Shire of Perenjori
MINUTES
Ordinary Council Meeting

To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on Thursday 21st February 2008, to commence at 1.30PM.

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8021  PRELIMINARIES

8021.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
The Chairman declared the meeting open at 1.35 pm

8021.2 OPENING PRAYER
Cr Baxter led Council in the opening prayer.

8021.3 DISCLAIMER READING
Nil

8021.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE
Present:   Cr B T Baxter
          Cr I F West
          Cr R A Benton
          Cr G K Reid
          Cr J H Hirsch
          Cr L C Butler
          Cr J R Cunningham
          Cr C R King

          CEO    S Scott
          DCEO    D Curtin
          EHO    R Latham
          Works Supervisor  K Markham
          EDO    P Cleaver

          Minute Taker   D Reid
          Visitors   J Wood
          Apologies   Cr J A Bensdorp

8021.5 PUBLIC QUESTION TIME
Nil

8021.6 PETITIONS / DEPUTATIONS / PRESENTATIONS
Nil

8021.7 NOTATIONS OF INTEREST
Financial Interest – Local Government Act s 5.60A
          Cr King – Item 8024.2 As owner of land affected by change
Cr King – Item 8026.7 As owner of land for sale
DCEO – Item 8026.7 As prospective purchaser of land
Proximity Interest – Local Government Act s 5.60B
Cr Baxter – Item 8026.7 - as owner of land adjacent to property
Cr Butler – Item 8026.7 -as owner of land adjacent to property
Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

8021.8 APPLICATIONS FOR LEAVE OF ABSENCE

Council Resolution
Moved: Cr King Seconded: Cr Reid
That Cr Bensdorp be approved a leave of absence for the current meeting.
Carried 8/0

Council Resolution
Moved: Cr King Seconded: Cr Reid
That Cr Cunningham be approved a leave of absence for the March meeting of Council.
Carried 8/0

8021.9 CONFIRMATION OF MINUTES

Council Resolution
Moved: Cr Benton Seconded: Cr King
That the minutes of Council meeting held 20th December 2007 be accepted as a true and correct record.
CARRIED: 8/0

Council Resolution
Moved: Cr King Seconded: Cr Cunningham
That the minutes of the Special meeting of Council held 31st January 2008 be accepted as a true and correct record.
CARRIED: 8/0

8021.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION
Nil

8021.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS
Nil
Executive Summary:

Following on from the previous item at the last Economic Development Committee Meeting in December possible dates for the visit to the Mt Barker facility need to be discussed.

The CEO has suggested that this meeting be scheduled for February 2008.

Applicants Submission:

The Minister for Regional Development has offered to arrange a meeting between key people from Perenjori, with an existing aquaculture venture in Mount Barker.

A list of persons attending and suitable dates need to be advised to Mr Hyde, who will then follow up with Tony Smith who has agreed to meet and discuss inland aquaculture.

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 has obtained a $50,000 grant from the Mid West Development Commission, and we will be seeking matching funds from the Regional Partnerships Program. This will bring the project in line with Council's budget.

Strategic Implications:

The aquaculture project is part of the Shire’s diversification strategy and attracted interest in our presentation to the Cabinet Standing Committee on Regional Policy.
Consultation:
This project has involved extensive consultation with interested parties including:

**Project Partners**
Curtin University Aquatic Studies, Batavia Coast Maritime Research Institute,
DAFWA – Food Division

**Stakeholders**
FishWA, University of WA, DAFWA – Agriculture Division, Supply Chain

Comment:
Committee Members establish possible dates that they are available for the visit.

Voting Requirements:
Simple Majority

Officers Recommendation:
The Economic Development Committee establish potential dates for the visit to the Aquaculture project in Mt Barker.

Committee Recommendation:
That the EDO arrange a date prior to 5th March 2008 and inform Cr Cunningham, Cr Hirsch, Cr West and other Stakeholders of the proposed date and time.

Council Resolution:
Moved: Cr Hirsch Seconded: Cr King
That the EDO arrange a date prior to 5th March 2008 and inform Cr Cunningham, Cr Hirsch, Cr West and other Stakeholders of the proposed date and time.

CARRIED: 8/0
Executive Summary:
The Ceo has completed an application for the pre-approved funding from the Midwest Development Commission.

Council is contributing $20,000 to the project which includes wages for the project officer of $10,000 plus Engineering Certification costs of $10,000. The funding from Midwest Development Commission totals $10,000.

Applicants Submission:
Council resolved at the January special meeting of Council to sign the IP Agreement with the University of WA.

The housing prototype is in the early stages but is expected to be landed in Perenjori on the Downer Street lots by the end of the financial year.

Background:
We are into the second year of a long term collaboration with the UWA School of Architecture, Landscape and Fine Arts.

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 has allocated $250,000 to the construction of two 2 bedroom units. (This includes the sourcing of a loan of $100,000)

A funding application for $430,000 to expand the project to include 2 4 bedroom houses is pending.

Strategic Implications:
Council identified the availability of land and housing as a key priority in its strategic plan.
Comment:
With the huge national and state interest in affordable housing the potential for this project is enormous.

Voting Requirements:
Simple majority

Officers Recommendation:
Update for Committee Information

Committee Recommendation:
That the EDO contact IKEA to gauge interest in housing.

Committee Recommendation:
Council write to relevant Ministers advising of progress on projects.

Council Resolution:
Moved: Cr Cunningham                Seconded: Cr Butler
That the EDO contact IKEA to gauge interest in housing
CARRIED: 8/0

Moved: Cr Hirsch                    Seconded: Cr Benton
Council write to relevant Ministers advising of progress on projects.
CARRIED: 8/0
Executive Summary:
LotteryWest has changed its Community Service Outlet policy, and there may be an opening for a further proposal for a CSO in Perenjori.

Applicants Submission:
The Economic Development Officer has been in regular contact with LotteryWest lobbying for reconsideration of an outlet in Perenjori. In part as a result of that lobbying the policy has been changed. Under the new policy we still do not qualify for an agency, but there is the possibility if we can satisfactorily demonstrate the population and demand impacts of proposed mining projects that we could qualify.

The current Minister for Racing and Gaming is Minister Ravlich who visited Perenjori with the Cabinet Standing Committee on Regional Policy. It would pay to copy our proposal to Minister Ravlich and Minister Chance.

Background:
Detailed below is the text of an email the EDO received from LotteryWest.

Further to our telephone conversation last week I can confirm that our Retail Distribution Plan for 2008 was released in December 2007. I have attached a copy for your reference.

The Retail Distribution Plan details the locations we will consider for the establishment of lottery outlets during the next 12 months. There were no Community Service Outlets (CSOs) identified in the Retail Distribution Plan 2008.

As previously communicated to you we have recently reviewed our CSO policy and can confirm the new criteria is as follows:

- the location must be more than 120 kilometres from the Perth GPO
- the nearest lottery outlet must be at least 30 kilometres away; and
- the population of the primary catchment area is to be at least 450.

In assessing the population of the primary catchment area for Perenjori, we considered the population within both a 6 and 15 kilometre radius of the town. Our assessment indicated little change in the population within these zones. According to the latest Census data, the population of the primary catchment area of Perenjori is 207.
On this basis Perenjori does not currently meet the criteria for the establishment of a Community Service Outlet, and has not been identified on the Retail Distribution Plan 2008.

Statutory Environment:

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

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:

One of the strategies identified by Pracsys and adopted by Council was to prevent leakage from the local economy. The lack of a Lottery West outlet is a significant contributor to leakage from the local economy.

Consultation:

The EDO has been in regular contact with Lottery West.

Comment:

The previous CSO policy excluded Perenjori because there is an agency in Morawa. The reduction of the distance criteria removes this barrier. The task now facing us is convincing LotteryWest that the population impacts of mining are such that an agency is justified.

We will need to gather the following to support our submission:

- Letters from each of Mount Gibson Iron, Asia Iron and Gindalbie setting out the impact of their projects and supporting our submission;
- Letters from other key regional stakeholders such as the Geraldton iron Ore Alliance and Mid West Development Commission
- Extract from the Pracsys report
- Evidence for consideration of a wider catchment – that is population that is closer to Perenjori than other possible outlets
- Evidence and argument that a Lottery West outlet is an important regional and economic development tool.

Perenjori has applied formally on at least two previous occasions for a Lottery West agency and has been unsuccessful. We need to use the change of CSO policy to try again. It is interesting to note that with the change of policy no new CSO outlets have been identified for 2008.

Voting Requirements: Simple Majority

Committee Recommendation:

That the EDO/CEO continue to pursue a CSO lottery agency for Perenjori.

Council Resolution:

Moved: Cr Reid    Seconded: Cr Butler

That the EDO/CEO continue to pursue a CSO lottery agency for Perenjori.

CARRIED 8/0
Phil Cleaver left the Council Chambers at 1.45pm

8023  FINANCE

8023.1  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:  13TH FEBRUARY 2008
ATTACHMENTS  DECEMBER 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:
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 December 2007 including report on variances be accepted as presented.

2. Finance Report
That the Finance Report for the period ended 31st December 2007 be accepted as presented.
3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 31st December 2007 with a balance of $473372.13 as presented be received.

4. Reserves Report
That the Reserves Report for the period ended 31st December 2007 with a balance of $960971.00 as presented be received.

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

6. Bank Reconciliation’s
That the balances of the Municipal Fund of $47472.36, the Term Deposit of $578882.43 and the Trust Fund of $221307.48 as at 31st December 2007 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 31st December 2007 with a balance of $3155.51 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 31st December 2007 with a balance of $32,636.24 as presented be received.

9. Accounts for Payment
That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 16154 to 16155 and EFT Numbers 273 to 305 for $324729.08 and the Trust Account consisting of Cheque Numbers 722 to 735 for $1480.00 for the period ended 31st December 2007 as presented be accepted.

Council Resolution:
Moved: Cr West    Seconded: Cr Hirsch
That items 1-9 relating to the Statement of Financial activity for period ended 31st December 2007 be accepted as presented.

CARRIED: 8/0
8023.2 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: 13TH FEBRUARY 2008
ATTACHMENTS JANUARY 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:
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 January 2008 including report on variances be accepted as presented.

2. Finance Report
That the Finance Report for the period ended 31st January 2008 be accepted as presented.

3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 31st January 2008 with a balance of $494183.49 as presented be received.
4. Reserves Report
That the Reserves Report for the period ended 31st January 2008 with a balance of $960971.00 as presented be received.

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

6. Bank Reconciliation’s
That the balances of the Municipal Fund of $17704.45, the Term Deposit of $531730.67 and the Trust Fund of $221988.48 as at 31st January 2008 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 31st January 2008 with a balance of $16593.02 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 31st January 2008 with a balance of $10,190.45 as presented be received.

9. Accounts for Payment
That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 16214 to 16269 and EFT Numbers 306 to 326 for $141555.74 and the Trust Account consisting of Cheque Numbers 736 to 741 for $1045.00 for the period ended 31st January 2008 as presented be accepted.

10. Rates Outstanding
That the Rates Outstanding Report for the period ended 31st January 2008 with an outstanding balance of $150676.00.

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

CARRIED: 8/0
8023.3 BAD DEBTS WRITE OFF

APPLICANT: DEPUTY CEO
FILE: 0
DISCLOSURE OF INTEREST 0
AUTHOR: LEAH LEOPOLD – SENIOR FINANCE OFFICER
RESPONSIBLE OFFICER DOMENICA CURTIN - DCEO
REPORT DATE: 12th FEBRUARY 2008
ATTACHMENTS CORRESPONDENCE - AUSTRAL

Executive Summary:

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

Shannon Hill has an outstanding debt for rental of shire housing (132 Street) from 1 December 2005. The debtor has been actively pursued since then but to no avail.

- Shannon Hill - Rent $889.94
- Legal Expenses $685.09
- Lost Books $215.91

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 remaining budget allocation of $547.45

Strategic Implications:

N/A

Consultation:

Austral Mercantile

Voting Requirements:

Simple Majority

Officers Recommendation:

- That Outstanding debtor Shannon Hill $1790.94, be written off as a bad debt.
- Council acknowledges the over expenditure on account 04008 Bad Debts
Council Resolution:
Moved: Cr West  Seconded: Cr King
- That Outstanding debtor Shannon Hill $1105.85, be written off as a bad debt.
- Council acknowledges the over expenditure on account 04008 Bad Debts

CARRIED: 8/0
Executive Summary:

Council is asked to consider an application for planning consent from Kirk Pohl, Perenjori Hotel to develop 18/24 Accommodation Units over Lot 1 Cnr. Russell & Hesford Streets Perenjori (rear of Perenjori Hotel).

Background:

Council is aware that Kirk Pohl of the Perenjori Hotel has, in the past, discussed with the CEO, MES and Shire President the proposition of developing accommodation units/motel units on vacant Lot 1 at the rear of the Perenjori Hotel.

Kirk Pohl has been informed that the first stage for any application to develop accommodation units on the land to the rear of the Hotel was the submission of an application for Planning Consent; and that that application must include a detailed site layout plan to allow Council to appreciate the overall proposal in terms of layout design, visual and activity amenity.

Comment:

Council is now in receipt of an example of structural design plans of the proposed units and a simple site layout sketch – see Attachment 7022.1a.

Council is informed that Lot 1 is zoned “Town Centre” under the Shire of Perenjori Town Planning Scheme No. 1, consequently the proposal is conceptually acceptable.

Notwithstanding, Council is unable to give appropriate consideration to this application unless more formal detail is received. The site development plan submitted does not provide adequate information to allow Council to make an informed decision.

An acceptable application for development approval must consist of a detailed site layout plan that shows to scale, at least:

1. building setback distances;
2. site building pad levels;
3. privacy screening;
4. service access points;
5. buildings front focus;
6. guest/customer car parking area;
7. area landscaping;
8. external colouring for building cladding and roofing;
9. general appearance from the street;
10. sewage disposal method and location;
11. storage areas; and
12. refuse collection point etc;

as well an explanation covering matters such as;
13. laundry servicing;
14. communal recreation facilities;
15. kitchen/cooking facilities, should the occupants not wish to patronise the Hotel.

It is therefore recommended that this application be given conceptual approval ONLY; and that the applicant be advised that final Planning Consent can only be issued consequent to Council's approval of a more detailed site layout plan with advisory notation that addresses all of those matters in 1 to 15 above.

Policy Implications:
Nil

Statutory Implications:
Shire of Perenjori Town Planning Scheme No. 1.
Clause 5.1.1 – Subject to clause 5.1.2 a person shall not commence or carry out development of any land zoned or reserved under the Scheme without first having applied for and obtained the planning consent of the Council under the Scheme.

Health Act (Laundries and Bathrooms) Regulations.
Health Act 1911 (as amended)

Voting Requirements:
Simple Majority

Officers Recommendation:
Preliminary conceptual approval is given to Kirk Pohl of the Perenjori Hotel to develop motel units over the vacant portion of lot 1 Russell Street Perenjori.

Formal Planning Consent will only be considered following the submission of a detailed scaled site development plan that addresses all of the following matters -

1. building setback distances;
2. site building pad levels;
3. privacy screening;
4. service access points;
5. buildings front focus;
6. guest/customer car parking area;
7. area landscaping;
8. external colouring for building cladding and roofing;
9 general appearance from the street;
10 sewage disposal method and location;
11 storage areas; and
12 refuse collection point etc;
as well an explanation covering matters such as;
13 laundry servicing;
14 communal recreation facilities;
15 kitchen/cooking facilities, should the occupants not wish to patronise the Hotel.

Committee Recommendation:
Moved: Cr Cunningham           Seconded: Cr Benton

Preliminary conceptual approval is given to Kirk Pohl of the Perenjori Hotel to
develop motel units over the vacant portion of lot 1 Russell Street Perenjori.

Formal Planning Consent will only be considered following the submission of a
detailed scaled site development plan that addresses all of the following matters -
• building setback distances;
• site building pad levels;
• privacy screening;
• service access points;
• buildings front focus;
• guest/customer car parking area;
• area landscaping;
• external colouring for building cladding and roofing;
• general appearance from the street;
• sewage disposal method and location;
• storage areas; and
• refuse collection point etc;

As well an explanation covering matters such as;
• laundry servicing;
• communal recreation facilities;
• kitchen/cooking facilities, should the occupants not wish to patronise the Hotel.

Carried 6/0

Council Resolution:
Moved: Cr Benton           Seconded: Cr Cunningham

That preliminary conceptual approval is given to Kirk Pohl of the Perenjori Hotel to develop motel units over the vacant portion of lot 1 Russell Street Perenjori.

That formal Planning Consent will only be considered following the submission of a detailed scaled site development plan that addresses all of the following matters -
• building setback distances;
• site building pad levels;
• privacy screening;
• service access points;
• buildings front focus;
• guest/customer car parking area;
• area landscaping;
• external colouring for building cladding and roofing;
• general appearance from the street;
• sewage disposal method and location;
• storage areas; and
• refuse collection point etc;

As well an explanation covering matters such as;
• laundry servicing;
• communal recreation facilities;
• kitchen/cooking facilities, should the occupants not wish to patronise the Hotel.

CARRIED: 8/0
Executive Summary:
Council to endorse proposed amendments to the Shire of Perenjori Town Planning Scheme No.1

Background:
Council is referred to Item SP 8012.2 of its Special Meeting held on the 31 January 2008.

That Council discuss priority changes to the Town Planning Scheme.

Moved: Cr King  Seconded: Cr Cunningham
That Council remove the Sewerage Treatment from the Town Planning Scheme

CARRIED: 6/0

Moved: Cr West  Seconded: Cr King
That Council remove the Mining Accommodation from the Town Planning Scheme

CARRIED: 6/0

Moved: Cr West  Seconded: Cr Cunningham
That Council remove items 5 & 6 and Relocate the Residential area East of North Road be from Hesford Street to the creek line North of the Cemetery and identify it as Residential/Education

CARRIED: 6/0

Moved: Cr Bensdorp  Seconded: Cr West
That Council re-name Lifestyle Blocks to Rural Residential

CARRIED: 5/0

Cr King declared an Interest as owner of land affected by this change and did not vote

Moved: Cr King  Seconded: Cr Cunningham
That Council relocate fairways 6 & 7 and that land be zoned residential

CARRIED: 6/0
Moved: Cr King  Seconded: Cr Cunningham

That the railway reserve on Fowler Street from Anzac Park to Loading Street and the entire reserve on west side of railway line be zoned commercial.

CARRIED: 6/0

Comment:

Attached as Attachment 7022.2a is the draft Town Planning Zoning plan incorporating the above amendments to the original plan that was presented to Council at its January 31st 2008 Special Meeting.

Following endorsement of the attached amended plan arrangements will be made for Council’s Town Planning Consultant (Paul Bashall) to attend a meeting with Council in Perenjori to discuss strategic planning principles and the statutory process for the amendments to proceed towards approval by the WAPC and final gazettal.

Policy Implications:

The Local Planning Scheme is the primary policy document for the orderly development of the Shire.

Statutory Implications:

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

Financial Implications:

Council has budgeted $25,000.00 for a review of the Town Planning Scheme.

Voting Requirements:

Simple Majority

Officers Recommendation:

The proposed amendments to the Shire of Perenjori Town Planning Scheme No.1 map as detailed on Attachment 7022.2a to this Report are endorsed and the CEO is authorised to arrange for Council’s Planning Consultant (Paul Bashall) to attend Council at the earliest convenience to advise Council on strategic planning principles and the statutory process for gazettal through the WAPC.

Committee Recommendation:

Moved: Cr Cunningham  Seconded: Cr Baxter

That the Shire of Perenjori Town Planning Scheme No.1 map as detailed on Attachment 7022.2a reflect the following changes:

- Residential/Educational is too far South (make from Hesford Street)
- Residential on golf course 50m deep only
- Transport/Industrial – add one block west of current
- Commercial to be full length of West Side of Railway

Carried 6/0
Council Resolution:
Moved: Cr West    Seconded: Cr Cunningham
That the Shire of Perenjori Town Planning Scheme No.1 map as detailed on Attachment 7022.2a reflect the following changes:
- Residential/Educational is too far South (make from Hesford Street)
- Residential on golf course 50m deep only
- Transport/Industrial – add one block west of current Commercial to be full length of West Side of Railway  
CARRIED: 8/0

Cr King left the Council Chambers at 2pm

Council Resolution
Moved: Cr Baxter    Seconded: Cr Hirsch
That Lot 9125 be re-zoned as Rural Residential  
CARRIED: 5/2

Cr King re-enters Chambers at 2.10pm
8024.3 RENTAL OF SHIRE HOUSING

APPLICANT: KEZ CARTER & DANIELLE BYNDER
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: DOMENICA CURTIN - DCEO
RESPONSIBLE OFFICER: GARRY AGNEW - MCS
REPORT DATE: 14th FEBRUARY 2008
ATTACHMENTS: NIL

Executive Summary:
Currently there are three Shire houses vacant –
1. Lot 153 Livingstone Street; Lot 58 Hesford Street; and Lot 71 Carnamah Road.
These are required to fill the current vacancies for shire employment.
Notwithstanding, the two single persons units at 107 Livingstone Street are vacant.
An application has been received from Kez Carter and Danielle Bynder who are a young 18 and 19 year old couple (Danielle is pregnant) without accommodation – Kez works for Neil & Sandra Sauvarin.
As this young couple are desperate for accommodation would Council agree to allow them to rent one of the single persons units short term?

Background
Council has resolved previously that any requests for accommodation from non staff (private) be presented to Council for approval.

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: Additional Income for housing rent
Voting Requirements: Simple Majority

Officers Recommendation:
For Committee consideration

Committee Recommendation:
That permission be granted to Kez Carter & Danielle Bynder to rent 107A Livingstone Street unit.
Council Resolution:
Moved: Cr Benton  Seconded: Cr Cunningham
That permission be granted to Kez Carter & Danielle Bynder to rent 107A Livingstone Street unit.
CARRIED 8/0

Council Resolution:
Moved: Cr King  Seconded: Cr Cunningham
That Council develop a Debt Recovery policy for rentals, incorporating a pre-rental credit check and prompt commencement of action prior to rent being in arrears.
CARRIED 8/0
Executive Summary:
The Committee discussed Council's current building infrastructure stock. It highlighted the need for a long-term plan in regards to the upgrade or replacement of the buildings.

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:
A long-term plan will require regular transfers to Reserves to ensure suitable funds are available.

Strategic Implications: N/A

Voting Requirements: Simple Majority

Committee Recommendation:
That Council develop a Shire buildings infrastructure plan as part of Building Maintenance planning.

Council Resolution:
Moved: Cr West  Seconded: Cr King
That Council develop a Shire buildings infrastructure plan as part of Building Maintenance planning.

CARRIED: 8/0
Executive Summary:
The Midwest Regional Council has finalised the service plan for delivery of environmental health and building services through the MWRC.

Applicants Submission:
Each of the Council participating in the service need to agree to the final service delivery plan.
Mr Agnew’s contract is due to be renewed in May 2008 and if all Councils are agreeable he will be employed by the Mid West Regional Council from that date. His duties will not change as he in conjunction with Mr Rob Latham will still be responsible for Perenjori, Carnamah and Three Springs Shires.

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:
All 3 shires will be presenting this item to their individual Council for agreement.

Comment:
The employment of both Health officers through the MWRC will only change the administration of the employment arrangements. The service arrangements will remain the same.

Voting Requirements: Simple Majority

Officers Recommendation:
That Council endorses the final service plan for the Development Services Delivery Unit through the Mid West Regional Council.
Council Resolution:
Moved: Cr Baxter     Seconded: Cr King
That Council endorses the final service plan for the Development Services
Delivery Unit through the Mid West Regional Council.
CARRIED: 8/0

8024.6   HOUSING LIST

APPLICANT:          DEPUTY CEO
FILE:               0
DISCLOSURE OF INTEREST: 0
AUTHOR:             DOMENICA CURTIN
RESPONSIBLE OFFICER GARRY AGNEW - MCS
REPORT DATE:        7th FEBRUARY 2008
ATTACHMENTS        HOUSING LIST

Executive Summary:
Council requested at the September 2007 meeting that an assessment of Staff
housing needs be carried out.

Applicant’s Submission
A list has been compiled noting current tenanted Council owned housing, vacant
housing, current housing requirements and Staff with their own accommodation
arrangements.

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:
Council has included in the 2008/09 budget $250,000 for the provision of two x 2
bedroom units.

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

Comment:
Council has seventeen houses, two x 2 bedroom aged persons units and two x 1
bedroom units which are suitable for caravan park accommodation.
Two x 2 bedroom units are in the process of being built by University of WA.
Officers Recommendation:

Council note the staff housing assessment.

Council Resolution:

Moved: Cr Reid  Seconded: Cr Butler

Council note the staff housing assessment.

CARRIED: 8/0

CURRENT TENANTED HOUSING

EMPLOYEES
73 (50) Russell Street  Anthony & Jessica May
130 (60) Russell Street  Phil Cleaver
61 (17) Hesford Street  Laurie Goudge
60 (19) Hesford Street  Damien Bartlett
59 (21) Hesford Street  John Wright
137 Crossing Street  Maria Morgan
136 (3) Livingstone Street  David & Donna Jones
28 (32) Livingstone Street  Stephen Midgley
159 (2) John Street  Stan & Laurel Scott

NON EMPLOYEES
60 (3) Downer Street  Jackie Layton
160 (4) John Street  Stewart Coles & Jodie Gellatly
79 (38) Russell Street  Val Joynson
48 (59) Russell Street  Rick Brennan
80 (36) Russell Street  Kelly Fairbanks
29 (34) Livingstone Street  Rural Financial Counselling

VACANT
79 (38) Russell Street  Aged Persons Unit (Homeswest)
107A (11A) Livingstone Street  1 bed Unit
107B (11B) Livingstone Street  1 bed Unit
153 (28) Livingstone Street  4 bed home
71 Carnamah Road  3 bed home
58 (23) Hesford Street  3 bed home

Positions to fill:  Building Mntce & Gardener

EMPLOYEES IN OWN HOUSING
Domenica Curtin  DCEO
Leah Leopold  Finance
Dawn Reid  Admin
Gypsie Pomana  Admin
Geoff Pridham  Plant Operator
Ken Markham  Works Supervisor
Jason Weir  General Hand
Cody Page  General Hand
Shane Pridham  Apprentice Mechanic
Alan McLeod  Grader Operator
Andreas Wijbenga  General Hand
Geoff Trott  Swimming Pool Manager
Executive Summary:

It was identified back in 2000 that the replacement of the Perenjori Swimming Pool was required in the future due to its age and condition.

Background

An “Ageing Country Pools Assessment” was carried out by Colin Hassell from the City of Geraldton Aquarena & Adam Murszewski from Department of Sport & Recreation back in 2000 which was followed by a Feasibility Study by Jill Powell & Associates in 2003.

It was suggested in the latter report that the pool may last 5 – 10 yrs. (Being between now and 2013), so it is now a matter of urgency to have a plan in place for the replacement in the next few years.

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:

Council has included in the 2008/09 budget $5000 for the pool upgrade consultancy fee.

Council will have $292,721 in the Swimming Pool reserve as at 30th June 2008.

A grant from Sport & Rec will also be necessary to assist with the cost.

Possible contributions from mining companies may also be sought.

Strategic Implications:

N/A
Consultation:
A swimming pool committee will be formed with a variety of pool users including Garry Agnew – MCS, John Bensdorp – Council Representative, Liz Markham – Temp Swimming Pool Manager.

Voting Requirements: Simple Majority

Comment:
Council has been aware of the need to upgrade the pool & facilities for some time. No plan for the actual date has ever been set.

Officers Recommendation:
Council plan for the upgrade/replacement of the Perenjori Swimming Pool in the 2009/10 budget.

Council Resolution:
Moved: Cr Reid Seconded: Cr Butler
Council plan for the upgrade/replacement of the Perenjori Swimming Pool in the 2009/10 budget.
CARRIED: 8/0
Executive Summary:
Perenjori ladies fitness group has requested permission to use the Masonic Lodge for fitness sessions.

Applicants Submission:
Fitness sessions are presently held at the pavilion, but this causes problems when the venue is used for other functions, particularly when children are in attendance.

Background:
Council resolved not to make further investment in the Masonic Lodge until tenure issues are resolved. The fitness group would only need to use the main hall, which is in good repair. The remainder of the building, which has maintenance issues, could be secured.

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 fitness group would be responsible for cleaning and outgoings. It is not proposed to charge any rent. There would be a small cost (perhaps $500) in separately securing the remainder of the building.

Strategic Implications: Nil

Comment:
The proposed usage would be low impact and an appropriate use for the building while tenure issues are resolved.

Voting Requirements: Simple Majority

Officers Recommendation:
That the Health Building and Planning Committee support the use of the main hall of the Masonic Lodge by the Perenjori Women’s Fitness Group.
Committee Recommendation:
That the Health Building and Planning Committee support the use of the main hall of the Masonic Lodge by the Perenjori Women’s Fitness Group.

Council Resolution:
Moved: Cr Benton    Seconded: Cr Hirsch
That Council authorise the use of the main hall of the Masonic Lodge by the Perenjori Women’s Fitness Group.

CARRIED 8/0

8025   PLANT & WORKS

8025.1   PLANT & VEHICLE MANAGEMENT REVIEW

APPLICANT:    SHIRE OF PERENJORI
FILE:    0
DISCLOSURE OF INTEREST:    0
AUTHOR:    KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER: KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 30 JANUARY 08
ATTACHMENTS: NIL

Executive Summary:
A review was carried out of Councils fleet and how it is being managed. This was done by UNIQCO International through the Midwest Regional Council. A report was given to each of the member Councils with priority action plans specifically for each council and an overall report and recommendations for all Councils.

Background
This report was tabled at the December Council meeting and it was decided that management was to review the recommendations and highlight the areas that would improve processes, without committing to a full management bureau service as recommended by UNIQCO. The Works Supervisor and Mechanic have listed the recommendations that would possibly suit our needs.

Rec#  1,2,3,4,5,6,24,25,26,30,31,32,33,36,37,18,9,15,17,19,28,34,35,38,7,8,20,39
We would also require the IPWEA Plant & Vehicle Management Manual to assist the adoption of the recommendations. We would still have to come up with a suitable recording and reporting program to enable it to work.

Policy Implications:  N/A
Financial Implications:  N/A
Executive Summary:
With two recent falls of rain, the section of Perenjori Rothsay road extending for a 1km off the end of the bitumen was washed out where culverts cross the road.

There are two solutions that will hopefully rectify the problem:
- One is to remove the existing culverts and put in large box culverts or;
- The second solution would be to increase the number of culverts already in place We may have to also put in a floodway to ensure the system can handle the run off.

The quickest and most cost effective would be the second option as we could utilise the concrete lined steel pipes that we have in stock. These are single piece, 12m long pipes.

Background
The section of Perenjori Rothsay road in question is to be sealed this financial year, but with the recent rains, a problem has been highlighted.
This will have to be rectified before it can be sealed.
Statutory Environment: N/A
Policy Implications: N/A
Financial Implications:
A cost of approximately $4,000 to install 2 additional pipes and about $3,500 for a floodway
Strategic Implications: N/A
Consultation: N/A
Voting Requirements: Simple majority
Officers Recommendation:
That the amount of culverts on the PJ/Rothsay Road be increased using concrete lined steel pipes to cope with the run off and a floodway be constructed to assist with the flow of water.
Committee Recommendation:
That Council construct a floodway to compliment existing culverts on PJ/Rothsay Road.
Council Resolution:
Moved: Cr Cunningham   Seconded: Cr Butler
That Council construct a floodway to compliment existing culverts on PJ/Rothsay Road.
CARRIED 5/3

8025.3 DISPOSAL OF SIDE TIPPER

APPLICANT: DEPUTY CEO
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: DOMENICA CURTIN - DCEO
RESPONSIBLE OFFICER KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 15th FEBRUARY 2008
ATTACHMENTS NIL

Executive Summary:

Council purchased a new 22 cubic metre side tipping trailer from SFM Engineering in July 2007. The trailer was received in December 2007.

Applicant’s Submission

The CEO has been approached by Pickles Auctioneers who suggested Council may be interested in disposing of the existing trailer by auction.

Background

Council resolved at the Ordinary meeting on the 19th July 2007, the following:

“That Council retains the present trailer and readvertises it for sale when the new trailer arrives.”
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:

Council has budgeted $35000 income for the disposal of the existing trailer. Auctioning may attract a better price for the trailer.

Strategic Implications: N/A

Consultation: Nil

Voting Requirements: Simple Majority

Officers Recommendation:

That Council:

- Tender for the sale of the existing side tipping trailer

  Or

- Arrange for sale by auction with a suitable reserve price

Council Resolution:

Moved: Cr King  Seconded: Cr Reid

That Council arrange for sale by auction with a reserve price of $32,770.00

CARRIED 8/0

Visitor - Jo Woods left Council Chambers at 2.45pm
**GOVERNANCE**

**MOUNT GIBSON IRON – VARIOUS AGREEMENTS**

**APPLICANT:** MOUNT GIBSON IRON  
**FILE:** 0  
**DISCLOSURE OF INTEREST:** 0  
**AUTHOR:** STAN SCOTT – CEO ___________________  
**RESPONSIBLE OFFICER** STAN SCOTT – CEO ___________________  
**REPORT DATE:** 15 FEBRUARY 2007  
**ATTACHMENTS** Draft Agreements were circulated with December 2007 Agenda.

David Quinlivan, CEO and Peter Panek, Project Manager for Mount Gibson Iron will be meeting with Council during the Agenda Forum prior to the Council Meeting.

**Executive Summary:**

Mount Gibson Iron is keen for its agreements with the Shire to be finalised by the end of February. Council considered the agreements at its December 2007 Ordinary Meeting and the CEO and President have been negotiating with the company since then.

**Applicants Submission:**

Mount Gibson Iron have advised the following:

- Based on their calculations the appropriate road contribution to be placed in reserve for sealing the road is $320,000 compared to $345,000 requested by Council. The Road Use Agreement makes provision for an assessment of the condition of the road on completion of haulage, and if the cost of resealing is more than the accumulated reserve Mount Gibson Iron is responsible for the balance.

- Mount Gibson Iron is keen to maintain consistency between its projects in the region. The Public Benefit contribution for Tallering Peak is $100,000 for 3 Mtpa. Mount Gibson is offering the same contribution for Extension Hill, split between the two Shires. This is considerably less on a per tonne basis than is being paid by Mid West Corporation (3cents per tonne compared to 10 cents per tonne).

**Background:**

At its December Ordinary Meeting Council resolved as follows:

1. That Council determine that the appropriate road contribution would be $345,000 per annum based on the Tallering Peak arrangement.

2. The Council seek a Public Benefit Contribution using Koolanooka as a benchmark.

3. That Council seek advice from the Shire’s solicitors on the rail terminal agreement.

Since then CEO and Shire President met with David Quinlivan, CEO and Peter Panek, Project Manager for Mount Gibson Iron. The CEO also met with Neil Mitchell,
CEO Shire of Yalgoo to work through the detail of the agreements common to the two Shires.

Detailed below is the position agreed between the Shire of Yalgoo and the Shire of Perenjori on the Road Use Agreement and Public Benefit Agreement.

**Mt Gibson Mining Ltd Public Road Access Agreement**

<table>
<thead>
<tr>
<th>Clause</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Definitions of Shire Engineer and Shire Representative to be placed in order</td>
</tr>
</tbody>
</table>
| 3      | Clarify – trucking agreement is 6 years  
- query extension if unable to complete within the 5 years stipulated in Road Access Agreement  
- query term consistency with Public Benefit Agreement |
| 4      | Should stipulate that haulage can’t commence until upgrade of road completed and MRWA permit obtained. |
| 6.2    | Amend to reflect re-aligned Great Northern Highway as eastern terminus |
| 6.4.1  | Note differences in terms of –  
- trucking agreement  
- Road Access Agreement  
- Public Benefit Agreement |
| 6.4.8  | - Suggest that 2 coat seal  
- Noted that if seal fails during contract, that MGM will be required to repair |
| 6.4.9  | Recommend that line-marking should be done –  
- safety issue of high volume of trucks  
- the road is shared with the public  
- MGM do not have exclusive use  
- Centre-lining as a minimum |
| 7.1.5  | Delete reference to clause 9 |
| 7.2.2  | - Amend hazardous litter period to 2 days  
- Insert non-hazardous litter and road kill, period of 1 week |
<p>| 7.2.4  | Delete |
| 7.3.1  | Amend “weekly” to “time to time” |
| 7.3.3  | Delete phrase “on more than 10 occasions within any calendar month” |
| 7.3.4 (d) | Delete |
| 8.1.3  | Delete “technically qualified” in first line |
| 8.1.4  | Amend first line to read “as appropriate in its sole discretion the Shire …” |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Delete</td>
</tr>
</tbody>
</table>
| 10.1.2 | Would prefer out, but if not –  
- Amend to read in second line – “... with the Agreement, on request, the Shire, in its sole discretion, will take all-(delete) such actions as are deemed appropriate to support the rights of MGM under this Agreement.”  
- Also need Councils indemnified against any costs of acting on MGM’s behalf |
| 12.1.2 | Amend period to 2 business days |
| 14.1.1 | Delete last phrase – “with the objective… Report” |
| 14.1.1A | New clause to the effect –  
- Noting that Council would not have instigated the upgrading of the roads  
- In the absence of any further or future agreement, Council will be looking to have a 15 year road at conclusion of the agreement, capable of reasonable public usage (not the constant heavy use of MGM) |
| 14.2.1 | Mullewa - $200,000 for 60km road of which 48 km is Local Government roads  
= $4,167 per km  
PJ estimates - $345,000 per year needed  
- $ formula about will give $320,000 per year for 80 km  
- total 1.6 M  
Yalgoo estimates - $200,000 needed after 5 years to reseal 6 km (or $120,000 for 3.6 km)  
- formula would give $14,000 per year for 3.6 km  
- total $70,000  
**Will recommend** to Perenjori and Yalgoo Councils that we accept $4,000 per km per year, subject to –  
- CPI for years 2 to 5 of the Agreement |
| 14.2.2 | - Delete – “or parts thereof .... expiry date.”  
- Insert “… that do not meet the objectives of 14.1.1A” |
| 15 | - Delete as is written  
- Replace to reflect that it will be a public document, as it is subject to FOI anyway, and the dollar amounts can be found out through the financial.  
- Only confidential matters should be those that are commercial in confidence, and notified as such at time of being raised |
| 17 | Will need some re-writing given changes to 17.3 and 17.7 |
| 17.3 | - Insert provision to extend by notice, so as to be able to take the matter to Council or the Board, but limited to 30 days.  
- determination by Expert is not acceptable |
| 17.7 | Not acceptable that Expert opinion is binding |
| New | Provision for arbitration as an alternative to legal action, if the Expert is unable to resolve, or negotiation fails. |
Public Benefit Agreement

<table>
<thead>
<tr>
<th>Clause</th>
<th>Comment</th>
</tr>
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<tbody>
<tr>
<td>2</td>
<td>Noted that starts 3rd qtr 2008,</td>
</tr>
<tr>
<td>3.2</td>
<td>Mullewa - $100,000 per year</td>
</tr>
<tr>
<td></td>
<td>Agreed subject to –</td>
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<tr>
<td></td>
<td>- CPI to apply from Mullewa’s date to now</td>
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<tr>
<td></td>
<td>- and CPI to then apply each year</td>
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<td></td>
<td>- Apportionment, <strong>subject to Council acceptance</strong> –</td>
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<tr>
<td></td>
<td>o 70% - Perenjori</td>
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<td></td>
<td>o 30% - Yalgoo</td>
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<td></td>
<td>- Either –</td>
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<tr>
<td></td>
<td>o Annual in advance, or</td>
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<td></td>
<td>o Quarterly in arrears</td>
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</tbody>
</table>

Rail Terminal Agreement

<table>
<thead>
<tr>
<th>Clause</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>New</td>
<td>New Clause suggested by Civic Legal:</td>
</tr>
<tr>
<td></td>
<td>The Shire agrees to MGM operating the Rail Terminal during the Term on the terms and conditions contained in this Agreement. MGM may only operate the Rail Terminal for the purpose of the unloading of Road Trains, stockpiling iron ore, and the loading and maintenance of Trains.”</td>
</tr>
</tbody>
</table>

Statutory Environment:

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

Policy Implications: Nil

Financial Implications:

All agreements are predicated on 16.5 million tonnes of ore over 5 years. This would mean a guaranteed road contribution of $1.6 Million and a public benefit of $350,000 (assuming a 70% share of the public benefit for Perenjori.)

Strategic Implications:

Development of mining in this region has been a strategic objective of Council for almost a decade.

Consultation:
Consultations have included discussions with Civic Legal, Greenfield Technical Services, Mount Gibson Iron and the Shire of Yalgoo.

Comment:
The detail of the agreement is still under negotiation, so the CEO will be seeking Council's authority to negotiate acceptable wording.

The main issue which requires resolution is the funding associated with the agreements.

Road Use Agreement
Mount Gibson has offered $320,000 per annum under the road use agreement. This is close to the $345,000 requested by the Shire. If a CPI increase is included for years 2 through 5 of the agreement this would be acceptable.

Public Benefit Agreement
Mount Gibson has offered $100,000 split between the Shires of Perenjori and Yalgoo. This offer is based on the amount paid to the Shire of Mullewa for a similar sized project. Yalgoo would it appears be satisfied with a 70/30 split, that is $70,000 for Perenjori and $30,000 for Yalgoo. There are a number of points to consider when Council determines whether to accept the offer.

- Mount Gibson has indicated in all previous discussions that it would negotiate similar arrangements to those in Mullewa. Their offer is consistent with that undertaking. Mount Gibson has expressed concern that a higher amount would upset their relationship with Mullewa.
- Mid West Corporation pays $100,000 per year to the Shire of Morawa for a 1 Mtpa project, which on a per tonne basis is 3 times the contribution offered by Mount Gibson. The Koolanooka project involves very little investment in other infrastructure. This was the benchmark chosen by Council for its negotiations.

A possible compromise would be to suggest that Perenjori and Yalgoo are paid $100,000 and $30,000 respectively. The infrastructure impacts for Perenjori and Mullewa are very similar, and this would satisfy their preference for consistency. Meanwhile the contribution to Yalgoo is in line with that Shire’s expectations.

Rail Terminal Agreement
The Rail Terminal Agreement is acceptable with the addition of clause suggested by Civic Legal. This would ensure that the rail terminal site does not become home to other services or facilities not contemplated in the agreement, without further discussion with the Shire.

Voting Requirements:
Simple Majority

Officers Recommendation:
1. That Council authorise the CEO and Shire President to:
   - Negotiate final agreements with Mount Gibson Iron based on the proposed changes detailed above;
   - Determine that wording of final agreements are acceptable;
   - When details of all 3 agreements are acceptable execute the agreements through application of the common seal.
2. That Council accept $320,000 per annum under the road use agreement, subject to CPI increases from year 2 to 5 of the agreement.
3. That Council is prepared to accept a Public Benefit Contribution of no less than $________

Council Resolution:
Moved: Cr King    Seconded: Cr Reid
1. That Council authorise the CEO and Shire President to:
   • Negotiate final agreements with Mount Gibson Iron based on the proposed changes detailed above;
   • Determine that wording of final agreements are acceptable;
   • When details of all 3 agreements are acceptable execute the agreements through application of the common seal.
2. That Council accept $320,000 per annum under the road use agreement, subject to CPI increases from year 2 to 5 of the agreement.
3. That Council is prepared to accept a Public Benefit Contribution of no less than $0.10 cents per tonne
4. CEO seeks guidance from the Minister of Transport

CARRIED: 6/2

Council Resolution
Moved: Cr Baxter    Seconded: Cr Reid
That the Deputy President, Cr King be included in negotiations of the Agreements with Mt Gibson Iron.

CARRIED: 8/0
Executive Summary:
Council has received an application from Mt Gibson Mining Ltd for a general purpose lease.

Applicants Submission:
The lease applied for is located within the Shire of Perenjori and may affect private property within the Shire

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

Voting Requirements:
Simple Majority

Comment
Nil

Officers Recommendation:
Council note the application for general purpose lease 70/232 by Mt Gibson Mining Ltd.

Council Resolution:
Moved: Cr Reid          Seconded: Cr West
Council note the application for general purpose lease 70/232 by Mt Gibson Mining Ltd.
CARRIED: 8/0
Executive Summary:
The Department of Planning and Infrastructure is seeking feedback on a draft analysis of Midwest Infrastructure.

Applicants Submission:
The document purports to project infrastructure needs for the region, and DPI is seeking feedback from stakeholders.

The report is very focussed on the greater Geraldton area, with scant attention to the needs or inland rural communities. The recommendations of the report are divided into a number of categories as follows:

**Power**
The capacity and reliability constraints of the distribution network that services the Perenjori and Morawa townsites has not been recognised or addressed.

**Water**
The report recommendations are appropriate.

**Rail**
The report focuses on the rail links to Oakajee and Narngulu. Some consideration of the future of the rail link between Perenjori and Dalwallinu is needed.

**Road**
The report recommends widening the Wubin Mullewa Road between Perenjori and Mullewa.

**Land**
The entire focus of land development is coastal. The potential to encourage development of inland towns is ignored.

**Social and Community Services**
Again the primary focus is coastal.
**Policy**

The report recognises the delays that result from approval processes, especially environmental. There is no recognition of the role that policy settings can have on directing or encouraging inland development.

**Tourism / Recreation**

Primarily this seems to be focussed on what coastal resident FIFO and DIDO workers will need for their week off.

**Background:**

The document was circulated to Elected Members recently.

The Shire of Perenjori participated in a regional Infrastructure Workshop facilitated by officers from DPI in 2006 (held in Mingenew) to identify areas of infrastructure development required to accommodate an expanded mining industry due specifically to new iron ore mine site development. The outcomes from this workshop activity have been articulated in the attached report.

In addition to the development of an Infrastructure Strategy for the Mid West, the analysis is also expected to assist service providers with their strategic planning priorities for the region. It is envisaged that better coordination of State Government investment decisions should also result from the analysis and strategy formulation process.

The work completed so far highlights a number of important challenges confronting the region. In particular, the uncertainty of whether major new projects will eventuate, finding State Government / private sector solutions to infrastructure development to support major new mining developments, avoiding delays in the implementation of major infrastructure projects, understanding population trends and possible growth scenarios, land development considerations and provision of an appropriate level of social infrastructure to support future growth.

**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:**

This matter has significant strategic consequences to the Shire of Perenjori. Council has been working for almost a decade on the development of mining in the region. The current draft Infrastructure Analysis Report does not adequately support the aspirations of inland communities to maximise the benefits mining investment. As a consequence we need to make a strong submission in relation to these shortcomings.

**Consultation:**

Local Governments were consulted in the development of the report.

**Comment:**

In general terms the report is somewhat disappointing. With the exception of the long overdue upgrade of the Wubin Mullewa Road, there very little in the report that would benefit Perenjori. Further the report is more reactive than proactive, and is more about trends and estimates than any legitimate attempt to make positive plans for the future.
There is considerable potential for infrastructure planning to be used to encourage inland development. There are also considerable advantages in doing so. Land development in Perenjori is very much cheaper than on the coast. Inland towns have the social and community infrastructure to service far larger populations than at present. Most disturbing is the absence of any real intent in the analysis to attract and retain any of the mining workforce in the adjacent communities.

**Voting Requirements:**
Simple Majority

**Officers Recommendation:**

It is recommended that:-

1. The Shire of Perenjori submits a strategic response to the draft Infrastructure Analysis Report as prepared by the Department for Planning and Infrastructure.

2. The response supports the position that rural and remote Shires such as Perenjori be encouraged to position themselves in terms of new infrastructure development to service new mining development projects in the area.

3. That the State Government use the Infrastructure Analysis Report as a mechanism to support rural communities to reverse the declining population trend through economic diversification from new mining development.

**Council Resolution:**

It is recommended that:-

Moved: Cr Butler     Seconded: Cr King

1. The Shire of Perenjori submits a strategic response to the draft Infrastructure Analysis Report as prepared by the Department for Planning and Infrastructure.

   CARRIED: 8/0

Moved: Cr West     Seconded: Cr Cunningham

1. The response supports the position that rural and remote Shires such as Perenjori be encouraged to position themselves in terms of new infrastructure development to service new mining development projects in the area.

2. That the State Government use the Infrastructure Analysis Report as a mechanism to support rural communities to reverse the declining population trend through economic diversification from new mining development.

   CARRIED: 8/0
8026.4 LOCAL GOVERNMENT GRANTS COMMISSION PUBLIC HEARING

<table>
<thead>
<tr>
<th>APPLICANT:</th>
<th>WA LOCAL GOVERNMENT GRANTS COMMISSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>FILE:</td>
<td>0</td>
</tr>
<tr>
<td>DISCLOSURE OF INTEREST:</td>
<td>0</td>
</tr>
<tr>
<td>AUTHOR:</td>
<td>STAN SCOTT – CEO ____________________</td>
</tr>
<tr>
<td>RESPONSIBLE OFFICER</td>
<td>STAN SCOTT – CEO ____________________</td>
</tr>
<tr>
<td>REPORT DATE:</td>
<td>14 FEBRUARY 2008</td>
</tr>
<tr>
<td>ATTACHMENTS</td>
<td>1. Letter from Grants Commission</td>
</tr>
<tr>
<td></td>
<td>2. Agenda – Public Hearing</td>
</tr>
<tr>
<td></td>
<td>3. Notice of Public Hearing</td>
</tr>
<tr>
<td></td>
<td>4. Grants Commission Itinerary</td>
</tr>
<tr>
<td></td>
<td>5. Balanced Budget Calculations</td>
</tr>
</tbody>
</table>

Executive Summary:
The WA Grants Commission reviews each Councils grants assessment every four years. The last hearing was February 2004.
The Commission has scheduled a public hearing in Perenjori for 2 pm on 5th March 2008.

Applicants Submission:
Copies of the documents from the Grants Commission are attached.

Background:
Council has engaged the services of Ray Hadlow to with our hearing.
Mr Hadlow offers a total service comprising:
- A report on the 2006/07 assessment to identify initial targets for the submission;
- preparation of the submission;
- advice regarding the hearing and tour of inspection;
- detailed briefing for councillors and staff;
- plus attendance at the hearing to assist Council in arguing its case.

The Council participated in a briefing prior to the December 2007 Council meeting.
We have not yet received the draft submission from Mr Hadlow.

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:
In 2007/08 funding distributed to the Shire of Perenjori from the WA Local Government Grants Commission consisted of:

<table>
<thead>
<tr>
<th>Grant Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Purpose Grant</td>
<td>$590,257</td>
</tr>
<tr>
<td>Roads Grant</td>
<td>$572,443</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,162,700</strong></td>
</tr>
</tbody>
</table>

The represents a significant portion of Council’s total income.

**Strategic Implications:**

The public hearing is an opportunity to better understand the grants process and make submissions on matters that affect the grant allocations.

**Consultation:**


**Comment:**

It would be worthwhile for as many Elected Members as possible to attend the hearing. It is also open to the public.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council notes the confirmed date and time for the Grants Commission public hearing.

That Elected Members indicate their availability to attend.

**Council Resolution:**

Moved: Cr Hirsch

Seconded: Cr Benton

That Council notes the confirmed date and time for the Grants Commission public hearing.

That Elected Members indicate their availability to attend.

CARRIED: 8/0
Executive Summary:
Council is required to review its Code of Conduct within 12 months of each Ordinary Election. The review needs to address the new Regulations and ensure compliance.

Applicants Submission:
Attached is a copy of an amended Code of Conduct with the modifications to the existing document being on page 1 (highlighted in red) under the “Preamble” section of the document.

Background:
The Code of Conduct was last reviewed in November 2005. New “Local Government (Rules of Conduct) Regulations, 2007” have been passed by parliament and are now enforceable and are reflected in the revised document.

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
Voting Requirements: Simple Majority

Officers Recommendation:
That Council adopt the Draft Revised Code of Conduct.

Council Resolution:
Moved: Cr West        Seconded: Cr Hirsch
That Council adopt the Draft Revised Code of Conduct.  
CARRIED: 8/0
Executive Summary:

Council is required to adopt the Local Government Compliance Audit Return for the period 1st January 2007 to 31st December 2007.

Applicant’s Submission

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

Once adopted, the return is then electronically submitted through the departments website.

This is required to be submitted by the 31st March 2008.

Statutory Environment:

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

Policy Implications: N/A

Financial Implications: N/A

Consultation:

All responsible officers are involved in the process of reviewing the Compliance Audit return for the year.

Voting Requirements: Absolute Majority

Comment:

For 2007 the Shire of Perenjori was compliant in all respects with the requirements monitored through the Compliance Audit Return accept the following:

- Section: Delegation of Power / Duty
  Question: 13 (Pg2)
  Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.
  Comment: Not separately recorded
Section: Elections
Question: 6 (Pg5)
Regarding recording enrolment claim eligibility on owners & occupiers roll and informing claimant (written) of decision.
Comment: This was not done

Section: Elections
Question: 27 (Pg7)
Has relevant info in Election Reg 13 been recorded in owners and occupiers register.
Comment: This was not done

Section: Executive Functions
Question: 12 (Pg 10)
Regarding keeping plans for levels & alignments of public thoroughfares and making them available for public inspection
Comment: Shire does not have complete records of all thoroughfares.

Section: Local Govt Employees
Question: 16 & 17 (Pg 21)
Regarding the adoption of a policy relating to employees whose employment terminates, setting out the circumstances in which Council would pay additional amounts.
Comment: Policy was already in place before 1st Jan 2007.

Section: Meeting Process
Question: 5 (Pg 25)
Regarding when president called an ordinary or special meeting of Council, was it done by notice to CEO setting out date & purpose of meeting.
Comment: Not done on all occasions

Section: Meeting Process
Question: 44 (Pg 29)
Regarding recording of written reasons for varying a decision where the decision was significantly different from written recommendation of a committee or officer.
Comment: Not done on all occasions

Officers Recommendation:
That Council adopt the Compliance Audit Return for 2007.

Council Resolution:
Moved: Cr Baxter  Seconded: Cr King
That Council adopt the Compliance Audit Return for 2007.
CARRIED: 8/0
Cr King, Cr Butler, Cr Baxter and DCEO left Chambers at 2.55pm
Moved: Cr West  Seconded: Cr Reid
That Council invite Cr Baxter and Cr Butler to return to Chambers and allow Cr Butler to vote on Acquisition of Land adjacent to the Perenjori Townsite.
CARRIED: 5/0

8026.7  ACQUISITION OF LAND ADJACENT TO THE PERENJORI TOWNSITE

APPLICANT:  SHIRE OF PERENJORI
FILE:  0
DISCLOSURE OF INTEREST:  CR KING HAS A FINANCIAL INTEREST IN THE AVAILABLE LAND
AUTHOR:  STAN SCOTT – CEO ___________________
RESPONSIBLE OFFICER  STAN SCOTT – CEO ______________________
REPORT DATE:  14 FEBRUARY 2007
ATTACHMENTS  NIL

Executive Summary:
Several parcels of land adjacent to the Perenjori townsite are up for sale.

Applicants Submission:
Council is in the process of reviewing its town planning scheme, and some land that is affected by proposed changes is for sale, as are several other agricultural lots close to the Perenjori townsite. The parcels of land are identified on the map below:
The available land is listed below:

<table>
<thead>
<tr>
<th>Location No</th>
<th>Description</th>
<th>Size (Ha)</th>
<th>Asking Price</th>
<th>Price Per Hectare</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>9522</td>
<td>Airport Road, Future Rural Residential</td>
<td>61.077</td>
<td>$110,000</td>
<td>$1,801</td>
<td>Identified for future rural residential subdivision</td>
</tr>
<tr>
<td>9526</td>
<td>North Rd, adjacent to Airport, North Yard</td>
<td>29.019</td>
<td>$50,000</td>
<td>$1,723</td>
<td>Useful location for sand extraction for housing and water harvesting from airport.</td>
</tr>
<tr>
<td>9521</td>
<td>Wubin Mullewa Road, adjacent to Townsite</td>
<td>66.289</td>
<td>$110,000</td>
<td>$1,659</td>
<td>Adjacent to townsite so would be suitable for agricultural pilots</td>
</tr>
<tr>
<td>6897</td>
<td>North Road, adjacent to Airport</td>
<td>404.87</td>
<td>$325,000</td>
<td>$803</td>
<td>Farming land with house</td>
</tr>
<tr>
<td>4735</td>
<td>Keogh Road</td>
<td>404.88</td>
<td>$160,000</td>
<td>$395</td>
<td>Farming Land</td>
</tr>
<tr>
<td>4742 &amp; 7114</td>
<td>Cnr North Rd &amp; Keogh Rd</td>
<td>404.96</td>
<td>$125,000</td>
<td>$309</td>
<td>Farming Land</td>
</tr>
</tbody>
</table>

The available land is listed in what the CEO considers to be the order of strategic importance for the Shire. The final 3 parcels of land are not in the CEO’s opinion relevant to the Shire’s needs or strategies and are only included for the purposes of providing a comparison.

**Background:**

Although the various parcels of land are presently a single farming enterprises each location is available separately.

**Statutory Environment:**

Should Council decide to seek to purchase any of the said land, as there is no budget provision to do so:

An absolute majority decision is required *(Local Government Act s 6.8(1)(b))*

If Council decided to borrow money to fund the purchase of land:

It would be required to take the decision by absolute majority, and give one month’s local public notice of its intention to borrow. *(Local Government Act s 6.20(2))*

**Policy Implications:** Nil

**Financial Implications:**

Council has no allocation in its current budget to acquire the available land. There may also be a difference between the asking price and what the vendor would be prepared to accept.

**Strategic Implications:**

Council needs to determine the strategic value of the listed parcels of land, and whether Shire ownership is desirable.

**Consultation:** Nil
Comment:
Council is undertaking a major residential subdivision which has proved a very expensive exercise. A rural residential subdivision would be similarly expensive, and it is likely to be at least 2 or 3 years before Council could even contemplate such an exercise.

Water harvesting from the airport, and sourcing sand fill for the current subdivision are likely to be more pressing. Ownership of the land is desirable, but not essential to meeting these objectives.

Voting Requirements:
Absolute Majority

Officers Recommendation:
1. That Council offer to purchase Location 9522 for the amount of $ ______
   OR
   That Council NOT offer to purchase Location 9522

2. That Council offer to purchase Location 9526 for the amount of $ ______
   OR
   That Council NOT offer to purchase Location 9526

3. That Council offer to purchase Location 9521 for the amount of $ ______
   OR
   That Council NOT offer to purchase Location 9521

If Council decides to purchase any of these lots, the following resolution by absolute majority would be required to fund the purchase (unless Council chooses to eat into its annual surplus)

4. That Council raise a loan for $ ______ to fund the above purchase/s and give a local public notice of its intention to borrow

Council Resolution:
Moved: Cr West Seconded: Cr Butler
That Council does not offer to purchase any of the 3 locations being 9522, 9526 and 9521.

CARRIED: 6/0
Executive Summary:
Midwest Regional Council is hosting a Regional Risk Coordinator for Local Government Insurance Services. Sufficient funds remain under the risk coordination budget for the acquisition is Business Continuity Management software for member councils.

Applicants Submission:
Andrea Skraigh has been appointed as Regional Risk Coordinator for this region. This position is part funded by member Councils and partly by LGIS. This position has been vacant for the last 6 months, and as a result $18,950 of the risk coordination project budget remains.

LGIS has suggested that we consider using the surplus funds to equip each of the member councils with a Business Continuity Management System at a cost of $14,533.

Background:
A Business Continuity Management System is designed to assist Council to prepare plans that would allow the organisation to continue to operate following a disaster. This could include, for example, fire, flood, computer system failure or epidemic (such as bird flu).

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 software would be purchased from funds already allocated and paid to the Regional Risk Coordination Project (our contribution is $5,553). Our share of the purchase of the BCM software is $2,076.

Strategic Implications:
Business continuity management is best practice for modern organisations and will also help to reduce insurance premiums over time.
Consultation:
There has been extensive consultation between LGIS, MWRC and member Councils.

Comment:
The purchase of business continuity software is entirely consistent with the purpose for which the funds were allocated.

Voting Requirements:
Simple Majority

Officers Recommendation:
1. That Council note the appointment of Andrea Skraigh as Regional Risk Coordinator;
2. That Council support the use of remaining Regional Risk Coordination funds for the acquisition of Business Continuity Management software.

Council Resolution:
Moved: Cr Hirsch  Seconded: Cr Benton
1. That Council note the appointment of Andrea Skraigh as Regional Risk Coordinator;
2. That Council support the use of remaining Regional Risk Coordination funds for the acquisition of Business Continuity Management software

CARRIED: 8/0
Executive Summary:

Councils current Archival storage which is located in the old picture theatre in the Perenjori Hall does not meet the requirements for suitable storage facilities under the State Record Keeping Act 1995. The current storage room is dangerous to access, attracts dust and vermin and has no temperature control.

Applicant’s Submission

A suitable relocation for archival storage would be the cribroom in the old depot which is easily accessible, has suitable temperature control and has sufficient space.

Background

A review of Council’s current archival storage was requested by the State Records Commission to ensure that conditions are appropriate for our organization’s records.

The cribroom has not been utilised since the new depot was established over a year ago. No other use for the cribroom has been established by Council.

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:

Shelving will be required to be purchased. Currently researching options available.

Strategic Implications:

N/A

Consultation:

State Records Commission

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council allow the use of the old depot cribroom for Archival Storage for Council records.
Council Resolution:

Moved: Cr Benton     Seconded: Cr Butler

That Council allow the use of the old depot crib room for Archival Storage for Council records.

CARRIED: 8/0

8026.10  SEMINAR FOR COUNCILLORS

APPLICANT: MCLEODS BARRISTERS & SOLICITORS
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: DOMENICA CURTIN - DCEO
RESPONSIBLE OFFICER STAN SCOTT – CEO
REPORT DATE: 15TH FEBRUARY 2008
ATTACHMENTS COMMENT SLIP (FOR COMPLETION)

Executive Summary:

The Batavia Region Organisations of Councils – Planners Group are organising a seminar in conjunction with McLeods Barristers & Solicitors for all Councillors.

Applicants Submission:

McLeods are willing to conduct in-house seminars on a range of topics.

The range of topics available for discussion at the seminar are:

- Financial (pecuniary) interest, bias and official corruption;
- Conflict of interest;
- Standing orders, codes of conduct and conduct of meetings;
- The duty of confidentiality;
- Orders and notices
- Prosecution processes;
- Delegation of authority and problems of delegation;
- Matters Council can consider when dealing with Planning Applications; and
- Formulating recommended Council resolutions

Background:

The Council participated in a briefing prior to the December 2007 Council meeting.

We have not yet received the draft submission from Mr Hadlow.

Statutory Environment:

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

Financial Implications:
There is no cost to attend the seminar.

Strategic Implications: Nil
Consultation: Nil

Comment:
It is requested that Councillors read through the topics and select those that are of particular interest and/or importance.

The majority of seminar topics would be most beneficial to Councillors to understand their positions.

Voting Requirements:
Simple Majority

Officers Recommendation:
Councillors complete the comment slip and return to the DCEO asap.
Executive Summary:
The Rural Water Council of WA Inc is requesting membership and delegates representing the Shire of Perenjori. The next meeting is in Merredin on Monday 10th March 2008.

Applicants Submission:
The aims of the Rural Council are:

- Minimise difficulty caused by inadequate supply of domestic & stock water and obtain funds for water supply improvement
- Assist in development of long term plan for extension of Water scheme to deficient farming areas and country towns.
- Support the Farm Water Co-ordinating Committee that encourages farmers to drought proof their farms; Support 100% tax deductibility or option of tax credits
- Encourage consumer contribution to keep costs down
- Support water sharing concepts; Encourage research and development of the Watheroo Mound Basin supply
- To Co-operate with all relevant Government Agencies to encourage and support research and development of on-farm water supplies

Background:
Mr John Carstairs was previously Council’s representative on this committee.

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: Affiliation fees of $50
Strategic Implications: Nil
Voting Requirements: Simple Majority

Officers Recommendation:
Council nominate a representative for the Rural Water Council of WA Inc
Council Resolution:
Moved: Cr King     Seconded: Cr Butler
That Council advertise in the Perenjori Bush Telegraph for a representative for the Rural Water Council of WA Inc.
CARRIED: 8/0

8026.12  RURAL FINANCIAL COUNSELLING SERVICE OF WA - VACANCY

APPLICANT: RFCSWA
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 15 FEBRUARY 2008
ATTACHMENTS NIL

Executive Summary:
The Rural Financial Counselling Service of WA has a vacancy for a Director.

Applicants Submission:
John Talbert, Executive Officer of the Rural Financial Counselling Service of WA has approached the Shire of Perenjori seeking nominations for a vacancy for a Director. He is keen for the North East Agricultural region to be represented on the board.
Details of the vacancy are as follows:

RURAL FINANCIAL COUNSELLING SERVICE WA
DIRECTOR

Due to a recent resignation an expression of interest is requested from individuals who would like to be a part of the Board which directs rural financial counselling in WA.

We are seeking a person who has skills in one or more of the following areas: Management, finance, community service or farming plus a variety of life skills.

This is a fully funded service and employs eight counsellors throughout the State, providing assistance, information and advocacy to farming enterprises and small rural business.

The Board meets approximately 8 times each year in a number of areas.

Please let us have your CV.

post to
John Talbert
Executive Officer
RFCSWA
PO Box 5032
FALCON WA 6210
Background:
The Shire of Perenjori provides discounted rental accommodation for a RFCSWA financial Counsellor based in Perenjori. Given Perenjori’s support for this project, Mr Talbert thought it appropriate to draw the above vacancy to Council’s attention.

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: It is not clear whether sitting fees or travel expenses are available.
Strategic Implications: Nil
Consultation: Nil
Comment: Nil
Voting Requirements: Simple Majority
Officers Recommendation: That Council note the vacancy for Director of RFCSWA.
Council Resolution:
Moved: Cr Hirsch Seconded: Cr Butler
That Council note the vacancy for Director of RFCSWA. CARRIED: 8/0

Moved: Cr King Seconded: Cr Cunningham
That Council advertise in the Perenjori Bush Telegraph the vacancy for Director of RFCSWA. CARRIED: 8/0
Executive Summary:
The LGMA Annual State Conference will be held at the Fremantle Esplanade Hotel between 12th and 14th March 2008.

Applicants Submission:
The LGMA Annual State Conference will be held at the Fremantle Esplanade Hotel between 12th and 14th March 2008. The CEO will be attending. Elected Member may also be interested in this conference.

Background:
This conference is the premier LGMA event each year.

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

Policy Implications: Nil
Financial Implications:
Additional attendees will cost in the order of $1100 per delegate plus travel and accommodation.

Strategic Implications: Nil
Consultation: Nil
Comment:
Agriculture Minister Kim Chance will be in Mullewa for a follow up to previous drought representations on 14 March 2008. There is no need for the CEO to attend this event.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council note the CEO’s attendance at the the LGMA Annual State Conference between 12th and 14th March 2008.
That Council determine whether to send additional delegates.
Council Resolution:
Moved: Cr Benton     Seconded: Cr West
That Council note the CEO’s attendance at the LGMA Annual State Conference between 12th and 14th March 2008.
That Council determine whether to send additional delegates.
CARRIED: 8/0

8026.14 AUTOMATIC VESTING OF RESERVES

APPLICANT: DPI - STATE LAND SERVICES
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER STAN SCOTT – CEO
REPORT DATE: 14 FEBRUARY 2008
ATTACHMENTS Correspondence from proponent

Executive Summary:
The Department of Planning and Infrastructure State Land Services is seeking Council agreement to the automatic vesting of public access reserves created as a result of new subdivisions.

Applicants Submission:
When new subdivisions are created conditions under s152 of the Planning and Development Act often require land to be set aside for public access such as parks, recreation or right of way. This process reverts this land to the crown, and requires a further process to arrange for the land to be vested in the Local Government. If Council agrees to automatic vesting, management orders will be issued as soon as the final plans are approved.

Background:
Correspondence attached.

Statutory Environment:
Land Development act 2005 s152 – the approval of a subdivision plan land designated under this section reverts to the crown.
Land Administration Act 1947 s46 sets out the process for vesting of land and issue of management orders.

Policy Implications: Nil
Financial Implications: Nil
Strategic Implications: Nil
Comment:
Local governments are consulted during any land subdivision process, and would therefore be well aware of land designated as reserves under s152. The proposed arrangements streamline the vesting process.

Voting Requirements: Simple Majority

Officers Recommendation:

That the Shire of Perenjori is willing to accept automatic vesting of public recreation, drainage and general reserves created through the operation of s 152 of the *Land Development act 2005*.

Council Resolution:

Moved: Cr West Seconded: Cr Hirsch

That the Shire of Perenjori is willing to accept automatic vesting of public recreation, drainage and general reserves created through the operation of s 152 of the *Land Development Act 2005*.

CARRIED: 8/0
Executive Summary:
WALGA is releasing the Draft Report of its Systemic Sustainability Study at an industry forum on Thursday 28th February.

Applicants Submission:
The Industry forum will be held at the University Club of WA in Hackett Drive Crawley between 9.30 am and 1pm on Thursday 28th February.

Background:
Each Council may send 2 representatives to the forum. Neither the CEO nor Shire President will be available. Cr West is attending as part of the SSS Taskforce.

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 forum is free, but travel and accommodation costs will be incurred.

Strategic Implications: Nil

Consultation:
Nil

Comment:
The report will be circulated to Councils regardless of attendance at the forum.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Elected members indicate their interest in attending the Industry Forum.
Executive Summary:
The Shire of Morawa has invited the Shire of Perenjori to participate in a Sustainability Assessment of the proposed Gindalbie Metals Limited Mungada Ridge Hematite project.

Applicants Submission:
The Shire of Morawa has received a proposal from Dr Ray Wills of Future Smart Strategies to conduct a Sustainability Assessment of the proposed Gindalbie Metals Limited Mungada Ridge Hematite project. Dr Ray Wills is also the Chief Executive Officer of the WA Sustainable Energy Association.

The proposed study would be as follows:

**Phase 1**
Three (3) days for:-

- Inception meeting for agreement of Sustainability Framework Assessment workshop logistics including determination of participant list, workshop location, provision of workshop rapporteur/scribe by either the client or FSS (see below *3)*; and
- Research and preparation of workshop program and materials.

Phase 1 to be completed within 2 weeks of awarding of work.

**Phase 2**
Two (2) days for facilitation of a 1 day Sustainability Framework Assessment workshop (and including travel).
Workshop to be held within 2 weeks of completion of Phase 1, or agreed longer time frame if preferred by the client (determined in Phase 1).

**Phase 3**
Two (2) days follow up research and interviews, including telephone conferences with stakeholders absent from workshop process - if required.
Phase 3 work completed within 1 week of completion of Phase 2.

**Phase 4**
Five (5) days write up and reporting on the sustainability assessment, including circulation of a draft to an agreed list of reviewers, an additional oral presentation if required, and submission of a final Sustainability Assessment report on Gindalbie’s
Mungada Ridge Hematite Project.
Phase 4 work completed within 2 weeks of completion of Phase 3.

Projected fee for service $24,000 (excluding GST)*
*1. Projected total of twelve (12) days, based on $250 per hour (excl GST), to a maximum of $2000 per calendar day, not including expenses.

- Any reimbursable amount for expenses, including travel costs and other incidentals arising from the work (where included by request or agreement of the client), will be charged at cost plus 10%.
- Variations from the purpose of this work as described, including support for or attendance at meetings or negotiations not a part of or subsequent to the above process, or research and reporting requested by the client in addition to the above, will be provided at $250 per hour (excl GST), to a maximum of $2,000 per calendar day.
- Further details are provided in the General Description of Services and Fees as below.

*2. Projected total not including provision of workshop rapporteur/scribe for Phase 2.
*3. If preferred by the client, rapporteur/scribe provided by FSS for Phase 2 at $1,600 (excluding GST).

Dr Wills has also agreed to utilise the current draft State Government Sustainability Guidelines as the basis for undertaking this project work to produce the final assessment report outcome. By using these draft guidelines, it is considered that the final report has better chances of gaining acceptance by all of the major stakeholders, including the State Government.

The ultimate goal is to produce a report that succeeds in balancing each of the sustainable priorities of project economic, environmental and social considerations.

Background:
Gindalbie Metals has agreed to contribute $12,000, and Midwest Development Commission $6,000 to the Study. The Shire of Morawa is considering a $6,000 contribution at its February meeting.

The proposed study will be a useful counterpoint to the PER process which considers only environmental matters

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:
If Perenjori agreed to participate it would involve a $6,000 unbudgeted contribution. (Absolute Majority Required).

Strategic Implications:
There is a risk that the study would become Morawa rather than regionally focussed. Our participation would help ensure that Gindalbie keeps sight of its stated objective of sharing benefits between Perenjori and Morawa.
Consultation:

The CEO was advised about the impending study on 12 February 2008.

Comment:

While we are a little late to the table on this study, the CEO considers that our involvement as a participant and partner is important to ensure that Perenjori’s needs and aspirations form part of the study.

Voting Requirements:

Simple Majority

Officers Recommendation:

The Council allocate $6,000 as a direct unbudgeted contribution towards undertaking and completing a Sustainability Assessment of the Gindalbie Metals Limited Mungada Ridge Hematite Project through Future Smart Strategies.

Council Resolution:

Moved: Cr King Seconded: Cr Cunningham

The Council allocate $6,000 as a direct unbudgeted contribution towards undertaking and completing a Sustainability Assessment of the Gindalbie Metals Limited Mungada Ridge Hematite Project through Future Smart Strategies.

CARRIED: 8/0
Executive Summary:
The Department of Agriculture and Food has formed a working party to help develop a Strategic Plan for the North East Agricultural Region.

Applicants Submission:
The working party will consist of one representative from each of farmers, farm improvement groups, Agribusiness, NACC, Local / Regional Government and DAFWA. Mid West Regional Council deferred consideration of this item to its March Meeting.

Background:
DAFWA has conducted 3 forums to gather information and define objectives from stakeholders.

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 proposed strategic plan should provide the blue print for best practice in dry land agriculture, and if done effectively will be of significant benefit to the industry in this region.

Consultation:
This matter was discussed following the MWRC meeting in Mingenew on 6 Feb 08.

Comment:
Cr Karen Chappell from the Shire of Morawa expressed an interest in participating in this group and will in all likelihood be nominated by the Shire of Morawa.

Cr Chappell also has strong links to Perenjori and was awarded the Premier’s Australia Day Active Citizenship Award for Perenjori.

Voting Requirements:
Simple Majority
Officers Recommendation:

That Council support the nomination of Cr Karen Chappell from the Shire of Morawa as the Local Government representative on the N.E.A.R. Strategic Plan Working Group.

Council Resolution:

Moved: Cr King Seconded: Cr West

That Council support the nomination of Cr Karen Chappell from the Shire of Morawa as the Local Government representative on the N.E.A.R. Strategic Plan Working Group

CARRIED: 8/0
Mr Stan Scott  
PO Box 22  
PERENJORI WA 6620

Dear Stan,

WORKING GROUP FOR N.E.A.R. STRATEGIC PLAN

Welcome to 2008! I hope it is a successful year for you and your group.

I am following up on one of the outcomes from the North Eastern Agricultural Region (NEAR) forum held in December 2007.

At that meeting it was agreed that a working party be formed to 'keep the ball rolling' and provide strategic direction and develop a plan for the future of the NEAR.

It was recommended a representative from Local /Regional Government be included.

Would you please consider this recommendation and provide a written response confirming who your nominated person will be.

For you further information, the working party will comprise (1) representative from each of the following:

Farmer, Farm Improvement Groups, Agribusiness, NACC, Local / Regional Government, DAFWA.

Your early response on or before 08/02/08 would be appreciated.

Kind Regards

[Signature]

Mike Bowley  
Regional Manager  
Department of Agriculture  
PO Box 110  
Geraldton WA 6531
Executive Summary:

Applicants Submission:
The Service Plan for Development Delivery Services is listed as a separate item, as is the NEAR Strategic Plan.

At its February Meeting the MWRC determined the following:

- Tender 1/0708 – Integrated Strategic Waste Management Plan appointment of a consultant to work on the plan
- BROCs Councils – Larger Mid West Regional Council – no immediate plans
- Compliance Audit Return - completed
- Midwest Police Resource Levels – Council referred a motion to the CNZ AGM to lobby for increased police numbers in the Mid West.
- Council also dealt with some administrative matters.

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: Nil
Strategic Implications: Nil
Consultation: Nil

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council note the contents of the Minutes of the WCRC December 2007 Ordinary Meeting.
Council Resolution:
Moved: Cr Hirsch          Seconded: Cr West
That Council note the contents of the Minutes of the WCRC December 2007
Ordinary Meeting.
CARRIED: 8/0

8027  OTHER BUSINESS

8027.1  INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

Liebe Group Newsletter – December 2007 Volume 10 Issue 9
Australasian Drilling – November/December 2007
TecTorque. Blackwoods – Volume 4, Number 3
Australian Mining Magazine x 2
Property Australia – December 2007 Vol.22 No.4
Corruption and Crime Commission of WA – Conflicts of Interest Workshops
WALGA Information Bulletin – December 2007
WALGA Local Government News – Issue No.50.07
WALGA Local Government News – Issue No.01.08
WALGA Local Government News – Issue No.02.08
WALGA Local Government News – Issue No.03.08
WALGA – Update on Long Term Accommodation Strategy - Walga
WALGA Info page
WA Government Gazette – No.257
WA Government Gazette – No.258
WA Government Gazette – No.259
Shire of Perenjori – Letter to Terry Reid regarding Perenjori Fertiliser Plant
Premier of Western Australia – Letter to Brian
Minister of Local Government – Response to Local Government Advisory Board’s
Report into the rating of Land used for charitable purposes
Landmarks Magazine of Landgate – Issue 54
Hon Brian Ellis – Mid West policy letter
Minister for energy: Resources: Industry and Enterprise – Letter
Department of Local Government and Regional Development – Queens Birthday
Holiday 2008 – Request for Alternative Dates
Department of Agriculture – Rural Towns – Liquid Assets Project
Townscape Meeting – Minutes of meeting held 22\textsuperscript{nd} October 2007.
8027.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

8027.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

8027.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

8027.5 MATTERS BEHIND CLOSED DOORS
Nil

8027.6 DATE OF NEXT MEETING / MEETINGS
Next meeting of Council will be held on Thursday 20th March 2008.

8027.7 CLOSURE
There being no further business the meeting was declared closed at 3.30pm.