).

Accordingly, the figure of 80ha was included in Mt Gibson’s ARI document and subsequently Report 1296 on a 'worst case scenario' basis. The disturbed area will only be as large as is necessary to extract the required road material. It may be substantially less than 80 ha.

Pastoral Leases

The White Wells Pastoral Lease is one of the potential sites identified for sourcing road materials.
Mt Gibson is aware of the objectives of the manager of the White Wells Pastoral Lease. It intends to treat the site in exactly the same way it will treat all other sites from which it takes road materials: if there is material available, Mt Gibson will take it, will minimise environmental disturbance and will ensure that the site is properly rehabilitated.

**ECONOMIC & SOCIAL BENEFITS**

In reaching the final decision on the Haulage Proposal under section 45, Mt Gibson believes that the Minister, and other DMAs involved in the Section 45 Process, should take into consideration the following factors.

The overall project, comprising the Extension Hill Proposal and the Haulage Proposal, will contribute in the following way to the development of the Midwest region:

- total employment of approximately 1908 people spread throughout the region; and
- provide long-term base-load economic activity, creating an ability for communities in the Midwest region to grow and remain sustainable.

Local Indigenous communities will also benefit from the project, including by:

- payments to native title claimants (with respect to the mine site and the services corridor) which includes royalties on tonnes sold and/or transported;
- for every 10 permanent staff employees, 1 will be nominated by local Indigenous groups;
- for every 14 contractor employees, 1 will be nominated by local Indigenous groups; and
- Mt Gibson will make an Aboriginal Tertiary Scholarship position permanently available during the life of the operations (a series of 3 year scholarships).

Should you have any queries, please do not hesitate to contact me on 9426 7500.

Yours sincerely

DAVID QUINLIVAN  
Chief Executive Officer
Cr C R King declared an interest in item 8106.8

Moved: Cr J H Hirsch    Seconded: Cr J R Cunningham
That Cr C R King be permitted to stay in the meeting and cast a vote.
CARRIED: 7/0

8106.8  NACC SURVEY ON NRM LITERACY

APPLICANT: Northern Agricultural Catchment Council
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 9 October 2008
ATTACHMENTS Nil

Executive Summary:
Dr Peter Howard from Northern Agricultural Catchment Council is undertaking a study of NRM Literacy in the NACC Region and is seeking access to Council’s ratepayer data base to send surveys to Perenjori residents.

Applicants Submission:
Dr Howard wrote to the CEO in the following terms.

Thanks for your assistance with the survey. What is sought are the names and addresses of ratepayers resident in the Perenjori Shire. Two samples will be drawn from these lists.

For the sake of confidentiality, personal details will not be stored on our server. All details will be deleted or physically destroyed at the completion of the study.

Forgot to mention that the results will be made freely available to you on completion. All surveys will be de-identified at point of data entry however all surveys will be coded by LGA.

Background:
The Survey has the following aims and objectives:

1. To gather baseline data on Knowledge, Attitudes, Practices and Aspirations (KAPA) with regard to the use of natural resources in the Northern Agricultural Region.
2. To measure efficacy of a social marketing campaign aimed at raising NRM awareness.
3. To gather social data that will, a) guide the NACC management cycle and b) will provide social data of sufficient quality to inform policy.

Two sets of questionnaires are to be mailed out before and after a community-wide intervention. The survey will adhere to established surveying protocols. Each set of questionnaires will be mailed to targeted households in the NAR. Non-returned surveys will be followed up by a reminder letter and the final follow-up include a second questionnaire. Depending on the response rate non-respondents may be followed up with a phone call.
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 State Public Sector Code of ethics requires that public sectors agencies respect people’s privacy and confidentiality.

Commonwealth Information Privacy Principles require that information only be used for its intended purpose or a closely related purpose.

The nature of the proposed disclosure is such that the information will be protected and the proposed use is complimentary to Council’s decision making role.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:
The information from the survey will assist Council in future decision making.

Consultation: Nil

Comment:
Alternatives such as distributing the survey on behalf of NACC have been considered and rejected. For the survey and follow up to conducted effectively NACC will require access to the contact details.

The disclosure of contact details of ratepayers can be justified as follows:

- Agriculture is the mainstay of the local economy;
- Effective NRM is a key to future sustainability of agriculture
- Survey results for Shire residents (but not individuals) will be available to the Shire to enhance its own decision making
- The survey topic is such that the Shire could legitimately undertake such research for its own purposes (ie the purpose is related to the primary purpose for holding the information)

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council authorise the CEO to share the contact details from the rate book with NACC for the purpose of undertaking the NRM Literacy project.

Council Resolution

Moved: Cr J A Bensdorp        Seconded: Cr J R Cunningham
That Council authorise the CEO to share the contact details from the rate book with NACC for the purpose of undertaking the NRM Literacy project.

CARRIED: 8/0
Executive Summary:
Councils Final Audit was carried out during the week of the 4th August 2008. The Financials have only recently been signed off due to the Auditors having little time in their office due to other commitments.

Applicants Submission:
Due to the delay in receiving the finalised financials this can no longer be carried out as the Annual Report document is required to be adopted beforehand. Local public notice of 14 days of the electors meeting and availability of the annual report is also required.

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 NO. 237: ANNUAL REPORT
Council distribute a copy of the Annual Report to all electors in the Shire of Perenjori and posted to all Perenjori ratepayers who have mail collection in other centres, at least seven days prior to the advertised meeting date upon request.

Council Meeting 15th April, 1999 – Minute
Financial Implications: Nil
Strategic Implications: Nil
Consultation: UHY Haines Norton
Voting Requirements: Simple Majority
Officers Recommendation:
Council note the postponement of the Annual Electors meeting.

Council Resolution
Moved: Cr J H Hirsch                Seconded: Cr J R Cunningham
Council note the postponement of the Annual Electors meeting.
CARRIED: 8/0
8107  OTHER BUSINESS

8107.1  INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

WALGA – Proposed New Accommodation for WALGA and LGIS
WALGA – Information Bulletin
WALGA – Info Page
WALGA – Local Government News. Issue No.35.08
WALGA – Local Government News. Issue No.36.08
WALGA – Local Government News. Issue No.37.08
WALGA – Sustainable Communities
WALGA – Nomination process for State, Federal and Association Boards and Committees
Department of Health – Breast Screening Mammography Service - Morawa
LGM Magazine – Vol 42 No 1. With Special Compilation CD
Senator Michaelia Cash. Liberal Senator for WA – First Speech
Senator Michaelia Cash – Senate passes Federal Labour Government’s Condensate Bill.
Australian Government – Proposed reforms to CDEP
Mid West Regional Council – Dry Season Community Working Group
Country Arts WA – Art Torque
Liebe Group Newsletter Vol 12 Issue 7
Disability Services Commission – Awards 2008
Perenjori Agricultural Society Inc – Thankyou letter for Ag Show
Shire of Perenjori – Rail Siding Taking Over by Perenjori Shire
Department of Racing, Gaming & Liquor – Conditional Grant of a Liquor Store Licence: Eziway
Food Stores Perenjori

8107.2  MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

8107.3  QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

8107.4  URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION
8107.5 MATTERS BEHIND CLOSED DOORS
Nil

8107.6 DATE OF NEXT MEETING / MEETINGS

Council Resolution

Moved: Cr G K Reid  Seconded: Cr J H Hirsch
That the Ordinary meeting of Council to be held 20th November 2008 start at 7.30pm.
CARRIED: 8/0

8107.7 CLOSURE

There being no further business the meeting was declared closed at 3.45pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held 16th October 2008.

Signed: ______________________

Presiding Elected Member

Date: ______________________