Shire of Perenjori

MINUTES

Ordinary Council Meeting

To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 19th June 2008, to commence at 1.30PM.

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8061 PRELIMINARIES

8061.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
The Chairman declared the meeting open at 2.30 pm

8061.2 OPENING PRAYER
Cr Baxter led Council in the opening prayer.

8061.3 DISCLAIMER READING
Nil

8061.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:
- Cr B T Baxter
- Cr R A Benton
- Cr G K Reid
- Cr J H Hirsch
- Cr I F West
- Cr J A Bensdorp
- Cr C R King
- CEO: Stan Scott
- DCEO: Domenica Curtin
- Works Supervisor: Ken Markham
- EDO: Phil Cleaver
- MCS: Garry Agnew
- Minute Taker: Dawn Reid

Apologies
- Cr J R Cunningham
- Cr L C Butler

8061.5 PUBLIC QUESTION TIME
Nil

8061.6 PETITIONS / DEPUTATIONS / PRESENTATIONS
BATAVIA COAST MARITIME INSTITUTE - AQUACULTURE

8061.7 NOTATIONS OF INTEREST

Financial Interest – Local Government Act s 5.60A
Cr West – Item 8065.3

Proximity Interest – Local Government Act s 5.60B
Cr Hirsch – Item 8063.6

Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.
8061.8 APPLICATIONS FOR LEAVE OF ABSENCE
Moved: Cr King Seconded: Cr Hirsch
That Council approve a leave of absence for Cr Cunningham and Cr Butler
CARRIED: 7/0

8061.9 CONFIRMATION OF MINUTES
Minutes of Ordinary meeting of Council held 15th May 2008 are attached.
Moved: Cr Benton Seconded: Cr West
That the Minutes of Ordinary meeting of Council held 15th May 2008 be accepted as a true and correct record.
CARRIED: 7/0

8061.10 ANOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION
Nil

8061.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS
Nil

8062 ECONOMIC DEVELOPMENT REPORT
8062.1 PHOTO-VOLTAIC POWER SUPPLIES

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: PHIL CLEAVER – EDO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 5 JUNE 2006
ATTACHMENTS

Executive Summary:
The Shire has been approached by two different suppliers of photo-voltaic power supplies for the town.

Applicants Submission:
Power for the Shire Administration
Sungrid Solar is preparing a proposal for the installation of a 30kW power supply for the shire administration complex.
Solar Sales is also preparing a similar proposal for the Shire administration complex.
Both proposals are predicated on the following:

- The Sustainable Energy Development Office offers a 50% rebate on the capital cost of grid connected solar systems up to 30KW;
- Funded systems cannot supply more total power than the service to which they are connected. The Shire administration is the only service where usage would justify a 30 KV system.
- The State Government has announced that electricity tariffs will increase by 10% in 2010/11 and increase by 10 % each year for the following 6 to 8 Years.
- Systems would involve 200 square metres of PV cells on the north facing roof of the park up shed at the old depot. There is sufficient roof space on the Shire administration, but suppliers are reluctant to install on asbestos roofing.

The capital cost of such a system would approximate would approximate $200,000, but after the 50% SEDO grant and $30,000 in renewable energy credits the net capital cost to the shire would be in the order of $70,000. Taking account of repayments and interest and energy savings the payback period would be about 7 years. After 20 years there would be a total positive financial impact of $200,000.

Solar Power Station

Solar Sales is also seeking a site of approximately 4 HA for the establishment of a Solar Power Station. Its intention would be to initially install a 30 to 50 kW system to establish access to the grid and a site for expansion. Its expectation is that when tariffs reach what they consider the parity point (approximately 4 to 5 years) the capacity would be expanded to 2 MW. They are seeking access to a property at nominal rent.

Background:

Sungrid Solar and Solar Sales are independent of each other. They approached Perenjori because it is identified as fringe of the grid and our interest in solar energy is well documented.

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:

Final proposals have not yet been received. The Shire’s contribution to capital cost would be around $70,000.

Strategic Implications:

These proposals provide the opportunity for the Shire to cement its reputation as an innovator.

Consultation:

The CEO and EDO met separately with the two project proponents.

Comment:

This information has been presented ahead of the receipt of final proposals from the companies so Council can consider the budget implications, and determine whether to make provision for these proposals in the 2008/09 budget deliberations.

Voting Requirements:

Simple Majority
Committee Recommendation:
That the Economic Development Committee recommends that Council consider a $70,000 budget allocation for solar power in 2008/09, including making a borrowing provision if necessary.

Council Resolution:
Moved: Cr Reid     Seconded: Cr King
That Council consider a $70,000 budget allocation for solar power in 2008/09, including making a borrowing provision if necessary.
CARRIED: 7/0

8062.2 EDO PROJECT UPDATES

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: PHIL CLEAVER – EDO ______________________
RESPONSIBLE OFFICER STAN SCOTT – CEO _______________________
REPORT DATE: 5 June 2008
ATTACHMENTS

Executive Summary:
This report updates progress on aquaculture, flat packed housing and chemical mulesing projects.

Applicants Submission:
Chemical Mulesing
At time of writing and as predicted in last months address additional users of Aus wool have given notice they will no longer be taking Aus wool. Recent fine wool sales have also suffered. Despite this, specific industry bodies appear to be caught flat footed.
Thus the executive team has decided to go alone and fund by own resources and keep the Formula in house. Perenjori has been chosen for last round of bio ethics required.
Prior to Commercial roll out, the EDO and teams will work through practical issues and work safe practices to be worked out using Perenjori farmers. This also allows such in the community to be involved in later commercialisation as early investors or gate keepers if they so desire.

Aquaculture
Mr Glenn Varley from Batavia Coast Maritime Institute will be making a presentation to Council at its June forum. Mr Varley is assisting us with curriculum design as well as assisting with final design of the fish farm.
The EDO has been in ongoing discussions with DAFWA about support for the Perenjori project. These discussions appear promising.

**Council Resolution:**

Moved: Cr West  Seconded: Cr Bensdorp
That Council acknowledge the presentation by Batavia Coast Maritime Institute  
CARRIED: 7/0

Moved: Cr King  Seconded: Cr Bensdorp
That the CEO provide a report on the Aquaculture Project to the July Meeting of Council.  
CARRIED: 7/0

**Flat Packed Housing**

CEO & EDO met with UWA and impressed in the strongest terms we require final costing no later than end of month (and Financial year). Vigour was some what deflated when person doing the costing advised was entering hospital immediately after our meeting for a small procedure.

EDO has since spoken with UWA. It is said we may have costing in time for Shire meeting rather than at end of month.  Additional discussion took place between P Beale CEO & EDO.

EDO upon speaking with engineer separately asked a number of questions. Response was that it would be indeed possible to trim some cost. While at the same time consensus was reached that if we play around too much with original concept we could end up worse off. However, message got through very strongly that the original parameters encompassed cost as well as other factors

Below are three dimensional computer images representing the final design of one of the houses.

And note that these are very high ceilings almost 12 feet so in fact nicer home than we originally planned.

CEO met with Gindalbie later the same day and they expressed interest in funding a 3D model of the houses, and leasing 4 houses for 15 years. This latter offer will of course be subject to further development.
Background:
The EDO continues to work with stakeholders on other projects including the plant nursery.

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:
Funding for the aquaculture and housing projects will need to be carried forward to 2008/09.

Strategic Implications: Nil

Consultation:
There has been substantial discussion with tertiary institutions on the potential to increase engagement with the region and extend the architecture model to other faculties.

Comment:
As soon as reliable costings on the houses have been received the CEO will write to the Premier to encourage more proactive support.

We need to consider the best way to move Gindalbie’s proposal forward. The CEO will develop possible approaches during budget development.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council notes progress on Economic Development Projects.

Committee Recommendations:
1. That Council invites private investors to build houses for lease.

2. That the CEO seek advice from Council’s auditor on the implications of recourse lending for Shire employees.

Committee Resolutions:
Moved: Cr King  Seconded: Cr Bensdorp
That Council defer decision until costing is finalised by UWA.
CARRIED: 7/0

Moved: Cr King  Seconded: Cr Bensdorp
That the CEO seek advice from Council’s auditor on the implications of recourse lending for Shire employees.
CARRIED: 7/0

EDO, Phil Cleaver left chambers at 2.53pm
Executive Summary:
Mount Gibson Iron has approached the Shire to see if we would be interested in quoting to build the proposed rail siding.

Applicants Submission:
The text is the Mount Gibson Request is as follows:

Mount Gibson Mining is seeking a quote for the following proposed works. The brief detail of works is as follows.

- Clearing site: 28 hectares
- Top soil removal and taken off site: 20 hectares
- Embankment foundation preparation and compaction: 165,000 square metres
  and imported material from borrow pits: 100,000 cubic metres
- 250 mm thick base course construction from gravel
- Material carted from the borrow pits: 165,000 square metres
- Spreading and compacting iron ore material and Preparation of gravel sheeting: 110,000 square metres
- Priming and two coat aggregate seal (7 mm and 14 mm): 30,000 square metres
- 40 mm thick asphalt: 15,000 square metres
- Rehabilitation of gravel pits including removal of top soil and other Over burdened material
- Drainage works 105 metres 300 * 450 RCB including junction pits And head walls
- Supply and erection of signs and line marking
- Supply of water for compaction of base course and embankment construction.
- Implementation of traffic management plan on site during construction
Background:
Mount Gibson previously offered the Shire the construction of the haul road on a fixed price contract but the Shire declined because of the perceived risk.

Statutory Environment:
Local Government Act 1995 S3.59: - Commercial enterprises by local governments

(2) Before it —
   (a) commences a major trading undertaking;
   (b) enters into a major land transaction; or
   (c) enters into a land transaction that is preparatory to entry into a major land transaction,
   a local government is to prepare a business plan.

(4) The local government is to —
   (a) give Statewide public notice stating that —
       (i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;
       (ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and
       (iii) submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
   and
   (b) make a copy of the business plan available for public inspection in accordance with the notice.

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

(5a) A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.

(6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.

Local Government (Functions and General) Regulations 1996 - Reg 9 prescribes expenditure of more $500,000 or 10% of operating expenditure before a trading undertaking becomes a major trading undertaking.

Policy Implications:
Nil
Financial Implications:
If Council was to agree to undertake the work it would involve significant expenditure and income, and would displace 3 to 4 months of the proposed road program for 2008/09.

Strategic Implications:
Serious concerns are emerging about the current season, and local farmers will in any event not see any income before 2009. The project would lend itself to making substantial use of local contractors.

Consultation:
The CEO discussed the possibility of a cost plus contract with Mount Gibson but they are not keen on this type of arrangement. Mount Gibson would however include a rise and fall clause for fuel and bitumen. This would remove one of the major risks from the contract.

Comment:
Should Council decide to take on the project it creates a number of management and logistical issues that will need to be worked through.

Project Management
While the Shire has internal expertise in road building we have not previously taken on a project even close to this size. We would need to purchase project management expertise.

Maximising Local Content
One of the main drivers for taking on the project is the opportunity to direct a significant amount of the work to local contractors, especially farmers. There are a number of complimentary strategies we would need to employ to achieve these outcomes, including:

- Training – make available Blue Card training to all intending contractors. This is the minimum requirement for working on a construction site. Shire workers are trained in worksite traffic management, but we may need to train additional people for these roles.
- Public Meeting – to ensure that potential contractors are kept informed and sufficiently well prepared, a public briefing on the project and its implications will be needed, probably in the next few weeks.
- Tendering Arrangements – to ensure maximum take up of local contracting opportunities we need to ensure that the tendering process is not unnecessarily complicated. We may need to seek independent advice on this process both from compliance and technical requirements.
- Contractors and Day Labour – the project is likely to involve both contractors and day labour. We need to think through rostering, hours of work, rates of pay etc.

Setting Standards
For a project of this nature to be completed effectively we need to ensure that we are operating a fleet of safe fit for purpose road worthy plant and equipment. Potential contractors need to know that we will only be able to contract suitable equipment. The Shire mechanic as a certified vehicle examiner may be called upon to assess the suitability and condition of potential contract vehicles.
Shire of Perenjori

MINUTES

19TH JUNE 2008

Shire Road Program

For the Shire to be able to take up this project a significant element will be the shire fleet and shire expertise. If they are working on the rail siding project they cannot also be working on the Shires own scheduled works. It may be necessary to employ contractors to complete funded roads projects for 08/09.

Compliance Matters

In order for the shire to meet its legal and funding obligations we will need to:

- Inform the Department of Transport and Regional Services of our intentions, and seek their permission to defer Roads to Recovery Projects until the second half of 2008/09;
- Inform Main Roads WA and seek permission to defer Regional Roads Group and Black Spot Projects until the second half of 2008/09;
- Develop simple but compliant tendering processes for local contractors;
- Produce and publish a business plan for the project.

CEO Comments

The CEO and Council have previously discussed the possibility of participating in the construction of the new Perenjori Rothsay – Wanarra Road. Councillors would be aware that the CEO expressed concern at the potential risks associated with taking on such a large project. However, some things have changed since previous discussions:

- The start to the present growing season has not been promising.
- Mount Gibson is prepared to carry the risk associated with fuel and bitumen price fluctuations.
- While still a substantial project the rail siding is much smaller than the road project.

Mount Gibson has requested that we provide a quote within the next week to 10 days. We will need to seek advice from the Shire’s engineering consultant to assist us in this process.

There are still substantial investigations to be completed before we can confidently provide a price.

One of the possible options is to invite participation by a private construction company as a partner.

Voting Requirements:

Simple Majority

Committee Recommendation:

That the CEO provide Council with a complete report including risk analysis and draft costing at the June Ordinary meeting.

Committee Resolution:

Moved: Cr West  
Seconded: Cr Bensdorp

That Council do not tender for the construction of the Mt Gibson rail siding

CARRIED: 7/0

MEETING ADJOINED FOR AFTERNOON TEA BREAK AT 4PM
8063 FINANCE

8063.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY

APPLICANT: DEPUTY CEO
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: LEAH LEOPOLD – SENIOR FINANCE OFFICER
RESPONSIBLE OFFICER DOMENICA CURTIN – DCEO
REPORT DATE: 12th JUNE 2008
ATTACHMENTS MAY FINANCIAL ACTIVITY REPORTS

Executive Summary:
As required by the Local Government Act and Financial Management Regulations, a Monthly Statement of Financial Activity is required to be presented to each monthly meeting. This statement is used with Councils adopted 10% variance or $5000 figure, which was adopted by Council at its March meeting. A report detailing the variances is also included.
Other Financial statements are also attached as per the Finance Committee preferences.

Statutory Environment: N/A
Policy Implications: N/A
Financial Implications: N/A
Strategic Implications: N/A
Consultation: N/A

UHF Haines Norton

Voting Requirements: Simple Majority

Officers Recommendation:

1. Statement of Financial Activity
That the Statement of Financial Activity for the period ended 31st May 2008 including report on variances be accepted as presented.

2. Finance Report
That the Finance Report for the period ended 31st May 2008 be accepted as presented.
3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 31st May 2008 with a balance of $908956.43 as presented be received.

4. Reserves Report
That the Reserves Report for the period ended 31st May 2008 with a balance of $983617.00 as presented be received.

5. Net Current Assets
That the Net Current Assets report for the period ended 31st May 2008 as presented be received.

6. Bank Reconciliation’s
That the balances of the Municipal Fund of $335188.17, the Term Deposit of $ 504879.18 and the Trust Fund of $34082.98 as at 31st May 2008 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 31st May 2008 with a balance of $123786.77 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 31st May 2008 with a balance of $32895.69 as presented be received.

9. Accounts for Payment
That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 16449 to 16504 and EFT Numbers 433 to 461 for $281735.98 and the Trust Account consisting of Cheque Number 747 and EFT Number 455 for $157.50 for the period ended 31st May 2008 as presented be accepted.

10. Rates Outstanding
That the Rates Outstanding Report for the period ended 31st May 2008 with an outstanding balance of $51443.00.

Council Resolution:
Moved: Cr West Seconded: Cr Hirsch
That items 1-10 relating to the Statement of Financial activity for period ended 31st May 2008 be accepted as presented.

CARRIED: 7/0
EXECUTIVE SUMMARY:

Councils Debt Collection Agency - Austral Mercantile Collections have informed that despite all efforts they are unable to locate outstanding debtor Lesley Nannup and are closing the file. If any further information arises, the file will re-open.

Lesley Nannup has an outstanding debt for rental of shire housing (U4/60 Downer Street) from 31 December 2002. The debtor entered into a payment arrangement of $100.00 per fortnight for the initial outstanding amount of $1604.00. This agreement has been breached (payments ceased on 06/09/07) and has been actively pursued by Austral Mercantile Collections since then but to no avail. No legal fees have been charged to the Shire of Perenjori.

- Lesley Nannup - Rent $404.00

STATUTORY ENVIRONMENT:

N/A

POLICY IMPLICATIONS:

Policy Number 151 – Reminder letter be sent 21 days after original account, allowing 7 days to settle or make arrangements to clear debt; After 28 days further letter stating legal action will commence if unresolved within 7 days; After 35 days sent to debt collectors.

FINANCIAL IMPLICATIONS:

04008 Bad Debts Expense has a over expenditure of $342.49.

STRATEGIC IMPLICATIONS:

N/A

CONSULTATION:

Austral Mercantile

VOTING REQUIREMENTS:

Simple Majority

OFFICERS RECOMMENDATION:

- That Outstanding debtor Lesley Nannup $404.00 be written off as a bad debt.
- That council acknowledges the over expenditure on account 04008 Bad Debts.
Council Resolution:

Moved; Cr Hirsch          Seconded: Cr Benton
- That Outstanding debtor Lesley Nannup $404.00 be written off as a bad debt.
- That council acknowledges the over expenditure on account 04008 Bad Debts.

CARRIED: 7/0
8063.3 FINANCIAL MANAGEMENT REVIEW

APPLICANT: CEO / UHY HAINES NORTON
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 4 JUNE 2008

Executive Summary:
The 4 year financial management review concluded that the overall effectiveness of the financial management system and procedures of Council are sound and appropriate for Council’s current level of operations.

Applicants Submission:
The review made recommendations or noted a range of matters including:

Bank Reconciliations
- All bank reconciliations to be signed by the preparer.
  
  *CEO Response:* Accepted, previously these were only signed by the reviewer.

Trust Funds
- Careful consideration of the legal nature of funds needs to be made before placing them in trust.
- Ensure interest earned on trust funds is paid to the person entitled to it.
  
  *CEO Response:* Accepted. Usually amounts held in trust are not material, but these year Council held significant funds on behalf of Yarra Yarra.

Payments
- System for payments by EFT needs to be amended to ensure controls are adequate.
  
  *CEO Response:* Accepted. The concerns relate specifically to multiple payments such as payroll where batch payments for multiple payees are uploaded to the bank. We need to ensure that any changes to the batch file are subject to confirmation by delegates.

Financial Reports
- The Annual Financial Report to be forwarded to the department by the CEO within 30 days of receipt of the Audit Report.
  
  *CEO Response:* Accepted. The Annual Financial Report was not forwarded until adoption of the Annual Report. While the Annual Financial Report is contained within the Annual Report it should be forwarded as soon as the audit report is received and not wait for the Annual Report.
Minutes and Meetings

- Ensure minutes are complete when confirming and signing them.
- Notice of meetings called by the president or 1/3 of councillors to be given to the CEO.
- Reasons for decisions, when different to recommendation, to be recorded.
  
  **CEO Response:** Accepted.
  
  - The auditor suggests that the presiding officer signs every page of the minutes to ensure accuracy
  - The CEO will prepare a standard form of words to facilitate formal confirmation of the advice to call a Special Meeting of Council
  - The Act requires that the Minutes must record the reason if a decision is substantially different from that recommended by the officer. It is good practice to record the reason at the time to ensure that it adequately reflects Council’s reasoning. We probably need to err on the side of caution as to what constitutes a substantially different decision.

Plan for the future of the district.

- Strategic plan to be amended to meet all statutory requirements.
  
  **CEO Response:** Accepted. Part of the issue was that the words ‘plan for the future’ were not used in the resolution which was initially adopted by Council. This has now been rectified.

Tender Register

- Statewide public notice to be given for all tenders and a copy is placed in the tender register.
  
  **CEO Response:** Accepted. While I am satisfied that in all cases tenders were appropriately advertised copies of the advertisement were not kept in the tender register on all occasions.

Financial Interests Register

- Ensure no sections of Primary and Annual Returns are left blank.
- Staff holding delegated authority to complete primary and annual returns in the prescribed form.
  
  **CEO Response:** Accepted. All staff members with delegated authority must complete Annual Returns, and incomplete forms will be returned to the respondent to be corrected.

Audit Committee

- Ensure the Audit Committee meets with the auditor at least once in each year.
  
  **CEO Response:** Accepted.

Background:

The financial management review was conducted by UHY Haines Norton concurrently with the interim audit.
Statutory Environment:
Local Government (Financial Management) Regulation 5(2)(c). states as follows:

The CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.

Policy Implications: Nil
Financial Implications:
Minor procedural changes will strengthen the controls in the financial management system.

Strategic Implications: Nil
Consultation:
The report was prepared for the CEO by UHY Haines Norton, the Shire’s auditor.

Comment:
The overall findings of the review indicated that general control systems are effective and appropriate.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council notes the results of the 4 yearly review of Financial Management.

Council Resolution:
Moved: Cr King Seconded: Cr West
That Council notes the results of the 4 yearly review of Financial Management.
CARRIED: 7/0
Executive Summary:
At Council's recent Financial Management Review and Interim Audit, an issue was raised in regards to Council's Strategic Plan.

Applicants Submission:
Councils has prepared and adopted a Strategic Plan for the period 2006-2010. The Strategic plan adopted does not meet all the requirements for the plan for the future in that it does not contain a brief description of the involvement of the public in the preparation of the plan for the future as required by Administration regulation 19C (8).

Background:
The Strategic Plan was originally adopted by Council on the 19th April 2007.

Statutory Environment:
Local Government (Financial Management) Regulation 19c 5.56 states as follows:

1. In this regulation and regulation 19D —
   "plan for the future" means a plan made under section 5.56.

2. A local government is to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).

3. A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.

4. A local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period the plan is made in respect of.

5. A council is to consider a plan, or modifications, submitted to it and is to determine* whether or not to adopt the plan, or the modifications, as is relevant.
   *Absolute majority required.

6. If a plan, or modified plan, is adopted by the council then the plan or modified plan is to apply to the district for the period of time specified in the plan.
(7) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future of the district, and when preparing any modifications of a plan.

(8) A plan for the future of a district is to contain a description of the involvement by the electors and ratepayers in the development of the plan, and any modifications of the plan.

(9) A local government is to ensure that a plan for the future made in accordance with this regulation applies in respect of each financial year after the financial year ending 30 June 2006.

[Regulation 19C inserted in Gazette 31 Mar 2005 p. 1033.]

Notice of plan to be given

(1) After a plan for the future, or modifications to a plan, are adopted under regulation 19C the local government is to give local public notice in accordance with subsection (2).

(2) The local public notice is to contain —

(a) notification that —

(i) a plan for the future of the district has been adopted by the council and is to apply to the district for the period specified in the plan; and

(ii) details of where and when the plan may be inspected;

or

(b) where a plan for the future of the district has been modified —

(i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for a the period specified in the plan; and

(ii) details of where and when the modified plan may be inspected.

[Regulation 19D inserted in Gazette 31 Mar 2005 p. 1033-4.]

Policy Implications: Nil
Financial Implications: Nil
Strategic Implications: Nil
Consultation: UHY Haines Norton
Voting Requirements:
Absolute Majority

Officer’s Recommendation:
That Council adopts the Shire of Perenjori Strategic Plan as its Plan for the Future 2006 -2010”

Council Resolution:
Moved: Cr Benton Seconded: Cr King
That Council adopts the Shire of Perenjori Strategic Plan as its Plan for the Future 2006 -2010”
CARRIED: 7/0
Executive Summary:
Latham Centenary Committee has requested support for the development of an identity wall in Latham prior to centenary celebrations in 2009.

Applicants Submission:
The letter from the committee is attached. It appears there may be additional requests for funding and support as ideas evolve.

Background:
At its April Ordinary Meeting Council resolved:

“That Council consider a budget provision for the Latham Centenary Committee celebrations of $10,000.00 in the 2008/09 budget.”

This allocation was primarily for the review and reprint of a history of Latham. The committee is still developing their plans.

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

Policy Implications: Nil

Financial Implications:
Council is already considering an allocation of $10,000 towards the Centenary celebrations. It is likely that any Council allocation may be supplemented with grant funds.
Strategic Implications:
Apart from the celebration itself, the process is likely to be a valuable community building exercise for Latham.

Consultation:
The CEO has offered to attend the next meeting of the Latham Centenary Committee, but this will probably not be until July.

Comment:
It is probably worth Council deciding what it considers would be a reasonable contribution in each of the next two years which will allow the committee to plan effectively and pursue necessary grants.

Voting Requirements:
Absolute Majority

Officers Recommendation:
That Council consider an allocation to the Latham Centenary Committee of $15,000 in each of the next two financial years.

Council Resolution:
Moved: Cr Benton Seconded: Cr Hirsch
That Council consider an allocation to the Latham Centenary Committee of $15,000 in each of the next two financial years.
CARRIED: 7/0
Latham Centenary Committee

President: Brian McAlpine  
Phone 08 96642053  
Email: brianmcalpine@bigpond.com

Secretary: Elaine King  
P.O. Box 33  
Latham, WA 6616.  
Phone 0899736011.  
Email begkin@wn.com.au

8th May 2008.

Perenjori Shire  
Fowler St  
Perenjori 6620. WA

Dear Brian, Stan, and Councillors,

At our last committee meeting, the idea of erecting a wall in the park at Lot No 76 Britt St in Latham was put forward. This wall is to recognise the Pioneers and past and present residents. Resulting in a similar statement as at the south entrance of Perenjori.  

Our committee are investigating this idea, and as part of this investigation we need to know of any restrictions or guidelines that would affect the outcomes in this venture. Is there a height restriction, distance from the street verge? building materials etc that we should take into consideration. Does Shire have a set architect to plan this type of project? Trina McAlindon is currently putting together a Portfolio of ideas for this project. I believe this idea was put to the Shire in 2007, but not carried any further. A request for funding for this was also asked about. Was this project allowed for in the 2007 Budget?

Any information or thoughts are welcome to the committee to assist us with planning the building of this venture.

It is hoped this can be organised and with the help of a grant be up and ready for opening at our Centenary celebrations in 2009. 

Hoping you can forward this information.

Yours sincerely,

Elaine King  (Hon Sec)
22 May 2008

Mrs Elaine King
Secretary
Latham Centenary Committee
PO Box 33
Latham WA 6616

Dear Elaine,

Thank you for your letter of 8th May 2008. Unfortunately it was received too late for a report to be prepared for the May Council Meeting, but it was discussed briefly by Council at the meeting.

In relation to the specific questions in the letter:

- There is no provision in the current budget for a Latham identity wall. I cannot recall a request for funding and nor could members of Council. We will however include the proposal in budget deliberations for the coming year.

- Council does not have an architect for such purposes. We do however have a relationship with the School of Architecture at UWA and can seek some ideas during the next visit by architecture students later this year. Our Manager of Community Services, Mr Garry Agnew also has significant building expertise and he is happy to provide advice as needed.

As you know Council has already earmarked $10,000 for the Latham Centenary Celebrations as part of budget considerations. As the event itself is not until September 2009 I would expect a further contribution in the 2009/10 budget.

I would welcome the opportunity to attend the next meeting of your committee to discuss the committee’s plans and ideas. This will help ensure that Council can plan an adequate contribution and we can help identify grant opportunities from other sources. I commend the work of the committee and look forward to the Shire working with you to help achieve the best possible result.

Please feel free to contact me if you would like further information or assistance.

Yours faithfully,

Stan Scott
Chief Executive Officer
Executive Summary:
Council approached the Perenjori Primary School for their assistance in producing the banner for the “Banners in the Terrace” competition for Local Government Week 2008.
They are happy to assist and have organised an “Artist in Resident” to visit the school to assist with the planning and preparation of the banner.

Applicants Submission:
They are requesting that Council consider providing $1000 which would be put towards funding the Artist in Resident and paint and materials. The School will cover the cost of accommodation and meals.

Background:
The Banners in the Terrace competition is held every year during local government week. It is utilised to showcase a banner from each shire which represents its community.
Each year the Perenjori Primary School and Latham Primary School are asked to produce a banner on alternative years for the competition. The materials for the project are all provided by the Shire of Perenjori.

Statutory Environment: Nil
Policy Implications: Nil
Financial Implications: $1000 for budget 2008/09
Strategic Implications: Nil

Consultation:
Perenjori Primary School

Comment:
The Perenjori Primary School may also incorporate the painting of the main street pots (Townscape Project) within the Artist in Resident program. The full cost will only be approx $500 in addition to normal costs.
Voting Requirements: Simple Majority

Officers Recommendation:
That Council consider a $1000 allocation towards the Artist in Resident Program for the Perenjori Primary School Banners in the Terrace competition.

Council Resolution:
Moved: Cr King               Seconded: Cr Benton
That Council consider a $1000 allocation towards the Artist in Resident Program for the Perenjori Primary School Banners in the Terrace competition.
CARRIED: 6/0
Executive Summary:
At the April plant & Works Committee meeting it was asked that more information be provided for the roads that do not exist and those that did not pass assessment. The information was to include where the roads ran, how long they were and who uses them. This information will then assist in deciding whether to upgrade certain roads and/or remove others from our database.

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: N/A

Financial Implications:
Heavy vehicles contribute significantly to road maintenance costs.

Strategic Implications: N/A

Consultation: N/A

Comment
Listed are the roads that required more information

Chapman rd – between Avery rd & Hirsch rd, length 2.22km. This road would require reconstructing and grids either put in place or repaired. This road was not previously highlighted to be an approved route.

Chisholm rd – starts at Maya east rd and ends at Rabbit Proof Fence rd, length 15.87km. The section in question would be approximately 4.2km long and would require realignment of bends and reconstruction of sandy section of road. Road was listed as temporary – grain & fertiliser.

Duffel rd – Supposed to start at Rabbit Proof Fence rd, Doesn’t exist

Hesford Back rd – supposed to start @ Old Perth rd and end @ Barwick rd, doesn’t exist
Length 5.45km

Martin East rd – supposed to start @ Rabbit Proof Fence rd and possibly join Martin rd, doesn’t exist, length 4km

Maurice rd – supposed to start Wanarra rd and end @ Spencer rd, doesn’t exist, length 10.3km
McKenzie rd – supposed to start @ Caron East rd and end @ Caron East rd – loop. Doesn’t exist.

Old Well rd – Start Rabbit Proof Fence rd and end Taylors rd, length 12.27km. Section from 0.00 – 6.80km is supposed to be Farris East rd. (See map)

Oversby rd (East of Solomon rd) Start Solomon rd and end @ Oversby South rd, length 13.6km. This section of road is listed as unconstructed.

Oversby rd (West of Solomon rd) Starts @ Wubin Mullewa rd and ends @ Solomon rd, length 6.3km. This road is affected by salt, is subject to flooding, has two large drains running through it and is made from poor road material – sandy.

Rayner rd – Starts @ Griffiths rd and ends @ Moriarty rd, length 6.76km. Would need to be reconstructed as it is poorly designed. This road was requested to list as a temporary grain & fertiliser route.

Reid rd – Starts Avery rd and ends in paddock, length 2.1km. This road is listed as unformed.

Reids rd – Starts @ paddock and ends Caffins rd length 2.061m. Listed as not existing. It actually comes off Caffins rd. Not listed as being required on the approved routes.

Williams rd – Starts Coorow Latham rd and ends in paddock, length 5.2km. Is listed as formed road. Road was not on the list to be added to the approved routes.

Tremlett rd – Starts @ Lampard rd and ends @ Dring rd, length 8.39km. The intersection would need to be reconstructed and cleared on Lampard and Tremlett rd. Road would also need to be widened. Road was not on the list to be added to the approved routes.

Avery rd – Starts @ Latham Coorow rd and ends @ Chapman rd, length 9.42km. This road would have to be completely reconstructed, requiring widening, graveling and grids placed. The road was not previously highlighted to be added as an approved route.

Diamond rd – Starts @ Coorow Maya rd and ends @ Maya South West rd, length 2.15km. This road would need widening and reforming of at least 1 km. Road was not on the list to be added to the approved routes.

Barwick rd – Starts @ Perenjori Carnamah rd and supposed to end @ Cannon rd – ends @ paddock, length 13.52km. Would require widening, reconstructing and graveling in some sections. This road was not highlighted for addition as an approved route.

Cannon rd – is actually Cannon East rd number 153. Starts @ Old Perth rd and ends @ the Wubin Mullewa rd, length 4.81km. Would require reconstructing, intersection realignment and graveling in sections. Mainly sand country. Road was not on the list to be added as an approved route.

Hirsch rd – Failed due to stacking distance at Wubin Mullewa rd. To qualify the intersection would need to be realigned, possibly northwards to gain the required stacking distance.

MCalphine – Caffin rd – Failed due to being a single lane sandy track. Was listed as a temporary grain & fertiliser route.
Voting Requirements: Simple Majority

Officers Recommendation: Nil

Committee Recommendations:

1. The roads not existing as listed below be removed from the system. This is to also include removing the section of SLK on Barwick road that does not exist.
   Duffel Rd, Hesford Back rd, Martin East rd, Maurice rd, McKenzie rd, Reid rd, Oversby rd (between Solomon & Oversby Sth Rd)

2. That the intersection of Hirsch rd be realigned to improve stacking distance and Tremlett rd / Lampard rd intersection be cleared to improve slight distance to allow them to be approved as Restricted Access Vehicle Routes.

3. That the balance of the roads as listed below be left as they are:
   Chapman Road
   Chisholm Road
   Old Well Road
   Oversby Road (West of Solomon rd)
   Rayner Road
   Reids Road
   Williams Road
   Avery Road
   Diamond Road
   Cannon East Road
   Mcalpine – Caffin Rd (apart from removing signs from Wubin Mullewa rd)

Council Resolutions:

Moved: Cr Reid Seconded: Cr Benton

That the roads not existing as listed below be removed from the system. This is to also include removing the section of SLK on Barwick road that does not exist.

Duffel Rd, Hesford Back rd, Martin East rd, Maurice rd, McKenzie rd, Reid rd, Oversby rd (between Solomon & Oversby South Rd)

CARRIED: 7/0
Moved: Cr Reid     Seconded: Cr Bensdorp
That the financial Implications of the realignment of the intersection of Hirsch rd and Hwy and Tremlett rd / Lampard rd be determined.

Cr King moved an amendment to the motion
Moved: Cr King     Seconded: Cr Hirsch
That the intersection of Hirsch rd and the Highway be costed for realignment to improve the stacking distance.

CARRIED: 7/0

The amendment now becomes the motion
Moved: Cr King     Seconded: Cr Hirsch
That the intersection of Hirsch rd and the Highway be costed for realignment to improve the stacking distance.

CARRIED: 7/0

Moved: Cr King     Seconded: Cr Hirsch
That the Tremlett rd / Lampard rd intersection be cleared to improved sight distance to allow them to be approved as Restricted Access Vehicle Routes.

CARRIED: 7/0

Moved: Cr King     Seconded: Cr Benton
That the balance of the roads as listed below be left as they are:
  Chapman Road
  Chisholm Road
  Old Well Road
  Oversby Road (West of Solomon rd)
  Rayner Road
  Reids Road
  Williams Road
  Avery Road
  Diamond Road
  Cannon East Road
  Mcalpine – Caffin Rd (apart from removing signs from Wubin Mullewa rd)

CARRIED: 7/0
8064.2  STAFF TRAINING

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 4th JUNE 2008
ATTACHMENTS

Executive Summary:
Several training courses have been undertaken by staff including MC licence, Blue card, Chemical course& Skid steer course. A couple of staff have also been learning how to operate the grader.

Background
Council allocates funds every year for staff development and to meet statutory requirements.

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: N/A
Financial Implications: N/A
Under staff training.

Strategic Implications: N/A
Consultation: N/A
Voting Requirements: N/A

Officers Recommendation:
For Committee Information

Committee Recommendation:
That the Shire advertises for expressions of interest from people wanting to do Heavy Vehicle Licences, Blue card, Front end loader, Traffic Controller/ Basic Traffic Management or any other heavy machinery training.
Council Resolution:

Moved: Cr Reid  Seconded: Cr West
That the Shire advertises for expressions of interest from people wanting to do Heavy Vehicle Licences, Blue card, Front end loader, Traffic Controller/ Basic Traffic Management or any other heavy machinery training.

CARRIED: 7/0

8065 HEALTH BUILDING & PLANNING

8065.1 SHIRE BUILDINGS MANAGEMENT

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Executive Summary:
Council is asked to consider proposals agreed to by the Shire Buildings Inspection Committee during the 2008-09 Shire Buildings Inspection Program.

Comment:
Council is aware that the Shire Buildings Inspection Committee carried out inspection of all Shire buildings in terms of required maintenance and any suggestions on the future use/value of specific buildings, in preparation for the 2008-09 Budget.

The Committee’s draft Shire Buildings Maintenance Budget will be available for Council’s 2008-09 Budget Meetings.

However, in the mean time the Shire Buildings Inspection Committee asks that Council consider the following conceptual ideas agreed to unanimously by it.

Not in order of priority.
1. Perenjori Lesser Hall

The Buildings Inspection Committee is of the view that the lean-to section of the Perenjori Hall could be physically separated from the main Hall area and re-developed for office and other community uses. That re-development could entail splitting the lean-to section of the Hall into two levels; the upper level may be suitable for two new administration areas (example: for relocation of NACC and Yarra Yarra), the bottom level could be re-developed for general community meeting/recreational purposes.

The Lesser Hall to the rear, currently occupied by NACC and Yarra Yarra, may then be available as a Seminar Room.

2. Perenjori Hall/Administration Complex

The Shire Buildings Inspection Committee suggests that the Perenjori Hall/Administration Complex should be re-developed and utilised to its fullest potential before Council considers any other separate commercial development in Fowler Street.

3. Co-location

In terms of effectiveness and rationalisation the Shire Buildings Inspection Committee suggests that negotiations be commenced with St John Ambulance and FESA regarding the possibility of these two service providers co-locating within one building thereby sharing training, meeting, toilet/change rooms and social areas.

4. Lot 107 Units ‘A’ & ‘B’ Livingstone Street

It is supported that both one bedroom single person’s units (A and B) 107 Livingstone Street Perenjori be relocated to the Perenjori Caravan Park and upgraded as Chalets to compliment the existing Chalets at the Caravan Park. This will free up another lot in Perenjori for general residential development.

5. Lot 130 Russell Street

Other than essential maintenance, no upgrade/general maintenance work is to be carried out on the Shire house at Lot 130 Russell Street and this house be put up for purchase by public tender at the end of the current tenancy.

Notwithstanding, the old external garage currently sitting across the southern boundary of Lot 130 must be demolished and a new boundary fence erected.
6. Lot 61 Hesford Street

Lot 61 Hesford Street remains a house that could be offered for purchase by a Shire employee or sold by public tender.

7. Lot 60 Downer Street

The tenants at 60 Downer Street have been re-tenanted to 71 Carnamah Road Perenjori as per Council’s April 2008 resolution. Consequent to the low structural and facility standard of this vacated house, it is agreed that lot 60 Downer should be subdivided at the earliest in accordance with HTD survey (lots 10, 11, 12, 13 and 14); and that the existing house be put up for purchase by public tender immediately free hold title is issued – see Attachment 8062.1.1a.

8. Masonic Lodge

The Shire Buildings Inspection Committee discussed the possibility that Council may wish to re-consider the cost benefit of upgrading the Masonic Lodge at this stage. The Perenjori Fitness Club currently uses the Masonic Lodge and the members are very happy with the current arrangements. Council may therefore consider that any funds allocated for further upgrade of the Masonic Lodge may be better directed towards the preparation of architectural plans for re-development of the lean-to section of the Perenjori Hall – see ‘1’ above.

Additionally, the Perenjori Fitness Club could benefit long-term by a suitable facility being incorporated into the new Swimming Pool development or being part of a re-development of the lean-to section of the Perenjori Hall.

9. Old toilets – Sale Yards

The old timber framed, CGI clad and roofed toilet block at the Sale Yards is substandard and is continually being vandalised. It is the view of the Building Committee that these old damaged substandard facilities should be demolished.

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

Policy Implications:
Nil

Financial Implications:
Subject to 2008-09 Budget consideration.
Voting Requirements: Simple Majority

Officers Recommendation:
Submitted for Council consideration and direction

Committee Recommendation:
1 & 2 Perenjori Lesser Hall
That all suitable options in town be considered for additional office space for Nacc and Yarra Yarra.

3. Co-Location
That Council commence negotiations with St Johns and Fesa for the long term plan for co-location of the emergency services buildings.

4. Lot 107 Units A & B Livingstone Street, Perenjori
That the Single persons units at 107 Livingstone Street, Perenjori be relocated to the Perenjori Caravan Park and upgraded as Chalets.

5. Lot 130 Russell Street, Perenjori
That 130 Russell Street, Perenjori be put up for purchase by public tender at the end of the current tenancy. The old external garage currently sitting across the southern boundary of Lot 130 must be demolished and a new boundary fence erected.

6. Lot 80 Hesford Street, Perenjori
That Lot 80 Hesford Street, Perenjori be offered for purchase by a Shire employee or sold by public tender.

7. Lot 60 Downer Street, Perenjori
That the existing house of Lot 60 Downer Street, Perenjori be offered for purchase by public tender immediately free hold title is issued.

8. Masonic Lodge
That Council carry out essential upgrade work to the Masonic Lodge as per the draft budget 2008/09.

That the Perenjori Fitness Club be incorporated into the new swimming pool development of being part of a re-development of the lean to section of the Perenjori Hall

9. Old toilets – Sale Yards
That the old timber framed, CGI clad and roofed toilet block at the Sale Yards be demolished.

Council Resolution:
Moved: Cr King Seconded: Cr Bensdorp
That $10,000 be considered in the 2008/2009 draft budget for the Perenjori Hall redevelopment Concept Plan.

Cr Baxter moved an amendment to the motion
Moved: Cr Baxter Seconded: Cr Reid
That $15,000 be considered in the 2008/09 draft budget for Perenjori Hall redevelopment Concept Plan and an office block across the street from the Café.

CARRIED 7/0
The amendment now becomes the motion

Moved: Cr Baxter     Seconded: Cr Reid
That $15,000 be considered in the 2008/09 draft budget for Perenjori Hall redevelopment
Concept Plan and an office block across the street from the Café.

CARRIED 5/2

Moved: Cr King     Seconded: Cr Benton
That following items are acknowledged by council:

1. **Co-Location**
   That Council commence negotiations with St Johns and Fesa for the long term plan for
   co-location of the emergency services buildings.

2. **Lot 107 Units A & B Livingstone Street, Perenjori**
   That the single persons units at 107 Livingstone Street, Perenjori be relocated to the
   Perenjori Caravan Park and upgraded as Chalets.

3. **Lot 130 Russell Street, Perenjori**
   That 130 Russell Street, Perenjori be put up for purchase by public tender at the end of
   the current tenancy. The old external garage currently sitting across the southern
   boundary of Lot 130 must be demolished and a new boundary fence erected.

4. **Lot 80 Hesford Street, Perenjori**
   That Lot 80 Hesford Street, Perenjori be offered for purchase by a Shire employee or sold
   by public tender.

5. **Lot 60 Downer Street, Perenjori**
   That the existing house of Lot 60 Downer Street, Perenjori be offered for purchase by
   public tender immediately free hold title is issued.

6. **Masonic Lodge**
   That Council carry out essential upgrade work to the Masonic Lodge as per the draft
   budget 2008/09.
   That the Perenjori Fitness Club be incorporated into the new swimming pool
   development of being part of a re-development of the lean to section of the Perenjori Hall

7. **Old toilets – Sale Yards**
   That the old timber framed, CGI clad and roofed toilet block at the Sale Yards be
   demolished.

CARRIED: 7/0
8065.2 ACCREDITATION OF BUILDING SURVEYORS

APPLICANT: Manager Community Services.
FILE: 
DISCLOSURE OF INTEREST: NIL
AUTHOR: GARRY AGNEW - MCS
RESPONSIBLE OFFICER GARRY AGNEW - MCS
REPORT DATE: 3 June 2008
ATTACHMENTS Nil

Executive Summary:
Council is to appoint the Manager Community Services as Building Surveyor for the Perenjori Shire with delegation of authority to approve or refuse plans of buildings or unauthorised building work.

Comment:
The Department of Housing and Works advises that amendments to provisions in Part XV of the Local Government (Miscellaneous Provisions) Act 1960 (the Act), along with associated regulations, will be proclaimed shortly and become operative on 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 is adopting the National Accreditation Framework for Building surveyors over a transitional period of 5 years. Existing practitioners may apply to upgrade qualifications or pursue a pragmatic assessment of experience and knowledge for recognition according to the national framework.

The Executive Director Building Industry Development, Department of Housing and Works has recommended that Council review any appointments or delegations of authority and update them prior to the 1 July 2008.

In respect to building surveyor qualifications, the amendments will not affect appointments and delegations made prior to 1 July 2008.
Gazettal of the associated regulations will occur in the next few weeks and the Department will then publish Building Notes.

**Statutory Environment:**
Local Government (Miscellaneous Provisions) Act 1960
Local Government (Building Surveyors) Regulations 2008

**Policy Implications:** Nil
**Financial Implications:** Nil
**Voting Requirement:** Simple Majority
**Officers Recommendation:**

Mr. Garry J. Agnew, Manager Community Services is appointed Building Surveyor for the Perenjori Shire with delegation of authority to approve or refuse plans of buildings or unauthorised building work.

**Committee Recommendation:**

Mr. Garry J. Agnew, Manager Community Services is appointed Building Surveyor for the Perenjori Shire with delegation of authority to approve or refuse plans of buildings or unauthorised building work.

**Council Resolution:**

Moved: Cr Hirsch
Seconded: Cr Benton

Mr. Garry J. Agnew, Manager Community Services is appointed Building Surveyor for the Perenjori Shire with delegation of authority to approve or refuse plans of buildings or unauthorised building work.

**CARRIED: 7/0**
Cr West declared an Interest and left the chambers at 3.16pm
Cr Bensdorp left chambers at 3.25

8065.3  HOUSE FOR SALE IN PERENJORI

APPLICANT: CRT REAL ESTATE GERALDTON
FILE: 0
DISCLOSURE OF INTEREST: Cr West
AUTHOR: STAN SCOTT – CEO ______________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ______________________
REPORT DATE: 12 JUNE 2008

ATTACHMENTS

Cr West works as a Real Estate Representative for CRT Real Estate.

Executive Summary:
Cr West has suggested that Council consider whether Lot 4 Carnamah Road would be an appropriate addition to Council’s property portfolio.

Applicants Submission:
The correspondence from Cr West is attached.

Background:
Council previously considered purchase of this property but determined at that time not to make an offer.

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:
Cr West believes that the property could sell for around $230,000. There is no provision for such a purchase in the 07/08 budget. If Council chose to make an offer it could:

- Make provision for unbudgeted expenditure of, say, $20,000 for a deposit in 07/08; and
- Budget for the balance of the purchase price plus costs in 08/09; or
- Consider the purchase as part of budget deliberations.

Strategic Implications:
Council is reducing its stock of high maintenance properties and is looking to building additional new homes.

Consultation: Nil

Comment:
Purchasing an established property is certainly cheaper than new construction. Garry Agnew is inspecting the property on 13 June 2008 and should be able to make an oral report on its condition, maintenance needs and value for money.
Council also needs to consider its existing projects and financial commitments as well as its capacity to borrow. There are a number of competing capital projects over the next 2 to 3 years.

Cr West’s correspondence is below.

**Voting Requirements:**
Absolute Majority (if resolved to make an offer)

**Officers Recommendation:**
That Council consider Cr West’s proposal.

**Council Resolution:**
Moved: Cr Bensdorp  Seconded: Cr Reid
That Council consider Cr West’s proposal at the draft budget meeting on 4th July.

CARRIED: 6/0

Cr West and Cr Bensdorp returned to chambers at 3.27

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Mr Stan Scott  
CEO Shire of Perenjori  
Perenjori.

Dear Stan,

I would like to inform Council that Lot 4 Carnamah Road, commonly known as “the Bank Managers house” and presently owned by Ian and Tracy Sparkman is on the market and listed by the above agency. This is a brick and iron residence hosting 4 bedrooms (2 double sized with built-in robes), formal lounge and dining rooms with a brick feature wall. The modern kitchen has an Omega electric stove, dishlex dish washer and large pantry. A family room adjoins the kitchen with glass doors opening onto a pergola and reticulated lawn and garden area. Climate control is managed by a fully ducted evaporative air conditioner with two additional reverse cycle split systems in the lounge and family rooms and a gas furnace wall heater adjacent to the kitchen area. There are also ceiling fans in all bedrooms and the family room. A double car port, brick storage shed and verandah on the western side of the house completes the under roofed area.

The residence has a large bathroom and two toilets together with a large linen cupboard and loads of storage cupboards. The home is situated on a fully fenced and landscaped quarter-acre block. I bring this to Council attention as it may warrant consideration when determining their long-term staff accommodation strategy.

As Councils are aware the cost of building in country areas is expensive as experienced with the recent building and finishing of your John’s Street homes and this may be the opportunity to acquire additional quality housing stock.

I believe the Vendors would look at any offers around valuation which I understand is in the vicinity of $230,000.

Sincerely yours,

Ian West  
Real Estate Representative  
CRT Real Estate Geraldton  
06/06/08
1. LOT 900 JOHN STREET SUBDIVISION UPDATE – ELECTRICAL SCHEDULE

The plumbing installation is complete and as is the fit-off for electrical.

Electrical testing and handover was programmed to take two weeks 2 June to 13 June 2008.

In respect to residential development within the Lot 900 John Street subdivision Council is reminded of its adopted Town Planning Scheme Policy No. 1 below.

TOWN PLANNING SCHEME NO 1

Under the provisions and powers conferred upon it by the Shire of Perenjori Town Planning Scheme No. 1, more particularly Clause 7.6, the Council of the Shire of Perenjori resolved on the 20 April 2006 to finally adopt the following Local Planning Policy without amendment.

LOCAL PLANNING POLICY NO 1

SHIRE OF PERENJORI SUBDIVISION DEVELOPMENT CONDITIONS

Policy

Council’s Local Planning Policy covering residential development in the John Street subdivision within the Perenjori Town site.

a) Council will allow dwellings to be constructed in brick, rammed earth, timber/metal frame, other acceptable masonry material and new transportable designed structures. Council will not permit the relocation of a second-hand dwelling unless the structure was originally designed as a transportable building and Council has given specific planning approval prior to its consideration on the issue of a Building Licence.

b) Under roof garages and carports shall be constructed of the same material as the dwelling. Outbuildings (garden sheds etc) are to be constructed from colour bonded material and located so as to be in accordance with setbacks specified in the Scheme.

c) Verandah supports should be the same material as the house.

d) Fences shall be masonry, the same material as the house walls, or of a material approved by Council to match neighbours fences, or to create an aesthetically pleasing contrast with the house.

e) Roofs shall be tiled or colour bonded metal deck.

f) Metal deck roofs and cladding for houses and ancillary buildings (sheds) must be of a muted colour, for example colour bonded or a similar product.

g) Fences abutting a reserve shall be no higher than 1.8 metres from the natural ground level.

h) Driveways and crossovers are to be constructed with concrete or brick paving.

i) Solar collections should be installed in the plane of the roof and no roof mounted external tanks will be allowed.

j) Council may require a bond against the owner or builder prior to development where there is potential for destabilization of adjoining private property or reserve land.

k) Council must approve any proposed fill above natural existing ground level.

l) Rain water tanks shall be located out of public view.
m) Clothes drying areas should be located out of public view.

n) All roof run off is to be contained on site into soak wells or rainwater tanks, or channelled to
the road to avoid erosion.

o) The use of Class ‘10’ buildings (sheds) for the purpose of accommodation or any form of
human habitation is not approved. Notwithstanding, the Manager Community Services is to
take account of individual circumstances i.e. where it is obvious that an Owner-Builder is
temporarily using a Class ‘10’ building for sleeping purpose whilst that Owner-Builder is
physically carrying out construction work on the house on the site. In those circumstances
the use of a Class ‘10’ building for sleeping purpose will be tolerated subject to the Owner-
Builder satisfying the health requirements for sanitary and ablution facilities and only whilst
construction work is being carried out on the house.

Town Planning Scheme Policy No. 1 shall not bind the Council in respect to any application for
planning consent but the Council shall take into account the provisions of the policy and
objectives which the policy was designed to achieve before making a decision in respect to
residential development within the John Street subdivision in the Perenjori Town site.

Stan Scott
Chief Executive Officer
Shire of Perenjori
PO Box 22
Perenjori WA 6620

28 April 2006

Draft adoption = 15 December 2005

2. KARARA IRON ORE PROJECT.

Karara Mining Limited has satisfied dot point 2 of Council’s “Conditioned” Planning Approval by
the payment of the $4,115.00 Planning Fee on the 29 May 2008, in accordance with the WAPC
Local Government Fees Regulations.

The Manager Community Services is currently negotiating with the Karara Mine Site Project
Manager in respect to the submission of an approved Building Application as well as A.F.
Engineering is respect to the sewage disposal systems.
3. SHIRE OF PERENJORI TOWN PLANNING SCHEME NO. 1 - REVIEW

Council is referred to Item 8044 of its April 2008 Meeting.

Moved: Cr. Hirsch         Seconded: Cr. Benton

1. That Council advertise for quotes for developing a Local Planning Strategy and performing a review of the Local Planning Scheme;
2. That Council, based on the results of the quotations allocate funds for this service in 2008/2009. (Absolute Majority)

Carried: 7/0

Correspondence was sent to the following Planning Consultants seeking an Expression of Interest to conduct a review of the Shire of Perenjori Town Planning Scheme No. 1 text and maps and prepare a Local Planning Strategy.

Planwest                           Gray & Lewis                       Koltasz Smith
94 Third Avenue                     Suite 5/2 Hardy Street             141 Burswood Road
Mount Lawley WA 6050                South Perth WA 6151               Burswood WA 6100

Peter D. Webb & Associates          Hille Thompson & Delphos
Unit 2/19 York Street               48 Marine Terrace
Subiaco WA 6008                     Geraldton WA 6530

Responses were received from Plan West, Gray & Lewis and Koltasz Smith – see attached.

In terms of the suggestion from Gary & Lewis that the Shire might consider pursuing a ‘Townsite Expansion Strategy’ as opposed to a ‘Local Planning Strategy’, advice to me is that a ‘Local Planning Strategy’ includes a ‘Townsite Expansion Strategy’ whereas a ‘Townsite Expansion Strategy’ does not embrace a strategy for any other Towns in the Shire nor does it embrace Council’s desires for the whole of the Shire e.g. mining and alternative uses for ‘Rural’ land etc.

Council Resolution:

Moved: Cr King         Seconded: Cr West

That council appoint a Planwest to carry out the Shire of Perenjori Town Planning Scheme No 1 Review and allocated $35,000 in the draft 2008/09 budget.

CARRIED: 7/0
4. SHIRE OF PERENJORI SWIMMING POOL UPGRADE

Please note comments concerning the Grant Application submission time frame, the preferred location and comments on the current condition of the Perenjori Swimming Pool.

Extract from Swimming Pool Committee Meeting Minutes – 4th June 2008

“DISCUSSION WITH COLIN HASSELL AND GARY CLARK

Mr Colin Hassell, the Manager of the Geraldton Aquarena, who has been heavily involved in swimming pool design, development and management has offered his expertise to assist our project in any way he can. Colin was involved with the new Narembeen aquatic facility from start to finish.

Mr Gary Clark, Manager of the Midwest Dept of Sport & Recreation also attended the meeting. He advised the following processes that need to be carried out for the grant application process:

- Community Consultation
- Needs Analysis
- Review of existing pool
- Feasibility Study

He also advised that:
For Grants - two to three quotes are required
1/3 Sport & Rec grant
1/3 Cash from Shire of Perenjori
1/3 In Kind works – does not have to be cash

Colin advised he is willing to assist with the preparation of the Grant Application which as previously advised opens for the 2009/10 funding year in July 08 and closes in October 08.
This requires us to move along very quickly. Colin advised that he will be going away in August for LSL but is hopeful he can assist fully before then.

Discussed work needs to be commenced on the Needs Analysis which will have to be done in house:

Things to look at:
Survey for community on pool
Hacc & people with disabilities
Highlight that it is a Community essential facility – weather, social aspect
Highlight Mining activity & likely increase in population
Latham Community – stats
Demographics including families/children numbers (ABS figures)
New Location – list benefits
Tourism potential
List Sporting groups who would utilise the facility
Concerts and events that can be held at the facility (eg Australia day, school carnivals)

Colin was asked regarding his fees for assistance with the project. He advised that he envisages that he would visit at least 6 times/year and only charge for fuel and expenses.

SITE LOCATION
The Committee attended a site inspection of all the proposed locations on the reserve for the new pool to gain Colin & Gary’s views.
Sites inspected were:
- Oval Reserve between Hockey oval and entrance to oval.
- Directly next to the current swimming pool
- The old swimming pool location

Colin and Gary both concurred with the Committee’s view that its preferred location (Between Hockey oval and entrance) was far superior to any of the others. They were both happy with the proposed new location and could see the advantages as highlighted by the committee.

A site inspection with Colin & Gary was carried out on the present pool facility and it was stressed that the obvious urgency of the upgrade due to the facilities and condition of the pool bowl which is deteriorating. Colin expressed his view that the condition of the pool is bordering on unsafe for staff and users (Worksafe issues).

As the committee has previously shown an interest in the design of the Narembeem Aquatic facility with some changes, Colin advised he will do up a couple of designs with the layout and facilities that have been discussed.

Once the designs are received, a community consultation/meeting will be organised to obtain the community’s feedback on what they would like to see at their pool. Colin is happy to facilitate such meetings.”

Following the June 2008 Swimming Pool Meeting the following E-mail was received from Gary Clark Dept of Sport and Recreation.
From: Gary Clark [Gary.Clark@dsr.wa.gov.au]
Sent: Tuesday, 10 June 2008 8:54 AM
To: Domenica Curtin
Cc: garrya@canamah.wa.gov.au; Colin Hassell
Subject: Perenjori pool redevelopment

Hi everyone
Conforming Colin and I met this morning to follow up on preparing documentation and a time line for the proposed pool relocation.
We have resolved the following:
1 There is a need to review the audit of the existing pool to justify redevelopment. This will form part of the needs analysis and Colin has offered to visit Perenjori within the next week to complete this report. He will require reimbursement for travel. Domenica or Garry can you confirm this with Colin asap?

2 Confirming you will complete the Needs Analysis Domenica based on information I forwarded previously and our discussions last week.

3 Colin has most of the information available for the feasibility and will document this for your application including;
   Risk Management Plan
   Management Plan
   Life Cycle Costs
   Asset Management Plan
   Maintenance Plan
   Capital and recurrent costings

4 Colin is also working on conceptual designs and estimates and will have these available for you. It is our recommendation an allowance of 1% per month be allowed above cost estimates for building inflation. He will forward the plans and costings down to you and is happy to attend a community and/or council meeting if required.

5 Reminder that Colin and I are both on leave in August so most of the preliminary documentation and application needs to be completed prior to then. Colin is due back 26 Oct and this will allow us 2 weeks to finalise documentation and CSRFF application. These actually close end of Oct but we can allow a week or two extension as we do not need to get these to Perth until mid Nov.

6 Following approval of the grant Colin will obtain engineers and architectural drawings, develop tender documents, specification and is happy to take on the role of Project Manager. You will need to negotiate this with Colin once a decision to proceed with the project has been made.

I think that is about it for now. If I have missed any thing Colin please feel free to add any notes to this brief.

Also Domenica and Garry if there is anything you are not sure about or again if you feel we have missed some thing please feel free to contact me at any time.

Regards
Gary C

Gary Clark
Manager Mid West
Dept of Sport and Recreation
Mid West Sports House
The Swimming Pool Committee is very appreciative of the displayed support from Gary Clark and Colin Hassell in regard the preparation of documentation for application for Grant Funding for the new Perenjori Pool Development.

Acknowledging the urgency of the grant application process, Colin Hassell has been invited to attend the next Council meeting (July at this stage) to summarise his progress.

5. CODE OF PRACTICE SAFETY AUDIT

The Royal Life Saving Society (WA) has advised that it is conducting Public Pool Aquatic Safety Audits of all public swimming pools on behalf of the Local Government Insurance Services (LGIS).

The purpose of these audits are to gauge the compliance of public pools with the Code of Practice for design, construction, operation, management & maintenance of public facilities, and to assist centres in improving their systems if required – the Perenjori Swimming Pool is to be inspected on Wednesday 18 June 2008.

MCS, Garry Agnew left the chambers at 3.58pm.
Executive Summary:
The Midwest Regional Council May Ordinary Meeting was held on 14 May 2008 in Perenjori.

Applicants Submission:
The following matters were considered at the May 2008 meeting of the MWRC.

- The MWRC accepted a revised quote for the provision of financial services by the Shire of Coorow, but foreshadowed the eventual formation of a Finance and Accounting Service Delivery Unit.

- Council endorsed a contract variation for Dallywater Consulting. Dallywater is preparing the Zero Waste Management Plan for the region, and the variation will allow the preparation of a business case for a regional waste management service.

- Council endorsed the arrangement between the MWRC and the Shire of Perenjori for the delivery of Corporate Services Support to Perenjori.

- The MWRC adopted the WALGA model code of conduct with minor variation.

- Council endorsed the first draft of the MWRC budget for distribution to member Councils.

- The MWRC will investigate the value in offering a book binding service to member Councils.

Council also considered two late business items:

- The Technical Advisory Group will examine alternative models for the delivery of a regional bulldozer service.

- The MWRC will prepare a business case for the appointment of Director Engineering and Technical Services. (Subsequently the CEOs of Perenjori, Morawa and MWRC have formed a working group to examine the proposal.)

The proposed Shire contributions for 2008/09 are set out in the table below. The proposed contribution from each member Council not related to participation in particular services is $32,500. Due to our participation in both the Health and Building and Corporate Services SDU Perenjori will be the single largest contributor to the MWRC.
SHIRE CONTRIBUTIONS

Scenario 1a- Council’s contribute to the DCS position in the ratio’s listed below in recognition of DCS work carried out for MWRC which indirectly benefits all member Councils.

Scenario 1b- Successful RDS or CLG grant application and contribution by councils towards grant projects

<table>
<thead>
<tr>
<th>Reference</th>
<th>Carnamah</th>
<th>Coorow</th>
<th>Minganjum</th>
<th>Morawa</th>
<th>Mullewa</th>
<th>Perenjori</th>
<th>Three Springs</th>
<th>TOTALS</th>
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<td>$0</td>
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<tr>
<td>Corporate Service Delivery Unit Enhancement</td>
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</table>

Current Committed Service/Project
Future Grant Reliant Service/Project
Shortfall to be covered as per Establishment Agreement

$178,904 | $85,161 | $82,453 | $169,394 | $84,687 | $206,896 | $81,553 | $891,046

As agreed commitments. These are indicative only and obviously subject to grant success and the individual Shires willingness to participate.

Above figures do not include the Regional Waste Collection Business Unit.

43001 (DCS) - Is subject to MWRC agreeing to purchase services from this Unit.
Background:
Perenjori is one of the seven members Council that comprise the MWRC.

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 Draft Budget sets out the potential costs attributable to each member Council. The general contribution to the shortfall increases from $20,000 to $32,500. This is consistent with Council’s expectations.

Strategic Implications:
The importance of the MWRC has increased since the release of WALGA’s SSS report.

Consultation:
Nil

Comment:
Each of the additional services proposed by the Regional Council is reliant on further grant income from the Connecting Local Governments Program.

Voting Requirements:
As noted

Officers Recommendation:
1. That Council note the outcomes of the May Ordinary Meeting of the MWRC.
   
   (Simple Majority)

2. That Council supports the draft budget as presented including Perenjori’s contributions to the Corporate Services Unit, Health and Building Unit, Regional Risk Coordinator and MWRC Operational Costs.
   
   (Absolute Majority)

Council Resolution:

Moved: Cr King Seconded: Cr West

1. That Council note the outcomes of the May Ordinary Meeting of the MWRC.

   (Simple Majority)

2. That Council supports the draft budget as presented including Perenjori’s contributions to the Corporate Services Unit, Health and Building Unit, Regional Risk Coordinator and MWRC Operational Costs.

   (Absolute Majority)

CARRIED: 7/0
8066.2 PROPOSED ELECTED MEMBER STAND DOWN PROVISIONS

APPLICANT: WALGA
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 3 JUNE 2008
ATTACHMENTS WALGA Infopage05-034-01-001

Executive Summary:
The Department has proposed stand down provisions similar to those for full Councils where individual members are under investigation or being prosecuted by a Statutory Authority.

Applicants Submission:
WALGA is seeking feedback from Councils on whether individual provisions of the proposals are justified.

Background:
The WALGA Infopage is attached.

WALGA is seeking responses to the following specific questions:

1. Provide for an elected member to voluntarily stand down, thereby relinquishing their powers and duties as an elected member, where that person is under investigation or has been charged by a statutory authority.

Comment For: The proposal –
• allows the individual to assess the suitability of temporarily discontinuing Council involvement.

Comment Against: This proposal –
• may lead to a public perception the elected member is a disruptive influence on Council. This perception would be magnified in the event the non-voluntary standing down of elected members receives even a moderate level of media coverage.

CEO Comment: The CEO supports this proposal.
2. Provide for the Standards Panel to forcibly stand down (Note: this is not a suspension) an elected Council member, thereby relieving them of their powers and duties as an elected member, to protect the institution and integrity of local government:
- where that person has not voluntarily stood down; and
- where that person is under investigation or has been charged by a statutory authority; and
- whose continued presence as a member:
  a) prevents a Council from properly discharging its functions; and
  b) affects the reputation and integrity of the local government as an institution; or
  c) is not in the public interest.

Comment For: This proposal –
- supports the Stand Down Proposal intent of removing an elected member who is a disruptive element on Council.

Comment Against: This proposal –
- has capacity to further agitate a situation that has already been found to be a disruption to the effective functioning of a Council.
- by including 'c) is not in the public interest' is potentially divisive, particularly if the standing down of the elected member is not requested by the council.

CEO Comment: The CEO supports this proposal.

3. Provide for the Standards Panel to consider standing down an elected member where a complaint or a request to stand a member down has been made to the Standards Panel by:
- the Council (absolute majority) in which the member holds office;
- a statutory authority that is undertaking an investigation into or prosecution of the member; or
- the Department of Local Government and Regional Development.

Comment For: This proposal –
- provides a mechanism for council to direct their concerns regarding disruptive behaviour to the Standards Panel
- provides a set procedure for complaints and requests to be directed to the Standards Panel.

Comment Against: This proposal –
- at face value, lacks provision for transparency to inform the community why a Council, statutory authority or Department of Local Government and Regional Development made the request to the Standards Panel
- imposes additional responsibility and duties on the Standards Panel, potentially stalling progress on inquiries and investigations.

CEO Comment – The standards panel is the appropriate body to consider whether an elected member is to be stood down. It is debatable whether this authority should be available to Council. Circumstances when a motion to request a member is to be stood
down is defeated, or not supported by an absolute majority, could bring an otherwise functioning Council to crisis point. Further a Council could make the referral and the Standards Panel decide not to stand down the elected member, which would create further conflict.

4. Provide for it to be an offence for a person to knowingly give false or misleading information which may lead to the standing down of an elected member.

**Comment For:** This proposal –
- aligns with S. 5.124 of the Local Government Act 1995, making it an offence to give false or misleading information under prescribed circumstances.

**Comment Against:** This proposal –
- although providing for it to be an offence, does not detract from the fact the Stand Down provisions creates another avenue for false and misleading information or allegations to be made against an elected member for political advantage or to satisfy a personal resentment.

**CEO Comment:** The provisions need to be strong enough to encourage people with a good faith belief to act while discouraging vexatious or mischievous complaints. Conviction for a ‘serious offence’ under the Local Government Act is sufficient for a member to be ineligible to hold office. Would making a false statement be a serious offence?

5. Provide for a member to be “stood down” for a period of 3 to 6 months with subsequent 6 month extensions where necessary.

**Comment For:** This proposal –
- will limit the ability for an elected member whose’ behaviour is found to be disruptive, to be removed from the affairs of the Council.

**Comment Against:** This proposal –
- appears to acknowledge the procedure for investigations into the conduct of an elected member is a lengthy process, despite the very recent introduction of the Rules of Conduct Regulations and appointment of the first Standards Panel.
- is likely to keep the issue of elected member behaviour in the public eye, and may compound negative perceptions about the Council’s reputation and integrity.

**CEO Comment:** Given the length of time some recent CCC investigations have taken a suspension could stretch for two or three six months periods. A substantial suspension period followed by no adverse finding could lead to a perception of injustice.
6. Provide for the member who has voluntarily stood down or who has been required to stand down, to be paid meeting fees and allowances for the duration of the standing down.

Comment For: This proposal –
- supports elected members who make a voluntary decision to stand down;
- ensures elected member who are stood down are not unfairly treated nor face peremptory punishment through loss of fees and allowances.

Comment Against: This proposal –
- does not distinguish between voluntary and required standing down, thus denying any incentive for those who stand down voluntarily;
- raises questions as to the entitlement of elected members to be paid fees and allowances at a time when they cease to incur costs and expenses normally attributed to activities of elected members

CEO Comment: This is a difficult question, and is a greater issue for larger local governments where sitting fees are more substantial. Perhaps there is a case for full fees for voluntary stand down, and a proportion of fees for forced stand down? This would encourage Elected Members to take action voluntarily.

7. Provide for the stand down period to cease:
- At the end of the period specified by the Standards Panel; or
- At any time earlier as determined by the Standards Panel.

Note: The order would automatically cease to apply at the end of the member’s term of office. Further, it is not intended that a member be prevented from ren nominating for Council.

Comment For: This proposal –
- permits a stand down period be brought to an end swiftly.

Comment Against: The proposal –
- states that it is not intended that a member be prevented from ren nominating for Council. Section 5.123 of the Local Government Act 1995 contains the a specific confidentiality protection clause in relation to complaints about the conduct of elected members:

“(1) A person who —
(a) makes a complaint during a campaign period;
(b) performs a function under this Act in respect of a complaint made during a campaign period; or
(c) as a result of anything done under this Division, becomes aware of any detail of a complaint made during a campaign period knowing it to be relevant to the complaint,
and during the campaign period discloses information that the complaint has been made, or discloses information of any detail of the complaint, commits an offence
In this section —

“campaign period” means the period beginning on the first day of the period referred to in section 4.49(a) and ending on election day as that term is defined in section 4.1.”

There is an apparent conflict between the intent of this Section to protect individuals about whom a complaint has been made, and the inevitable public exposure of elected member as a consequence of being stood down. It is questioned how the Department intends to protect the right to confidentiality during a campaign period and what would occur if an elected member is stood down concurrent with a campaign period.

CEO Comment:  This area requires attention to ensure that provisions during the election period are clear.

Statutory Environment:
The Department is proposing to amend the Local Government Act 1995.

Policy Implications:  Nil
Financial Implications:  Nil
Strategic Implications:  Nil

Consultation:
The Department is seeking input from the Association on the proposed changes.

Comment:
The most pressing question is whether a stand down provision is appropriate. If it is, everything after that is detail.

There is some potential conflict with the provisions of the Corruption and Crime Commission Act which makes it illegal to divulge any details of a CCC investigation, including that an investigation exists. Where does an elected member stand when they become aware that they are under investigation and choose to stand down when the existence of the investigation is secret?

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council advise WALGA as follows:

1. That Council supports voluntary stand down provisions;
2. That Council supports forced stand down in appropriate circumstances;
3. That Council supports the Standards Panel process,
4. That Council considers that the referral power should be limited to the statutory authority investigating and the Department.
5. That Council supports 3 to 6 month stand down periods with 6 month extensions.
6. That Council supports continued entitlement to fees and allowances for voluntary stand downs and proportional fees and allowances for forced stand downs.
7. That Council supports a ‘serious’ offence of knowingly providing false information leading to a stand down.
Council Resolution:
Moved: Cr Benton       Seconded: Cr West
That Council advise WALGA as follows:
1. That Council supports voluntary stand down provisions;
2. That Council supports forced stand down in appropriate circumstances:
3. That Council supports the Standards Panel process,
4. That Council considers that the referral powers should be limited to the statutory authority investigating and the Department.
5. That Council supports 3 to 6 month stand down periods with 6 month extensions.
6. That Council supports continued entitlement to fees and allowances for voluntary stand downs and proportional fees and allowances for forced stand downs.
7. That Council supports a ‘serious’ offence of knowingly providing false information leading to a stand down.

CARRIED: 6/1

8066.3 REGIONAL ENVIRONMENTAL MEETING

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 4 June 2008
ATTACHMENTS Nil

Executive Summary:
Cr King attended a Regional Environmental Meeting at White Wells Station on 23 May 2008.

Applicants Submission:
Cr King’s notes from the meeting are as follows:

Issues:
- Need to develop Regional Fire Management Plan. (PJ Shire will have a role)
- Concerns with rubbish disposal both on site and road verges
- Road Corridor (cleared area) 16 metres wide. All parties happy with this. Landholders keen to use road as part of Fire management.
- Likely to be 2-3 month delay on Section 18 review for Haul road. MGM resubmitted amendments 2 weeks ago.
- Now looking at 2nd quarter 2009 for first movements.
Weed control both on site and on road side concerns. MGM are developing a Flora/Fauna Weed identification and reporting sheet and protocol.

Power line EIA (s38) likely 4th quarter 2008.

Closure Planning. Preliminary completion criteria included in Appendix 9 of the Public Environmental Review.

Annual Fauna Monitoring required

Other Items of interest:

A Regional Conservation Group is being formed.

Seed Funding for above ($100,000) sourced from MGM

Baiting Programs are being implemented on Mt Gibson and White Wells. (Foxes, Wild Dogs and Cats)

15th -17th July Mallee Fowl Assessment Project being conducted.

EHPL are developing offset programs for Carbon Footprint (may be looking for partners)

Water sample provided by RH (appears very salty, get Dene Solomon to test) may not be suitable for using on road. Offsite environmental damage concern.

Kurt Tschirner (White Wells) has Bush Fire Brigade experience, may be useful for Ken Markham to liase with.

Background:

The meeting included representatives of MGM - Mount Gibson Mining Limited, EHPL - Extension Hill Pty Ltd (Asia Iron), ABHF - Australian Bush Heritage Fund (White Wells Station), AWC - Australian Wildlife Conservancy (Mt Gibson Station) and the Shire of Perenjori.

Statutory Environment:

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

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:

The Shire’s participation in such forums is important to reinforce the Shire’s governance role, and also to ensure that we are involved in areas of statutory responsibility such as bush fire control.

Consultation:

The Shire has also been dealing individually with all organisations represented.

Comment:

It is pleasing to note that AWC and ABHF are generally happy with the plans for the road and it appears an effective working relationship can be established between all parties.

One of the bores along Wanarra road is hyper saline (almost 3 times sea water) and would not be suitable for road construction and the impacts on the surrounding bush would be unacceptable. We need to ensure in our negotiations on the road that water used for construction is suitable for the purpose.
Voting Requirements:
Simple Majority

Officers Recommendation:
That Council notes the outcomes of the Regional Environmental Meeting.

Council Resolution:
Moved: Cr Bensdorp Seconded: Cr Hirsch
That Council notes the outcomes of the Regional Environmental Meeting.
CARRIED 7/0

8066.4 ANNUAL DELEGATIONS REGISTER

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: SUZANNE WARD – DIRECTOR CORPORATE SERVICES, MID WEST REGIONAL COUNCIL
RESPONSIBLE OFFICER: STAN SCOTT - CEO
REPORT DATE: 26TH MAY 2008
ATTACHMENTS: DELEGATIONS REGISTER

Executive Summary:
The Shire of Perenjori has power under the Local Government Act, 1995 (Act) to delegate to the Chief Executive Officer the exercise of any of its powers, or discharge of any of its duties under the Act, in order to facilitate and manage the “day to day” operations of the Council.

The Act allows the CEO to delegate any of his/her powers to another employee; such sub-delegations must be done in writing and can be sub-delegated with conditions.

Provided under separate cover is a revised Delegation Register, which has been expanded to include the delegations necessary for a local government authority to ensure all areas requiring delegation for the “day to day” operations of the Council are included.

Applicants Submission:
Amendments and additions to the previous Delegations Register have been highlighted to allow easy identification.

Background:
The Local Government Act requires that the Delegations register be reviewed at least once every financial year. The last review took place on the 17th May 2007.
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.

In accordance with Section 5.46(2) of the *Local Government Act 1995* delegations made under the Act must be reviewed at least annually by the Delegator (i.e. Council).

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Delegations to the Chief Executive Officer (and subsequent sub-delegations) ensures the “day to day” operations of the Council are streamlined and efficient.

Consultation: Nil

Comment: Nil

Voting Requirements: Absolute Majority.

Section 5.42 of the Act states any decision to amend or revoke a delegation by a local government is to be by an Absolute Majority.

As I am recommending amendments and/or additions to the existing list of delegations, an absolute majority is required.

Officers Recommendation:

Council endorse the amended list of delegations to the Chief Executive Officer as presented.

Council Resolution:

Moved: Cr Benton  Seconded: Cr Bensdorp

Council endorse the amended list of delegations to the Chief Executive Officer as presented.

CARRIED: 7/0
8066.5 COMMUNITY SAFETY & CRIME PREVENTION STRATEGY

**APPLICANT:** SHIRE OF PERENJORI / RED OCHRE CONSULTING

**FILE:** 0

**DISCLOSURE OF INTEREST:** 0

**AUTHOR:** STAN SCOTT – CEO

**RESPONSIBLE OFFICER:** STAN SCOTT – CEO

**REPORT DATE:** 6 JUNE 2008

**ATTACHMENTS** Community Safety and Crime Prevention Strategy

### Executive Summary:
Red Ochre Consulting was contracted to prepare Community Safety and Crime Prevention Plans for Perenjori, Morawa, Three Springs and Coorow.

### Applicants Submission:
The draft strategy is attached. The program through the Office of Crime Prevention provides $20,000 funding to support a project arising out of the strategy. The CEO changed the project suggested by the consultant (more consulting and community workshops) to improved lighting of high risk public spaces to reduce anti-social behaviour and property damage.

### Background:
Participation in the Community Safety and Crime prevention Partnership process provides greater access to funding.

### 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 priority project would be fully funded by the Office of Crime Prevention. There is also a small grant to administer the strategy.

### Strategic Implications:
Nil

### Consultation:
Red Ochre managed the community consultation process.

### Comment:
The Shire of Perenjori has lodged a funding application for a Youth Officer position shared with Morawa. This position should also help to engage young people in positive activities.

### Voting Requirements:
Simple Majority

### Officers Recommendation:
That Council endorse the Community Safety and Crime Prevention Strategy.
Carr: Reid; Sec: West
That Council endorse the Community Safety and Crime Prevention Strategy.
CARRIED: 7/0

8066.6 DRIVER ASSESSMENT FUNCTION

<table>
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<th>APPLICANT:</th>
<th>DEPARTMENT FOR PLANNING &amp; INFRASTRUCTURE</th>
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<td>DISCLOSURE OF INTEREST:</td>
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<tr>
<td>AUTHOR:</td>
<td>DOMENICA CURTIN – DEPUTY CEO</td>
</tr>
<tr>
<td>RESPONSIBLE OFFICER</td>
<td>DOMENICA CURTIN – DEPUTY CEO</td>
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<tr>
<td>REPORT DATE:</td>
<td>6 JUNE 2008</td>
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<tr>
<td>ATTACHMENTS</td>
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Executive Summary:
Last year it was announced that WA Police would be transferring its driver assessment role in regional areas to DPI effective from 1st July 2008.

Applicants Submission:
The new arrangements will require a place for drivers licence applicants to meet their driver assessor when they attend for their practical driving assessment.

As the provider for on-line licensing including the issue of Phase II learner’s permits and ‘new’ drivers licences the shire offices were deemed to be the appropriate place.

Once the assessment is completed, the DPI assessor would pass the results onto our Licensing Officer for completion of the appropriate action, depending on the outcome of the assessment. The DPI would not require any office or counter facility.

DPI are also seeking assistance with allowing our staff to make bookings for clients who wish to take a drivers assessment.

Background:
Online licensing services have been provided by the Shire for some time.

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: DPI
Voting Requirements: Simple Majority

Officers Recommendation:

That Council note the change in driver assessment role in regional areas and agree to:

1. Host the DPI Assessor when meeting drivers licence applicants at the Administration Offices
2. Allow Shire Staff to make bookings for clients who wish to take a drivers assessment.

Council Resolution:

Moved: Cr Benton     Seconded: Cr King

That Council note the change in driver assessment role in regional areas and agree to:

1. Host the DPI Assessor when meeting drivers licence applicants at the Administration Offices
2. Allow Shire Staff to make bookings for clients who wish to take a drivers assessment.

CARRIED: 7/0

8066.7 EXPLORATION LICENSE APPLICATION

APPLICANT: ENTERPRISE METALS
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 6 JUNE 2008
ATTACHMENTS APPLICATION, COVERING LETTER AND MAP

Executive Summary:

Enterprise Metals has applied for an exploration license spanning an area from just North of the Perenjori townsite to about sixty kilometres south, with an east west dimension of between 5 and 15 kilometres. The proposed lease bisects the Perenjori townsite.

Applicants Submission:

The applicant has applied for an exploration license for subsurface rights (.>30 metres).

Background:

Council has recently give consent for a mining tenement over the Rothsay Townsite subject to conditions.

Statutory Environment:

The Mining Act 1978 Section 31(a) states:
Where the application for a mining tenement relates only to that portion of the land that is not less than 30 metres below the lowest part of the natural surface of the private land, it shall not be necessary to give notice of the application to the owner or occupier or to a mortgagee of the land, but no application shall be made under section 29(5) or otherwise in respect of that portion of the land that is less than 30 metres below the lowest part of the natural surface unless notice is given in accordance with subsection (1) notwithstanding the prior grant of an application for a mining tenement over any portion of the land.

In other words not notification to landowners was required because the application relates only to land more than 30 metres below the natural surface.

The Mining Act 1978 Section 24 (5) states:

(a) Mining on any land referred to in subsection (1)(c) may be carried out with the written consent of the Minister who may refuse his consent or who may give his consent subject to such terms and conditions as the Minister specifies in the consent.

(b) Before giving his consent whether conditionally or unconditionally the Minister shall first consult the responsible Minister and the local government, public body, or trustees or other persons in which the control and management of such land is vested with respect thereto, and obtain its or their recommendations thereon.

*subsection 1(c)(iv) refers to land that is a townsite within the meaning of the Land Administration Act 1997;*

As happened on previous occasions the minister will write seeking Council's view in due course.

**Policy Implications:** Nil

**Financial Implications:**
The proposed tenement will generate rates income.

**Strategic Implications:** Nil

**Consultation:**
The CEO wrote to the proponent offering the opportunity to provide further information to Council.

**Comment:**
Every mining tenement application has an objection period. In addition tenements encroaching on townsites require the minister to seek the views of the Local Government. The Minister has previously accepted the following Endorsement and Condition in respect of the Rothsay townsite:

**Endorsement**
The grant of this lease does not include any private land referred to in Section 29(2) of the Mining Act 1978 except that below 30 metres from the natural surface of the land.

**Condition**
Access to the surface of the land within Rothsay Townsite for mining purposes being subject to the approval of the Shire of Perenjori or relevant reserve vestees, and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the State Mining Engineer.

As an occupied townsite Perenjori requires a greater level of protection, so it is suggested that the condition be extended to any activity within 100 metres of the townsite.
The Mining Act makes provision for consultation with and compensation for private landowners affected by mining activities.

**Voting Requirements:**
Simple Majority

**Officers Recommendation:**
That Council consents to the issue of the Mining Tenements 70/3460 subject to the following endorsement and condition:

**Endorsement**
The grant of this lease does not include any private land referred to in Section 29(2) of the Mining Act 1978 except that below 30 metres from the natural surface of the land.

**Condition**
Access to the surface of the land within 100 metres of the Perenjori Townsite for mining purposes being subject to the approval of the Shire of Perenjori or relevant reserve vestees, and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the State Mining Engineer.

**Council Resolution:**
Moved: Cr West  
Seconded: Cr Bensdorp
That Council consents to the issue of the Mining Tenements 70/3460 subject to the following endorsement and condition:

**Endorsement**
The grant of this lease does not include any private land referred to in Section 29(2) of the Mining Act 1978 except that below 30 metres from the natural surface of the land.

**Condition**
Access to the surface of the land within 100 metres of the Perenjori Townsite for mining purposes being subject to the approval of the Shire of Perenjori or relevant reserve vestees, and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the State Mining Engineer.

CARRIED: 7/0
Executive Summary:
The Perenjori Townscape Committee had another meeting on the 28th June 2008. An action plan has been completed with all the projects and improvements highlighted by the Committee in the past and present. Projects have been listed in order of priority so progress can be made.

Comment:
Councils continued improvement and beautification of its town and facilities are imperative for the future of our town, which works hand in hand with attracting new residents and tourists to our area.

Statutory Environment:
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 the district.

Policy Implications: Nil

Financial Implications:
Several Projects will be included in the draft budget for 2008/09

Voting Requirements: Simple Majority

Officers Recommendation:
Council note the Townscape Committee Minutes.

Council Resolution:
Moved: Cr King Seconded: Cr Bensdorp
Council note the Townscape Committee Minutes. CARRIED: 7/0
8067 OTHER BUSINESS

Moved: Cr Benton     Seconded: Cr Hirsch
That a draft budget meeting will be held at 10am on the 4th of July 2008.
CARRIED: 7/0

Moved: Cr King     Seconded: Cr West
That the Shire approach Main Roads WA to seek support for stop signs be placed on roads intersecting Syson road.
CARRIED: 7/0

8067.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

Shire of Perenjori – Letter to Year 2,3,4 class
Shire of Perenjori – Letter to Perenjori Bowling Green
Shire of Perenjori – Letter to Elaine King
LGM Magazine – Vol 41-No.5
Department of Agriculture and Food – Waddi Forest Land Conservation District Committee
Country Arts WA – Annual Report 2007
Mid West Strategic Infrastructure – Draft Minutes, 22nd August 06
WALGA – Infopage
WALGA – Information Bulletin
WALGA – Economic Briefing
WALGA – Local Government News, Issue No.17.08
WALGA – Local Government News, Issue No.18.08
WALGA – Local Government News, Issue No.19.08
WALGA – Local Government News, Issue No.20.08
WALGA – Local Government News, Issue No.21.08
Tourism Australia – Destination Development Regional Offices
Rural Towns – Liquid Assets Newsletter
Australian Local Government Assoc – Letter
Thankyou card from Harold & Helen Wass, Hilda Johnson
Department of Local Government and Regional Development – Child Health Facilities
Intersector Vol 14, No.4
Department for Planning and Infrastructure – Notice of Intention to take land
Moved: Cr West  
Seconded: Cr Benton
That Council move into Committee to discuss the CEO Performance Review, Salary Review & Contract.

CARRIED: 7/0

8067.5.1 CONFIDENTIAL ITEM - CEO PERFORMANCE REVIEW, SALARY REVIEW, CONTRACT

Council Resolution:
Moved Cr Reid  
Seconded: Cr Benton
That the CEO’s salary be increased by 15% for the new contract, and by 3% per year for each of the next 2 years.
That professional development be increased to $4,000 in line with the CEO’s proposal
That the performance bonus payable on completion of the new 3 year contract be set at $4,000 per annum.

CARRIED 7/0

Moved: Cr Benton  
Seconded: Cr Reid
That Council move out of committee.

CARRIED 7/0
8067.6 DATE OF NEXT MEETING / MEETINGS

Next meeting of Council will be held on Thursday 17 July 2008.

8067.7 CLOSURE

There being no further business the meeting was declared closed at 6.00pm

I certify that this copy of the Minutes is a true and correct record of the meeting held 19th June 2008.

Signed: ______________________

Presiding Elected Member

Date: ________________