Shire of Perenjori
MINUTES
Ordinary Council Meeting
Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 17th September 2009 to commence at 1.30PM.

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9091 PRELIMINARIES

9091.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
The Chairman opened the meeting at 1.30pm

9091.2 OPENING PRayer
Cr King led Council in the opening prayer.

9091.3 DISCLAIMER READING
Nil

9091.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present
Cr C R King
Cr R A Benton
Cr I F West
Cr G K Reid
Cr L C Butler
Cr J H Hirsch

CEO
Stan Scott

DCEO
Rose Jones

MCS
Len Welch

EDO
Phil Cleaver

Apologies
Cr J A Bensdorp
Cr J R Cunningham
WS - Ken Markham

9091.5 PUBLIC QUESTION TIME
Nil

9091.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

9091.7 NOTATIONS OF INTEREST
Financial Interest – Local Government Act s 5.60A
Proximity Interest – Local Government Act s 5.60B
Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.
9091.8 APPLICATIONS FOR LEAVE OF ABSENCE
Moved: Cr Reid  Seconded: Cr Butler
That Cr Bensdorp and Cr Cunningham be granted leave of absence from Ordinary Council meeting on 17th September 2009
Carried: 6/0

9091.9 CONFIRMATION OF MINUTES
Minutes of Ordinary meeting of Council held 20th August 2009 are attached.
Moved: Cr Benton  Seconded: Cr Hirsch
That the minutes of the Ordinary meeting of Council held on the 20th August 2009 be accepted as a true and correct record.
CARRIED: 6/0

Minutes of Special meeting of Council held 3rd September 2009 are attached.
Moved: Cr West  Seconded: Cr Benton
That the minutes of the Ordinary meeting of Council held on the 3rd September 2009 be accepted as a true and correct record.
CARRIED: 6/0

9091.10 ANOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION
Nil

9091.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS
Nil
Executive Summary:
The Perenjori Progress Association has agreed to support the aquaculture facility subject to the development of a satisfactory MOU.

Applicants Submission:
The CEO and EDO met with the Perenjori Progress Association on two occasions. It has been proposed as follows:

- That the Perenjori Progress Association contribute $50,000 to the project for the purpose of construction of a building suitable to house the facility;
- The Shire would donate the land to the progress association. This means that regardless of the success or otherwise of the project the Association would retain a worthwhile asset;
- Fish Futures would contribute $40,000 to the cost of the aquaculture plant and equipment. This would be paid directly to the supplier to allow an audit trail for the investment allowance.
- The facility would be provided rent free to the Shire for 5 years, at which time a commercial lease would be negotiated with the Progress Association.

If the draft MOU is acceptable to PPA and Fish Futures the project should be able to proceed.

Quotes have been obtained for the building and vetted by the Progress association. WA’s Chief Scientist has offered to be named as patron of the facility if needed.

Background:
The aquaculture project was funded in the 2006/07 Regional Development Scheme round but we have not yet claimed the grant. The MWDC is being kept informed of progress.

Statutory Environment:

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

Policy Implications: Nil
Financial Implications:
Funding contribution for the project now total $190,000 including a shire contribution of $50,000.

Strategic Implications:
The fundamental premise of the EDO activity is diversification of the economic base of Perenjori though complementary activity that will reduce our reliance on agriculture and mining.

Consultation:
The CEO and EDO have presented twice to the Perenjori Progress Association on this project.

Comment:
This project has been a work in progress for 3 years and meets the fundamental test of diversifying the local economy. There is almost universal acceptance that aquaculture will replace fish supplied from wild fisheries in years to come.

There are very few examples of successful aquaculture ventures but there remains a lot of interest from the State Government and academia.

Voting Requirements:
Absolute Majority

Officers Recommendation:
1. That Council endorses the proposed MOU
2. That Council agrees to the transfer of ownership of a light industrial block valued at up to $15,000 to the Perenjori Progress Association.

Council Resolution:
Moved: Cr West Seconded: Cr Reid
1. That Council endorses the proposed MOU
2. That Council agrees to the transfer of ownership of a light industrial block valued at up to $15,000 to the Perenjori Progress Association.

Carried: 5/0

Cr Butler declared a proximity interest in this item as President of the Perenjori Progress Association. He remained in the meeting for discussion of the item but did not vote.
Memorandum of Understanding (MOU)

This document represents an agreement between

Shire of Perenjori
And
Perenjori Progress Association Inc
And
Fish Futures Pty Limited.
Description of collaborating organisations

The Shire of Perenjori (The Shire)
The Shire of Perenjori is a local government constituted under the Western Australian Local Government Act 1995

Perenjori Progress Association Inc (The Association)
The Perenjori Progress Association is a not for profit organisation incorporated under the Western Australian Associations Incorporations Act for the purpose of the advancement of the Perenjori community.

Fish Futures Pty Limited (Fish Futures)
Fish Futures is a private company focussed on developing commercial aquaculture ventures.

Recitals

WHEREAS

The Shire of Perenjori has

- Obtained an undertaking from the Mid West Development Commission for a $50,000 contribution to an Aquaculture facility,
- Committed a matching contribution of $50,000,
- Made available a suitable light industrial block to house the facility,
- Obtained commitments from Curtin University and the Batavia Coast Maritime Institute to provide technical support and use the Perenjori facility for training purposes; and
- Identified suppliers of buildings and infrastructure, plant and equipment and fish stocks including licensing.

AND

Perenjori Progress Association:

- Is committed to supporting commercial development in Perenjori, and
- Is prepared to contribute $50,000 to the construction of a building suitable for an aquaculture facility.

AND

Fish Futures has committed to contribute $44,000 including GST to aquaculture plant and equipment for the aquaculture facility.
THE PARTIES WILL:

Work collaboratively to establish and operate a demonstration aquaculture facility in Perenjori.

The Agreement

This Memorandum of Understanding is an expression of the mutual intention and desire of the parties to co-operate with each other, and the parties acknowledge that it does not create any legally enforceable rights or obligations, except in respect of confidentiality.

Undertakings by the parties

The Shire will:

- Transfer ownership of the light industrial lot identified for the aquaculture facility to the Perenjori Progress Association
- Contract a suitably qualified registered builder to construct a appropriate building to house the aquaculture facility
- Supply and install a concrete floor for the facility
- Undertake site preparation including driveway, parking and sand pad for the building
- Supply and install chain link fencing around the facility
- Without compromising its statutory responsibilities in environmental health and land use planning, expedite necessary statutory and regulatory approvals
- Employ a suitable staff member on a part time basis to operate the aquaculture facility
- Secure stocks of fingerlings for the facility
- Work with Tertiary institutions to facilitate use of the facility for training purposes.
- Promote the uptake of inland aquaculture
- Jointly with Fish Futures manage the day to day operations of the facility.

Perenjori Progress Association will:

- Become the beneficial owner of the land and property including buildings on which the aquaculture project will be based;
- Contribute $50,000 including GST to the Shire of Perenjori, with such funds to be applied to construction of the building and associated infrastructure
- Make the facility available to the aquaculture project rent free for 5 years;
- At the conclusion of 5 years, negotiate in good faith a lease agreement for the continued use of the site as an aquaculture facility on a commercial basis

Insert file and version information here
Fish Futures will:

- Contribute $44,000 including GST to the Shire of Perenjori, with such funds to be applied to the purchase and installation of plant and equipment for the purpose of an aquaculture facility.
- Jointly with Fish Futures manage the day to day operations of the facility.
- Retain the right to claim such investment and research and development incentives as may be available.
- Promote further private investment in inland aquaculture including but not limited to the establishment of a large scale aquaculture facility in Perenjori.
- Share all patents, manuals, operation procedures, safety data sheets and formulae and any thing else reasonably required to ensure safe and effective operation of the aquaculture systems.
- Partake in a community benefit fund that distributes a portion of the profits of the enterprise to the Perenjori community.
- Assist the Shire to obtain fish stocks, sell product and obtain inputs for the project.
- Have the right install appropriate signage, and prepare appropriate marketing material that recognises its role in developing the facility.

Confidentiality

For the purposes of this MOU, “Confidential Information” means information that:

(a) is by its nature confidential;
(b) is designated by the parties as confidential; or
(c) the parties know or ought to know is confidential and includes without limitation the terms of this agreement and all information about the parties, their employees, agents, policies and operations which is made available or which becomes known during the term of this agreement or as a result of executing this agreement;

but does not include information which:

(i) is or becomes public knowledge other than by breach of this agreement; or
(ii) has been independently developed or acquired by either party.

The parties may exchange Confidential Information relevant to proposed Projects. Each party undertakes to treat as confidential all Confidential Information obtained from the other party and undertakes not to divulge any Confidential Information to any person without first obtaining the consent of the other party in writing.

Each Party will take such reasonable steps to provide for the safe custody of any and all Confidential Information in its possession and to prevent unauthorised access thereto or use thereof.
At any time upon the written request of a party, the other party must return any documents which embody Confidential Information and must not keep any copies in any form.

**Termination and Amendment**

The term of this MOU is a period of 5 years from the date of execution. The MOU will be automatically renewed for a further period of five years unless one party notifies the other party in writing that they do not wish to renew the MOU at the completion of the annual review of current and future Projects.

This MOU may be terminated by mutual consent of the parties. Any party may terminate this MOU upon one (1) month written notice to the others.

This MOU may only be amended by agreement in writing between the parties.

**General**

The parties acknowledge that each of them is free to undertake other projects on their own or in conjunction with third persons, and that the parties will co-operate only in circumstances where each of them agrees co-operation is for their benefit and each is satisfied that the specific provisions covering that co-operation are appropriate.

With the exception of Confidentiality, this MOU is not binding and the parties do not intend that it or any part of it be binding. It serves only as a record of the parties’ separate intentions.

This MOU will be governed by and construed in accordance with the law in force in the State of Western Australia and the Courts of Western Australia will have jurisdiction in respect of all matters arising under the terms of this MOU.

**Executed by the parties:**

**SIGNED for and on behalf of**

THE SHIRE OF PERENJORI

By its authorised Officer

In the presence of:

)...................................................
) signature

)...................................................
) print name

)...................................................
witness signature
SIGNED for and on behalf of
Fish Futures Pty Ltd
By its authorised Officer

In the presence of:

witness print name

SIGNED for and on behalf of
THE Perenjori Progress Association Inc
By its authorised Officer

In the presence of:

witness signature
witness print name
FINANCE

9093.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY

APPLICANT: DEPUTY CEO
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: LEAH LEOPOLD – SENIOR FINANCE OFFICER
RESPONSIBLE OFFICER ROSE JONES - DCEO
REPORT DATE: 10TH SEPTEMBER 2009
ATTACHMENTS AUGUST 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 July 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 August 2009 including report on variances be accepted as presented.

2. Finance Report
That the Finance Report for the period ended 31st August 2009 be accepted as presented.
3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 31st August 2009 with a balance of $179,409.00 as presented be received.

4. Reserves Report
That the Reserves Report for the period ended 31st August 2009 with a balance of $1,936,117.00 as presented be received.

5. Net Current Assets
That the Net Current Assets report for the period ended 31st August 2009 as presented be received.

6. Bank Reconciliation’s
That the balances of the Municipal Fund of $135,588.56 and the Trust Fund of $41,749.22 as at 31st August 2009 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 31st August 2009 with a balance of $12,411.87 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 31st August 2009 with a balance of $122,562.74 as presented be received.

9. Accounts for Payment
That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 17182 to 17205 and EFT Numbers 997 to 1037 for $303,119.91 and the Trust Account consisting of EFT Numbers 1030 and 1032 for $305.75 for the period ended 31st August 2009 as presented be accepted.

10. Rates Outstanding
That the Rates Outstanding Report for the period ended 31st August 2009 with an outstanding balance of $29,812.00.

Council Resolution
Moved: Cr Hirsch Seconded: Cr Butler
That Items 1-10 relating to the Financial Activity Reports for the period ended 31 August 2009 be accepted as presented.

CARRIED: 6/0
Executive Summary:
Council’s policy is to consider the application for rental of Council property by non Shire staff.

Comment:
Samantha Fuller has been employed by Janice Gellatly at the Perenjori Service Station for a period of 6 (six) months.

The residence Lot 60 has been identified by Council for disposal when the subdivision has been finally approved by the Western Australian Planning Commission and then Landgate. The subdivision may take up to another six to nine months.

Ms. Fuller has been advised as to the condition of the residence and of Councils decision to dispose of the residence and that Council will not be undertaking any major renovations to the residence and that should Council grant the lease it would be for a limited period and could be asked to vacate the residence on one months notice.

Statutory Environment:
Tenancy Agreement Act

Policy Implications:
Nil.

Financial Implications:
Rental As per Councils Policy

Voting Requirements:
Simple Majority

Officers Recommendation:
Submitted for council consideration.
Council Resolution:

Moved: Cr Benton Seconded: Cr Reid

That Council let the residence at 60 Downer Street to Samantha Fuller
Carried: 4/2

9094.2 GELLATLY’S ROADHOUSE – BYO LIQUOR LICENCE

APPLICANT: JANICE GELLATLY
FILE:
DISCLOSURE OF INTEREST: NIL
AUTHOR: LEN WELCH A/DDS_______________________
RESPONSIBLE OFFICER LEN WELCH A/DDS_______________________
REPORT DATE: 9 September 2009
ATTACHMENTS Letter Attached

Executive Summary:
Prior to a person applying to the Western Australian Liquor Licensing Court they must seek the Local Authorities approval.

Comment:
Ms. Gellatly seeks Councils approval to apply to the Liquor Licensing Court for a BYO Licence. I have advised the applicant that she would be required to submit full plans to the Court with the designated area to be separated from the general public area of the roadhouse. Should the Courts grant a licence it is the intention of the applicant to upgrade the roadhouse and establish a new specific eating area and to upgrade the menu.

Statutory Environment:
WA Liquor Licensing Act

Policy Implications:
Nil.

Financial Implications:
Nil.

Voting Requirements:
Simple Majority
Officers Recommendation:
That Council agrees to support Janice Gellatly in her application to the Western Australian Liquor Licensing Court for a BYO Liquor Licence for the Gellatly’s Roadhouse at Perenjori.

Council Resolution:
Moved: Cr Benton  Seconded: Cr Hirsch
That Council agrees to support Janice Gellatly in her application to the Western Australian Liquor Licensing Court for a BYO Liquor Licence for the Gellatly’s Roadhouse at Perenjori.
Carried: 6/0
2nd September 2009

Gellatly's Roadhouse
PO Box 47
Perenjori WA 6620

Shire of Perenjori
Fowler St
Perenjori WA 6620

To Whom It May Concern

We would like permission to have a BYO licence for our Roadhouse.

We often do night time meals and people are asking if they can BYO their alcohol.

Please let me know if you need any other information.

Thank you

Janice Gellatly
SEPTMBER 2009 - INFORMATION ITEM

1. Building Amendment Regulations 2009 – Mains Powered Smoke Alarms

From 1 October 2009 mains powered smoke alarms must be fitted in all existing residential buildings (BCA – Class 1, 2, and 4) prior to sale and when a new tenancy agreement is signed for rental properties. If there are no tenancy changes in rental properties, then hard wired (mains powered) smoke alarms must be fitted by 1 October 2011.

Mains powered smoke alarms have been mandatory in all new residential dwellings since July 1997. Existing homes were exempt unless they were undergoing substantial renovation.

While mains powered smoke alarms are the preferred alternative, smoke alarms with a 10 year battery life are permitted in dwellings where the construction of the building does not permit a space to conceal the wiring and there is no alternative available or in areas where no mains power is available.

As the Shire of Perenjori is the owner of rentable dwellings these regulations will apply.

2. H1N1 09 (Panvax) Mass Vaccination Clinics

The Commonwealth Government will shortly approve the release of the new Pandemic Influenza Vaccine (H1N1).

Local Government has been advised that the new vaccine will be available to the following groups:
  a) Pregnant women
  b) People with chronic diseases
  c) Aboriginal communities, and
  d) Health care workers

The Commonwealth Government has requested Councils to assist with the conduct of immunisation clinics. In small rural communities immunisation it has been recommended that immunisation be handled by the local GP

3. Public Consultation on Development Assessment Panels

Manager Development Services tabled information regarding the proposal for planning approval for projects over $1 million in regional areas being conducted by assessment panels.
PLANT & WORKS

9095.1 ROAD MAINTENANCE AUGUST 09

APPLICANT: KEN MARKHAM – WORKS SUPERVISOR
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: KEN MARKHAM – WORKS SUPERVISOR
RESPONSIBLE OFFICER KEN MARKHAM – WORKS SUPERVISOR
REPORT DATE: 2nd September 2009
ATTACHMENTS MAP

Executive Summary:
Listed are the roads graded for the month of August.

Applicants Submission:
Lochada rd          Forte rd
North rd            Benton rd
Bestry rd           Maya East rd
Solomon rd          Willder rd
Metcalfe rd         Burgess rd
Camac rd            
Wanarra rd

Background:
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:
As per Council’s Road Maintenance Budget

Strategic Implications:
To maintain roads to a standard
Consultation: Nil
Comment: Nil
Voting Requirements: Nil
Officers Recommendation: Nil

Council Resolution

Moved: Cr Reid Seconded: Cr Benton

That the Latham community expresses its appreciation and thanks to Council, the CEO and staff of the Shire of Perenjori for their assistance and support for the centenary of Latham celebrations.

CARRIED 6/0
Executive Summary:
The Perenjori Shire will be undertaking maintenance works on the roads used to access both Karara Iron Ore Mine and Lochada Camp.

Applicants Submission:
The Works Supervisor met with Mr Clive Ascott to discuss the access roads to the Karara Iron Ore mine and Lochada camp.

The scope of works is to include the removal and replacement of several grids, vegetation clearing, reinstatement of table drains and off shoots, grading and rolling of Karara rd and some road straightening and widening.

Any works on Council roads outside the normal maintenance scheduled, will be charged to KML. Karara Mining Limited will pay for any works on the ungazetted sections of roads.

Background:

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:
Strategic Implications:
Consultation: Nil
Comment: Nil
Voting Requirements: NIL
Officers Recommendation: NIL
KARARA MINING LIMITED

Karara Iron Ore Project
Scope of Work for Shire of Perenjori Road Maintenance

1451-CI-SOW-1010
25-Aug-09

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KARARA MINING LIMITED
KARARA IRON ORE PROJECT
SCOPE OF WORK FOR SHIRE OF PERNJORI ROAD MAINTENANCE

SYNOPSIS

This scope of work document describes maintenance works to be undertaken by the Shire of Perenjori on roads used to access both Karara Iron Ore Mine and Lochada Camp.
KARARA MINING LIMITED
KARARA IRON ORE PROJECT
SCOPE OF WORK FOR SHIRE OF PERENJORI ROAD MAINTENANCE

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ATTACHMENT 1 ROAD PLAN
1. INTRODUCTION

1.1 Karara Mining Limited the Company

The Karara Iron Ore Project (KIOP) is located within the Shire of Perenjori at Karara in the Mid-West Region of Western Australia, approximately 215 km East of Geraldton and 320 km North-North East of Perth. A satellite accommodation camp, called Lochada Camp, is located at the corner of Mungada and Lochada Roads.

Wherever Karara Mining Limited (KML) is referenced in the Scope of Works, this shall be taken to be the Company.

1.2 Access Roads to be Maintained

The road routes to be maintained are described pictorially in Attachment 1.

They include the following roads, or sections thereof:

- Karara Road (also known as Karara Lane Way)
- Lochada Road
- Mungada Road
- North Road
KARARA MINING LIMITED
KARARA IRON ORE PROJECT
SCOPE OF WORK FOR SHIRE OF PERENJORI ROAD MAINTENANCE

2.

2.1 Clear Vegetation & Re-cut Table Drains

Location – On Mungada Road starting from Lochada Road and travelling eastwards to Karara Mine site, a distance of approximately 43km.

Vegetation has re-grown on both sides of the road, reducing road width and blocking table drains – as shown in Plate 1.

Plate 1

Scope: Following notification of clearing approval from KML,

- Clear vegetation back approximately 5m each side of road.
- Load vegetation into trucks and haul to either Karara Mine or Lochada Camp. Mulch through a tub grinder and place in stockpile.
- Re-cut pre-existing table drains and tail drains. Modify/reinstate existing property & stock control fences where necessary to be clear of table drains for future maintenance.
2.2 Install New Cattle Grids; Remove Redundant Grids

2.2.1 New Cattle Grids
Two new cattle grids measuring 8m x 2.1m are to be installed. The grids will be supplied by KML and delivered to the Shire's Works Depot.

Location 1 – Where the No.1 Rabbit Proof Fence crosses Karara Road as shown in Plate 2.

Plate 2

Scope: Following notification to both KML and Department of Agriculture of installation date:

- Remove redundant grid and return to Works Depot for collection by Dept. of Agriculture.
- Widen fence to suit new grid.
- Install new grid, backfill and compact approaches.
KARARA MINING LIMITED
KARARA IRON ORE PROJECT
SCOPE OF WORK FOR SHIRE OF PERENJORI ROAD MAINTENANCE

Location 2 - Where the No.1 Rabbit Proof Fence crosses Mungada Road as shown in Plate 3.

Plate 3

Scope: Following notification to both KML and Department of Agriculture of installation date:

- Remove redundant gates and return to Works Depot for collection by Dept. of Agriculture.
- Install new grid, backfill and compact approaches.
- Reinstall fence to suit new grid.
2.2.2 Redundant Grids

The following four grids are to be removed:

<table>
<thead>
<tr>
<th>Road</th>
<th>Chainage</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karara Road</td>
<td>CH34.9</td>
<td>Located on No.2 fence line, which is now redundant.</td>
</tr>
<tr>
<td></td>
<td>from Highway</td>
<td></td>
</tr>
<tr>
<td>Mungada Road</td>
<td>CH3.7</td>
<td>Inside mine lease area, now redundant.</td>
</tr>
<tr>
<td></td>
<td>from Karara</td>
<td></td>
</tr>
<tr>
<td>Mungada Road</td>
<td>CH11.25</td>
<td>Alignment of old Rabbit Proof Fence – now redundant.</td>
</tr>
<tr>
<td></td>
<td>from Karara</td>
<td></td>
</tr>
<tr>
<td>Mungada Road</td>
<td>CH16.3</td>
<td>Located on No.2 fence line, which is now redundant.</td>
</tr>
<tr>
<td></td>
<td>from Karara</td>
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</tbody>
</table>

Table 1

Scope:

- Remove redundant grids and return to Works Depot for either collection by Dept. of Agriculture or disposal – depending on condition. Do not leave old grids in road reserve.

- Reinstall road pavement.

2.3 Grading and Rolling

Location – Karara Road, entire length from causeway to Mungada Road, approximate distance 22.5km.

Scope – grade and roll after suitable rain. Re-shape crown in areas affected by loss of shape. Repair pavement using new gravel, where required.

2.4 Road Straightening & Widening

Location – Lochada Road
KARARA MINING LIMITED
KARARA IRON ORE PROJECT
SCOPE OF WORK FOR SHIRE OF PERNJORI ROAD MAINTENANCE

Scope:

CH2.5 - Remove 'dog leg' in road and widen to 8m pavement plus 1m shoulder each side.

CH4.9 – Plate 4 refers. Widen to 8m plus 1m shoulder each side. Raise pavement as necessary to achieve drainage.

Plate 4
3. COMPANY SUPPLIED ITEMS

The Company will supply the following items:

- Department of Environment vegetation clearing approvals
- Two 8m x 2.1m extra heavy duty cattle grids, delivered to Shire Works Depot

The Company may also be able to make construction water available from their bores at Lochada and Karara, subject to the bores being operational at the required time.
KARARA MINING LIMITED
KARARA IRON ORE PROJECT
SCOPE OF WORK FOR SHIRE OF PERENJORI ROAD MAINTENANCE

4. TRAFFIC MANAGEMENT

The Shire is responsible for all traffic management, including developing Traffic Management Plans (TMPs), supplying and placing road signage and liaison with local users affected by any road closures.

The Company shall be given a copy of all TMPs and not less than 7 days notice of any road closures to its Mine site or Camp site.
Executive Summary:

Mr Norm Everett is currently employed by the Shire as a mechanic on a casual basis whilst we advertise for a full time mechanic.

Applicants Submission:

The Shire previously advertised for a new mechanic to replace Mr Dave Jones who left in June.

One application was received and after contacting the applicant by phone, he failed to make further contact. We have since readvertised and whilst waiting for applications to close, Mr Norm Everett contacted the Shire and offered his services to assist with general maintenance and repairs and servicing of the plant and machinery.

Background:

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:

Strategic Implications:

Consultation:

Comment: Nil

Voting Requirements:

Officers Recommendation:
Council Resolution not required
Council noted that the CEO would interview two applicants for the position of Mechanic

9096 GOVERNANCE

9096.1 MINING DEVELOPMENT – GUIDING PRINCIPLES

APPLICANT: SHIRES OF PERENJORI & MORAWA
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 4 SEPTEMBER 2009
ATTACHMENTS Maximising Community Benefits of Mining Projects

Executive Summary:
At the August Ordinary Meeting of Council the Karara Iron Ore Project asked Council to consider what its aspiration are for benefits from mining. The CEO’s of Perenjori and Morawa prepared a set of guiding principles for which we will seek mining company commitment.

Applicants Submission:
The discussions with Karara Mining in August highlighted a number of things that mining companies could do to maximise community benefit. The underlying theme was population, and that strategies that contribute to increased local population have the greatest multiplier. The guiding principles were developed with this in mind.

Background:
The Shire has been negotiating with project proponents for several years. The principles document helps units some of the messages we have been delivering.

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 document helps set out a consistent strategic position for local government that is independent of specific benefits or infrastructure discussions.

Consultation:
The document was developed as a result of discussions between Perenjori and Morawa on the best way to negotiate with Gindalbie/Karara without unnecessary competition. The initial draft was prepared by the Shire of Perenjori.
Comment:

Project proponents can potentially divide Local Government during negotiations. Adoption of a set of agreed principles that will guide proponent behaviour should produce the best collective outcome.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council adopt the principles set out below:

Council Resolution:

Moved: Cr West  Seconded Cr; Hirsch

That Council adopt the principles set out below:

Carried: 6/0

Maximising community benefits of mining projects

Community and Local Government Expectations of Mining Proponents

SUPPORT LOCAL POPULATION

The proponent recognises that the single greatest benefit that can arise from mining projects is increased local population. The proponent commits to a proactive approach to supporting increased local population.

SUPPORT LOCAL EMPLOYMENT

The proponent is committed to maximising local employment, and commits to the principle that local residential employment is superior to fly in fly out. This commitment includes:

- Actively seeking local employees;
- Flexible shift arrangements to suit a resident workforce including those with family and parenting responsibilities;
- Assisting to address structural barriers to local employment through the development of additional housing;
- Ensure local people have access to relevant information and training;
- Commit to a local employees target, including incremental increases.
- Insisting that contractors are contractually obligated to commit to similar strategies.

SUPPORT LOCAL BUSINESSES

The proponent recognises that local businesses and local contractors will provide the highest economic multiplier for the local economy. The proponent will:

- Commit to a buy local policy;
- Insisting that contractors are contractually obligated to commit to similar strategies;
- Assist local contractors and suppliers have access to information, support and training to meet required standards
- Proactively support and ensure that local businesses secure business from the activities of the proponent
SUPPORT LOCAL LIFESTYLE
The proponent recognises that for people to choose to live in rural areas they require access to facilities to support their quality of life and that of their families. The proponent will:
- Work to develop employment and shift arrangements that support family life and participation in community activities such as sport and volunteering;
- Support community sport, recreation and artistic facilities and services;
- Support essential services such as health, education and emergency services

SUPPORT LOCAL INFRASTRUCTURE
The proponent understands that its infrastructure investment has implications for local communities. The proponent will:
- Where possible invest in common use infrastructure rather than exclusive infrastructure;
- Contribute to the upgrade and maintenance of local infrastructure of benefit to its project;
- Consult with community stakeholders in making infrastructure decisions.

SUPPORT LOCAL COMMUNITIES
The proponent understands that mining will have both positive and negative impacts on local communities. The proponent will work with the community to minimise or mitigate negative impacts and maximise positive impacts. This includes:
- Supporting processes for gathering input and feedback from community members
- Supporting and encouraging community decision making forums
- Responding positively to community feedback

PROVIDE LONG TERM COMMITMENT
The proponent recognises that decisions by employees or contractors to relocate to rural areas can be difficult. These decisions are easier if there is clear evidence of long term commitment by the proponent. This includes:
- Investment in the town in the form of housing, offices, yards, shop fronts;
- Published commitments to long term community investments;
- Demonstrable support for strategies supporting local employment, population and community.

SUPPORT ECONOMIC DIVERSITY
The proponent recognises that a strong local economy requires diversity in employment and industry. The proponent will work with the local community to support the development of local industry. This will include:
- Using the proponents influence to secure green jobs
- Working with the community to maximise opportunities from recycling and processing waste streams
- Identifying and supporting opportunities to develop local infrastructure to support mining activities. This could include for example power generation, water supplies, carbon capture or bio-fuels.

Cr West left chambers at 2.25pm
Cr West returned to Chambers at 2.27pm
Executive Summary:
The Rural Towns Program has completed the Stormwater Management Conceptual Plan for Perenjori.

Applicants Submission:
Following Consultation with the Shire DAFWA contracted GHD to develop the stormwater plan. The plan has 3 main objectives:

1. Reduction of shallow groundwater recharge and salinity trends
2. Management of hazard and inconvenience related to stormwater flow
3. Optimising stormwater harvesting efficiency

The main strategies in the plan are engineering solutions. These solutions are:

CBH Collection Basin
This project involves the construction of a collection basin within the railway reserve on the northwest corner of the intersection between the railway line and Perenjori Carnamah Road. This basin would collect run off from CBH, the Shire depot and loading Street, and would have the capacity to pump water to the main collection dam.

The estimated cost of this basin using internal rates is $66,319.

Main Storage Dam
The proposed Main Storage Dam is to be located to the east of the Perenjori town site just upstream of the floodway on Oversby Road within the lower section of Mr Gilmour’s property. Subject to necessary geotechnical investigation the site offers the opportunity to establish a central storage of around 30 ML volume. The dam site is also located on the Eastern Diversion Channel the hydrology of which is described in Section 2. It receives flows from urban and rural components of the Eastern Diversion Catchment.

The estimated cost of the main storage dam is $185,865.

The costings developed by GHD are higher and involved obtaining all services at full commercial rates. It will be necessary to confirm costings before implementation.
Background:
The Rural Towns Liquid Assets Program has been working with the Shire of Perenjori for 3 years. The plan is as a result of consultation with Council to establish the local risks and priorities together with a monitoring program tracking groundwater levels within the town site.

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 Department of Agriculture and Food can make some financial contribution to implementation (perhaps in the order of $15 to $20,000). This could be applied to the further site and geo-technical investigations.

There are a number of potential funding sources for this work including as a last resort the Royalties for Regions Country Local Government Fund.

The additional stormwater will help reduce our reliance on scheme water for parks and gardens with considerable ongoing cost savings.

Strategic Implications:
The three main objectives of the plan have significant strategic importance:

1. Reducing salinity risk
2. Reducing flood risk
3. Optimising stormwater harvesting efficiency

Consultation:
The plan was developed in consultation with Council.

Comment:
The two main engineering solutions involve construction of infrastructure on land that is not owned by or vested in the Shire. There will therefore need to be sufficient lead time to negotiate these arrangements with the other parties.

In order to implement the plan Council will need to:

- Adopt the plan;
- Proceed with geo-technical investigations, confirm costings and commence negotiations with landholders;
- Identify and apply for necessary funding and target implementation for 2010/11

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council:
1. Adopts the Stormwater Management Conceptual Design;
2. Authorises the CEO to confirm costings, commence negotiations with landholders and apply for funding;
3. Includes implementation of the plan in its draft budget for 2010-11

Council Resolution:
Moved Cr Reid    Seconded: Cr West
That Council not make a decision on this matter at this meeting and that GHD be invited to attend the next council meeting to discuss the proposal
Carried:  6/0

Reason for change in recommendation
The resolution is different to the Officer Recommendation because Council is seeking more information on the project before making a decision

Council Resolution
Moved: Cr Reid    Seconded: Cr West
That representatives from the Department of Education be invited to attend the next council meeting to discuss the Stormwater management proposal.
CARRIED 6/0

9096.3 PERENJORI TRAILS PLAN

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO  ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO  ________________________
REPORT DATE: 10 SEPTEMBER 2009
ATTACHMENTS NIL

Executive Summary:
The there have not been sufficient funds allocated in this year’s budget for the development of a local trails plan.

Applicants Submission:
Kulbardi Hill Consulting prepared the Wildflower Highway Drive Trail Plan which has had very positive feedback and has been adopted by Council and is likely to be one of the regional projects funded this year from the Country Local Government Fund.

The consultant also quoted on preparing trails plan for Perenjori and Morawa. These trails would complement the Wildflower Highway trail and encourage visitors to stay longer and explore. The quote for the plans was $52,000. Our half share would be $26,000.

The budget allocation for trails development assumed a contribution of 50% of the cost of the plan from Lotteries Grant. Our expected contribution was $13,000.

**Background:**

The Shires of Perenjori and Morawa had intended to lodge a joint funding application for the development of town trails plans using the same consultant as prepared the “Wildflower Highway plan that has been adopted by Council. Unfortunately the grant application was not lodged with the lotteries commission because of a change in the tourism development officer for the region. As a result we have allocated insufficient funds to proceed with the development of the plan.

**Statutory Environment:**

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

**Policy Implications:** Nil

**Financial Implications:**

Budget Item 13210 Interpretation/Trails Plan has an allocation of $20,000 which included the $13,000 contribution to the Trails Plan. It is proposed that this allocation be increased to $30,000. This will mean funds available for other interpretation will be reduced from $7,000 to $4,000.

**Strategic Implications:**

The development of Tourism infrastructure helps extend the period in which we can attract visitors.

**Consultation:**

The town site trails plan is part of the tourism strategy developed between Perenjori, Morawa and Mullewa.

**Comment:**

The regional tourism officer employed by the three Shires left to have a baby, and during the handover to the new officers the lotteries grant task was missed. The local trails plan is an important part of the tourism strategy, and it would be good to have this infrastructure in place soon after the Wildflower Highway drive trail.

**Voting Requirements:**

Absolute Majority

**Officers Recommendation:**

That Council increase the budget allocation Item 13210 Interpretation/Trails Plan from $20,000 to $30,000.

**Council Resolution:**
Moved: Cr Butler
No Seconder
That Council increase the budget allocation Item 13210 Interpretation/Trails Plan from $20,000 to $30,000

Motion lapsed
Executive Summary:

An independent consultants report has been completed which considers a recommended future for Perenjori community in partnership with our neighbouring Shires of Mingenew, Morawa and Three Springs.

Applicants Submission:

The partnering Shires of Morawa, Mingenew, Perenjori and Three Springs appointed Mr Brian Dollery and Mr Stephen Goode to undertake a structural review process on behalf of the group. The accompany reports represent the outcomes of this review process. Mr Goode is a private consultant and former long-term chief executive from Western Australian Local Government and Mr Dollery is a Professor from the University of New England who specialises in Local Government and a vocal critic of forced Local Government amalgamations in other States of Australia.

The review identified four (4) alternative options for structural reform for the four partnering Shires:

1. Do nothing (status quo)
2. Forced Amalgamation
3. Resource Sharing Model
4. Voluntary Sustainable Amalgamation

Each option was put through a rigorous assessment process that considered each option on key aspects of sustainability. For an option to measure up, it had to:

- Ensure that it was socially acceptable and kept the community’s essential local identity
- Delivered economic benefit or cost savings to the partnering Shires
Ensure that organisational shortcomings identified in the recently completed Checklist process were addressed

Delivered on the State Government’s need for Local Government Structural Reform

The first option was rejected due to the lack of sustainable benefit identified, non-addressing Checklist shortcomings and falling short on the State Government’s request for reform. Although the Forced Amalgamation option provided the best economic return, it failed the social sustainability test. The Resource Sharing Model passed the Social Sustainability test, but failed on the economic benefit hurdle. Finally, the Voluntary Sustainable Amalgamation model was chosen as it delivered the best balance of economic and social need.

In terms of local representation, the consultant’s report recommends that each of the four existing Shires boundaries is maintained as Wards of the new Local Government. Two representatives from each of these Wards are then elected to the new eight person Local Government entity. This system would eventually be replaced by the one vote one value method of electing Councillors i.e. representation to be based on population in each electorate.

The State Government has also upped the ante in terms of the need for Local Government Structural Reform. At the recent Local Government Convention held in Perth, Minister for Local Government, Hon John Castrilli, and Minister for Regional Development, Hon Brendon Grylls and Hon Premier, Colin Barnett all pushed the requirement for Shires to seriously look at structural reform – mainly through an amalgamation model. There was also discussion from the above on the preference for the State Government to financially support, through the Royalties for Region Program and other grant programs, ONLY those Shires that embraced the structural reform process, to the detriment of other Local Governments.

Project Working Group representatives from the four (4) Local Governments making up the Shires of Mingenew, Morawa, Perenjori and Three Springs met in Perenjori on the 12th August 2009 to review and discuss the draft structural reform report prepared by consultants Dollery & Goode. A copy of the Notes taken from this meeting is appended to this report. Progress was made at this meeting to shore up support to the report findings and progress towards developing agreed elements and ‘Deal Breakers’ as part of a final model. The meeting also sought further refinements to the draft report to address identified gaps and shortcomings – mainly in relation to additional State Government financial assistance for required transition costs.

The consultant’s report recommendation as to the Voluntary Sustainable Amalgamation model inclusive of the four suggested Shires is also consistent with the community’s 2nd preference as to a preferred alignment structure. At a Community Public Briefing held on the 18th May 2009, participants resolved to (1) remain as is, and (2) if 1 is not possible, to investigate alignment options with the above four communities plus Mullewa. The Shire of Mullewa has since opted to decline this invitation and investigate alternative alignment opportunities elsewhere.

Background:

The Minister for Local Government has requested that each Local Government in Western Australia undertake a structural review process to identify a preferred alignment going forward. This announcement was made in Exmouth during February 2009.

As part of this activity, the Minister for Local Government permitted all Councils the opportunity to gain access to $10,000 in State Government financial assistance to fund the employment of consultants to assist in the review process.

All Local Governments in Western Australia were also invited to complete a self assessed Reform Checklist which required submission to the Department of Local Government by the 30th April 2009. The Shire has recently received feedback advice from the Department that Perenjori had been assessed as a ‘Category 3 Shire’ in so far as:-
“Significant structural reform including amalgamation and formalisation of regional groupings is required to ensure long term community and organisational benefit in order that the needs of the current and future generations are met.”

The Department further advised that:-

“...structural reform including amalgamation / boundary adjustments and formalisation of regional groupings should be considered to enhance organisational and financial capacity to meet current and future community needs.”

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 consultant’s report suggests that all transition costs of amalgamation are to be accommodated by the State Government. This cost has been estimated at $2.497 million, inclusive of redundancy payouts, purchase and installation of improved communications technology, appointment of consulting, interim CEO and project officer support, etc.

Consideration has also been given to redundancy costs for other senior contracted employees. A six month maximum payout threshold is recommended to safeguard existing contracted staff against this possibility.

Strategic Implications:

The issue of Local Government structural reform is the single most important matter to be considered by any Perenjori Shire Council. For an amalgamation process to be successful, it must deliver a balance between social sustainability, maintenance of local identity and provide an effective organisational structure with capacity to provide a sound business management function going forward.

Consultation:

To date the Shire of Perenjori has conducted 5 community meetings to discuss structural reform. The first meetings in Perenjori and Latham discussed possible regional groupings and supported the investigation of this group of 4 councils.

During the development of the proposal the consultants hosted a further community meeting seeking input from the community.

Finally there have been two additional community meetings, one in each of Perenjori and Latham. These meetings did not make any resolutions, but the mood of the meetings was that, while there was not overwhelming support for the proposal, there is an understanding of the drivers for change and a preference to take charge rather than wait for forced amalgamation at some time in the future.

Comment:

The CEO has been an advocate of reform since the Minister’s announcement, and the final model suggested by the consultant is not dissimilar to that advocated by the CEO shortly after the ministerial announcement.

There seems to be universal agreement that reform is inevitable, even though there is less agreement on the benefits or detriments of amalgamation. The main driver for participation is
the capacity to home more influence on the outcome and the conditions on the amalgamation than might otherwise be the case.

In particular it seems well accepted that there is likely to be a more aggressive reform process the next time there is a majority State Government. If we can achieve the funding and the concessions set out in the reform submission it will be a good outcome for the affected communities.

Each Council will be considering identical resolutions so that a consistent message can be delivered to the Minister.

**Voting Requirements:**
Simple Majority

**Officers Recommendation:**

It is recommended that:-

1. The Shire of Perenjori resolves to advise the Minister for Local Government of its intention to amalgamate, under a Voluntary Sustainable Amalgamation model, with the Shires of Mingenew, Morawa and Three Springs.

2. The Shire of Perenjori resolves to advise the Minister for Local Government of its intention to reduce the total number of elected members to eight from the October 2011 Council Elections.

3. The Shire of Perenjori resolves to advise the Minister for Local Government of their intention to work collaboratively within a regional grouping comprising the local governments contained in the Northern Country Zone of the Western Australian Local Government Association (potentially through the Mid West Regional Council).

4. The above is prefaced on the basis that the State Government assists with and meets the full costs of transition into the new Sustainable Amalgamated entity, including the full costs of redundancy as provided for in contracted employment agreements.

5. The Shire of Perenjori advises the Minister for Local Government that the reason for exclusion of coastal communities from its preferred Sustainable Amalgamated structure was due to a lack of synergies in establishing communities of common interest.
Council Resolution:
Moved: Cr King  
Seconded: Cr Hirsch

That:-

1. The Shire of Perenjori resolves to advise the Minister for Local Government of its intention in principle to amalgamate, under a Voluntary Sustainable Amalgamation model, with the Shires of Mingenew, Morawa and Three Springs.

2. The Shire of Perenjori resolves to advise the Minister for Local Government of its intention to reduce the total number of elected members of the new entity to eight from the October 2011 Council Elections.

3. The Shire of Perenjori resolves to advise the Minister for Local Government of their intention to work collaboratively within a regional grouping comprising the local governments contained in the Northern Country Zone of the Western Australian Local Government Association (potentially through the Mid West Regional Council).

4. The above is prefaced on the basis that the State Government assists with and meets the full costs of transition into the new Sustainable Amalgamated entity, including the full costs of redundancy as provided for in contracted employment agreements.

5. The Shire of Perenjori advises the Minister for Local Government that the reason for exclusion of coastal communities from its preferred Sustainable Amalgamated structure was due to a lack of synergies in establishing communities of common interest.

6. That Council request that the joint Council working party prepare by the November 2009 Ordinary Meeting of Council:

- A projected implementation timetable
- A list from each participating Council of community commitments to be preserved by the new Council
- Confirmation from the Shires of Carnamah and Coorow that they will or will not seek to join the proposed grouping.

CARRIED  4/2

Councillors Benton and Reid wished to record that they voted against the motion.

After the meeting the CEO clarified that the Local Government Act 1995, Schedule 2.1, only requires a Simple Majority which makes this a valid and binding resolution.
Executive Summary:
Perenjori Sports Club is seeking feedback on its improvement plans and Council’s support.

Applicants Submission:
The Sports Club has written to the Shire in the following terms:

Dear Councillor’s

Upgrade of the Perenjori Sports Club

The Perenjori Sports Club committee is seeking a resolution in conjunction with the Perenjori Shire Council for the proposed improvement and development of the club premises.

For too many years now, the ideas and plans of committee’s past and the positive input from residents and visitors alike have amounted to just, talk!

We believe now is the time to move forward with action, on ground action. As the building is under the umbrella of the Shire, we have endeavoured to keep the Shire informed, i.e: architectural designs submitted late last year 2008, invitations to the Councillor’s to attend our meetings held every 3rd Tuesday of the month, for discussions and information.

Although many comments/promises have been made regarding the order of financial commitment, we request that the Shire clarify these salient points:

- Does the Shire have any plans in place for the future development of the Perenjori Sports Club premises?
- Does the Shire still have an amount of funding in reserve for the purpose of building repairs/upgrades to the Perenjori Sports Club?
- If so, to what value?
- Could the Shire provide some feedback on the architectural plan already submitted?
At this point in time the Club has listed the following items as part of stage 1 of the process for 2009 through to 2010.

- Reline front of bar mini orb: $500.00
- Replace bar stools and purchase bar tables: $1000.00
- Replace existing chairs for dining: $2000.00
- Recover pool table: $500.00
- Replace suspended ceiling club and kitchen: $5000.00
- Purchase and install exhaust fans kitchen: $1500.00
- Installation of Air conditioners reverse cycle inverters: $10,000.00
- Replace carpet main bar area: $6000.00
- Retile in front of bar: $2000.00
- Replace undercover area tennis club side of building: $7000.00
- Removal of junior room: in kind
- Relocation of power for tennis, bowls and netball lights and removal of overhead power lines along tennis courts: $2000.00 and in kind.
- Establishment of gardens front of club: $1000.00 and in kind
- Paving and stamped concrete undercover and entrance: $7000.00
- New entrance and foyer area: $3000.00
- Repairs to gutters, rear fascia and roof: $1000.00
- Repainting of club external and internal: $3000.00
- New signage front entrance: $2000.00

Stage 2 at this point in time will include re tiling and toilets, re roofing main club, kitchen up grade, playground, and further enhancement to outside of club.

Any assistance with any of the above would be greatly appreciated.

The committee is dedicated to the Club and the community of Perenjori and this community deserves an improved structure from which to operate.

Your response at this critical period in the Clubs history is imperative for its future.

Background:
Council considered plans at its August Ordinary Meeting in the context of a request to demolish the junior rooms. Council agreed to that demolition.

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 $20,000 extra in this years budget for Sports Club donations.

Strategic Implications:
Maintenance and development of community infrastructure is an important function of Council

Consultation:
Les Hepworth from the Sports Club Committee met with the CEO on 10 September 2009.
Comment:

The works identified in the letter total $51,500 but barely scratch the surface in terms of work required. Replacing the roof and undercover areas and upgrading the kitchen and toilets will cost considerable more than the initial works identified.

The CEO contacted the Midwest Development Commission to see whether the proposed work would qualify for funding under the next round of the Regional Grants Scheme – there is some $3.5 Million available this year. The Sports Club has access to up to $45,000 of its own funds. The project would qualify, and matching funding would improve the prospects for the project. They have also suggested applying for funding through the CSRFF (the same fund that is supporting the Perenjori Pool). However if the club proceeds as planned with stage 1 the matching funds will not be available for stage 2.

The CEO also arranged for the sports club committee to meet with Lottery West on 15 September 2009 when the regional grants officer was scheduled to visit Perenjori.

The architectural plans mentioned in the sports club letter were first received in August 2009 when the club was advised that we could not consider the demolition without plans. The CEO will attend the Sports Club Meeting scheduled for 15 September 2009.

The plans by the sports club to upgrade the building are to be commended. Anyone who has visited the club in the last few weeks will have noticed the new fascia on the bar and new seating which does provide a substantial improvement. It is the CEO’s view however that it would be better to use the funds identified ($45,000 from the Sports Club, $20,000 from the Shire) to leverage grant funding from other sources to fund the more ambitious stage 2 upgrade.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council write to the Perenjori Sports Club as follows:

1. That Council as part of a grant application process developed a concept plan for a replacement building and obtained an architect’s assessment of the likely costs of refurbishing the existing building, and these documents are available to the club

2. That Council has allocated $20,000 in the current budget to work at the Perenjori Sports Club as requested by the club;

3. That Council supports the Sports Clubs independence, but would encourage the Sports Club to make a formal decision with community consultation on whether to commit to refurbishing the existing club or working towards seeking a replacement.

Council Resolution:

Moved: Cr West     Seconded: Cr Benton

That Council write to the Perenjori Sports Club as follows:

1. That Council as part of a grant application process developed a concept plan for a replacement building and obtained an architect’s assessment of the likely costs of refurbishing the existing building, and these documents are available to the club

2. That Council has allocated $20,000 in the current budget to work at the Perenjori Sports Club as requested by the club;
3. That Council supports the Sports Clubs independence, but would encourage the Sports Club to make a formal decision with community consultation on whether to commit to refurbishing the existing club or working towards seeking a replacement.

CARRIED: 6/0

9096.6 RESULTS OF LOCAL GOVERNMENT ELECTION

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER STAN SCOTT – CEO
REPORT DATE: 11 September 2009
ATTACHMENTS

Executive Summary:
Nominations for vacancies for the Ordinary Election closed at 4pm on 10 September 2009. At close of nominations there were three nominations for 5 vacancies.

Applicants Submission:
Nominations for vacancies for the Ordinary Election closed at 4pm on 10 September 2009. At close of nominations there were three nominations for 5 vacancies. As a result the 3 candidates nominating were declared elected unopposed

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<tr>
<th>Ward</th>
<th>Vacancies</th>
<th>Candidates</th>
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<tr>
<td>Caron/Latham</td>
<td>1 X 4 year term</td>
<td>Jennifer Hirsch elected unopposed</td>
</tr>
<tr>
<td>Perenjori</td>
<td>2 X 4 year term</td>
<td>John Bensdorp elected unopposed</td>
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<tr>
<td></td>
<td>1 X 4 year term</td>
<td>Rodney Desmond elected unopposed</td>
</tr>
<tr>
<td></td>
<td>1 X 2 year term</td>
<td>Unfilled</td>
</tr>
</tbody>
</table>

Two vacancies remain for the Perenjori Ward, one 4 year term and one two year term.

Background:
Four vacancies resulted from elected members completing their terms:
- Crs Hirsch and Bensdorp were re-elected; and
- Crs Butler and West did not renominate.

The fifth vacancy resulted from the resignation of Cr Baxter
Statutory Environment:

*Local Government Act 1995* Part 4 sets out the relevant provisions in relation to Local Government elections and polls. Section 4.57 of the Act states as follows:

4.57. Less candidates than vacancies

(1) If, at the close of nominations, there are no candidates for the office or offices to be filled at the election, an extraordinary election is to be held to fill the office or offices as if it or they had become vacant on the day after the close of nominations.

(2) If, at the close of nominations, the number of candidates is less than the number of offices to be filled at the election;
   
   (a) the candidate or candidates is or are elected; and
   
   (b) an extraordinary election is to be held to fill the remaining office or offices as if it or they had become vacant on the day after the close of nominations.

(3) If, at the close of nominations for an extraordinary election required under subsection (1) or (2) there are no candidates or the number of candidates is less than the number of offices to be filled at the election, the council may appoint* to any unfilled office a person who would be eligible to be a candidate for election to the office and who is willing to accept the appointment.

* Absolute majority required.

(4) A person appointed under subsection (3) is to be regarded as having been elected

*Local Government Act 1995* Schedule 2.2 deals with matters affecting local government wards and representation. Council may make a submission to the Local Government Advisory Board to change the ward system. This could involve for example proposing that the ward system be abolished, and there be 7 elected members each representing the entire district.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:

If Council decides to support the reform proposal and move towards amalgamating with Morawa, Three Springs and Mingenew council may seek permission not to fill the two outstanding vacancies.

Consultation:

Nil

Comment:

Despite the efforts of Council to consult with the community about structural reform there was still insufficient interest generated to have enough candidates to fill vacancies. The impending Local Government Reform gives rise to the expectation that the next Local Government Ordinary Election will be for positions on the amalgamated Shire. This being the case it is difficult to justify again seeking nominations for what will be only around 18 months on Council.

It would be open to Council to make a submission to the Local Government Advisory Board as follows:

1. That the ward system in the Shire of Perenjori be abolished;
2. That the number of positions of elected members be reduced from 9 to 7;
3. That the existing elected members be members for the entire district;
4. That members terms expire as follows:
   - Crs King, Benton, Reid and Cunningham expire 2011; and
   - Crs Bensdorp, Hirsch, and Desmond expire 2013

Notwithstanding the above, if the reform submission proceeds according to expectations, all members’ terms would finish on 30 June 2011.

In the meantime Council will need to seek permission from the Minister for Local Government as follows:
   - That the quorum for an Council meeting be reduced from 5 to 4; and
   - That and absolute majority be reduced from 5 to 4.

**Voting Requirements:**
Absolute Majority

**Officers Recommendation:**
Council to make a submission to the Local Government Advisory Board as follows:
   1. That the ward system in the Shire of Perenjori be abolished;
   2. That the number of positions of elected members be reduced from 9 to 7;
   3. That the existing elected members be members for the entire district;
   4. That members terms expire as follows:
      - Crs King, Benton, Reid and Cunningham expire 2011; and
      - Crs Bensdorp, Hirsch, and Desmond expire 2013
   5. That seek permission from the Minister for Local Government as follows:
      - That the quorum for an Council meeting be reduced from 5 to 4; and
      - That and absolute majority be reduced from 5 to 4.

If Council chooses not to resolve as above:
   That Council set an extraordinary election date of 17 November 2009.

**Council Resolution:**
Moved: Cr West  
Seconded: Cr Butler  
That Council set an extraordinary election date of the 17th November 2009  
Carried: 6/0
9097 OTHER BUSINESS

9097.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

WALGA - Local Government News. Issue No.35.09
About the House – Issue 38 September 2009
Minister for Local Government; - Changes to Local Gov reform Submission Deadline
Government of WA – Update Issue 67
MWAC Information Bulletin – Issue 128 August 09
The Roads Foundation Newsletter Issue 5 August 09
Department of Sports and Rec – 2009 Sport & Rec Industry Awards
Heritage Matters Newsletter – Issue 29 September 09
WALGA – Current Vacancies Aug – Sept09
The Mining Chronicle – Volume 14, No.8
Government News Volume 29 Issue 7
WALGA – Planning & Community Development Newsletter 24 August 09 Edition 4

9097.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

9097.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

9097.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING

9097.5 MATTERS BEHIND CLOSED DOORS

Nil

9097.6 DATE OF NEXT MEETING / MEETINGS

Date of next Ordinary Meeting of Council will be held on the 15th of October at 1.30pm.
9097.7 CLOSURE

There being no further business the meeting was closed at 3.10pm

I certify that this copy of the Minutes is a true and correct record of the meeting held 17th September 2009.

Signed: ______________________
Presiding Elected Member
Date: ______________________