Shire of Perenjori

MINUTES

Ordinary Council Meeting

To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 19th February 2009, to commence at 1.30PM.

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9021  PRELIMINARIES

9021.1  DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 1.30pm

9021.2  OPENING PRAYER

Cr Baxter led Council in the opening prayer.

9091.3  DISCLAIMER READING

Nil

9021.4  RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present  Cr B T Baxter  
          Cr C R King (1.35pm)  
          Cr J A Bensdorp  
          Cr L C Butler  
          Cr R A Benton  
          Cr I F West (1.55pm)  
          Cr J R Cunningham  
          Cr J K Reid  

CEO      Stan Scott  
DCEO     Domenica Curtin  
WS       Ken Markham  
Minutes  Leah Leopold  

Apologies  Cr J H Hirsch

9021.4.1  ELECTED MEMBER ATTENDANCE BY MEANS OF INSTANTANEOUS COMMUNICATION

Cr King is unable to attend the Council meeting in person because of important family commitments. He has requested permission to attend the meeting by instantaneous communication.

Cr King will be located at Lot 2, 321 Canning Highway Como which is in a residential area more than 150 km from Perenjori. For Cr King to attend by telephone a Council resolution approving the location would be needed.

The regulations relating to attendance by telephone are:

14A. Attendance at meetings by means of instantaneous communication — s. 5.25(1)(ba)

(1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —
(a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting;
(b) the person is in a suitable place; and
(c) the council has approved* of the arrangement.

(2) A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person who was not physically present was taken to be present in accordance with this regulation.

(3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.

(4) In this regulation —

“suitable place” means a place that the council has approved* as a suitable place for the purpose of this regulation and that is located —

(a) in a townsite or other residential area; and
(b) 150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;

“townsite” has the same meaning given to that term in the Land Administration Act 1997 section 3(1).

* Absolute majority required.

Voting Requirements – absolute majority

Officer Recommendation
That Council approve Cr King’s attendance at the remainder of the meeting by telephone from Lot 2, 321 Canning Highway Como, Telephone 9368 1175

Council Resolution
Moved: Cr Benton  Seconded: Cr Bensdorp

That Council approve Cr King’s attendance at the remainder of the meeting by telephone from Lot 2, 321 Canning Highway Como, Telephone 9368 1175

Carried 6/0

9021.5  PUBLIC QUESTION TIME
Nil

9021.6  PETITIONS / DEPUTATIONS / PRESENTATIONS
Nil
Ordinary Meeting

MINUTES

19th FEBRUARY 2009

9021.7 NOTATIONS OF INTEREST

Financial Interest – Local Government Act s 5.60A
Proximity Interest – Local Government Act s 5.60B
Cr King – Item 9026.4 Proximity Interest
Cr King – Item 9027.4.1 Financial Interest
Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

9021.8 APPLICATIONS FOR LEAVE OF ABSENCE

9021.9 CONFIRMATION OF MINUTES

Minutes of Ordinary meeting of Council held 18th December 2008.

Moved: Cr R A Benton  Seconded: Cr J C Butler
That the Minutes of the Ordinary meeting of Council held 18th December 2008 be accepted as a true and correct record.

Carried 7/0

Minutes of Electors meeting held on 9th February 2009.

Moved: Cr J A Bensdorp  Seconded: Cr J C Butler
That the Minutes of the Annual Electors Meeting held on 9th February 2009 be accepted as a true and correct record.

Carried 7/0

9021.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Nil

9021.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS

Nil

9022 ECONOMIC DEVELOPMENT REPORT
Executive Summary:
As required by the Local Government Act and Financial Management Regulations a Monthly Statement of Financial Activity is required to be presented to each monthly meeting. This statement is used with Councils adopted 10% variance or $5000 figure which was adopted by Council at its March meeting. A report detailing the variances is also included.

Other Financial statements are also attached as per the Finance Committee preferences.

Statutory Environment: N/A
Policy Implications: N/A
Financial Implications: N/A
Strategic Implications: N/A
Consultation: N/A
UHF Haines Norton

Voting Requirements: Simple Majority

Officers Recommendation:

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

2. Finance Report
That the Finance Report for the period ended 31st December 2008 be accepted as presented.
3. **Acquisition of Assets**
That the Acquisition of Assets Report for the period ended 31st December 2008 with a balance of $538,077.00 as presented be received.

4. **Reserves Report**
That the Reserves Report for the period ended 31st December 2008 with a balance of $1,223,208.00 as presented be received.

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

6. **Bank Reconciliation’s**
That the balances of the Municipal Fund of $565,942.17 and the Trust Fund of $36,648.31 as at 31st December 2008 as presented be received.

7. **Sundry Creditors Report**
That the Sundry Creditors Report for the period ended 31st December 2008 with a balance of $3,001.17 as presented be received.

8. **Sundry Debtors Report**
That the Sundry Debtors Report for the period ended 31st December 2008 with a balance of $26,340.56 as presented be received.

9. **Accounts for Payment**
That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 16804 to 16854 and EFT Numbers 699 to 733 for $201,231.57 and the Trust Account consisting of EFT Number 732 for $46.40 for the period ended 31st December 2008 as presented be accepted.

10. **Rates Outstanding**
That the Rates Outstanding Report for the period ended 31st December 2008 with an outstanding balance of $369,633.00.

**Council Resolution**
Moved: Cr J C Butler Seconded: J R Cunningham
That Items 1-10 relating to the Financial Activity Reports ended 31st December 2008 be accepted.

Carried 7/0
Executive Summary:
As required by the Local Government Act and Financial Management Regulations a Monthly Statement of Financial Activity is required to be presented to each monthly meeting. This statement is used with Council’s adopted 10% variance or $5000 figure which was adopted by Council at its March meeting. A report detailing the variances is also included.
Other Financial statements are also attached as per the Finance Committee preferences.

Statutory Environment: 
N/A

Policy Implications:
N/A

Financial Implications:
N/A

Strategic Implications:
N/A

Consultation:
N/A

UHF Haines Norton

Voting Requirements: Simple Majority

Officers Recommendation:

1. Statement of Financial Activity
That the Statement of Financial Activity for the period ended 31st January 2009 including report on variances be accepted as presented.

2. Finance Report
That the Finance Report for the period ended 31st January 2009 be accepted as presented.

3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 31st January 2009 with a balance of $591,101.00 as presented be received.
4. Reserves Report
That the Reserves Report for the period ended 31st January 2009 with a balance of $1,223,208.00 as presented be received.

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

6. Bank Reconciliation’s
That the balances of the Municipal Fund of $628,951.18 and the Trust Fund of $37,501.81 as at 31st January 2009 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 31st January 2009 with a balance of $45,819.57 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 31st January 2009 with a balance of $26,945.09 as presented be received.

9. Accounts for Payment
That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 16857 to 16899 and EFT Numbers 734 to 770 for $189,266.27 for the period ended 31st January 2009 as presented be accepted.

10. Rates Outstanding
That the Rates Outstanding Report for the period ended 31st January 2009 with an outstanding balance of $115,516.00.

Council Resolution
Moved: Cr G K Reid Seconded: Cr J C Butler
That Items 1-10 relating to the Financial Activity Report ended 31st January 2009 be accepted.

Carried 7/0
Executive Summary:

Council is asked to consider an Application for Planning Consent to develop a Construction Camp for a Mining Project at Lot 8582 Lochada - Mungada Road Perenjori, submitted by Karara Mining Limited.

Comment:

Council is in receipt of an Application for Planning Consent from Karara Mining Limited to develop a Construction Camp for a Mining Project at Lot 8582 Lochada – Mungada Road Perenjori – see Attachment 9024.1a.

The submission is for a nominal 300 person construction camp to provide initial accommodation for a construction workforce required for mine site construction (including the building of mine site accommodation for the construction and permanent workforce) and for Project related infrastructure construction purposes (power supply, railway and water pipeline).

Council is informed that the land is zoned “Rural” under the Shire of Perenjori Town Planning Scheme No. 1.

Clause 3.2.4 of the Shire of Perenjori Town Planning Scheme No.1 –

“Rural”: The use of land in the Rural Zone shall be consistent with the following objectives:-

 a) To identify areas which should be retained for rural uses to conserve the rural landscape and amenity of the locality.

Construction Camp is not listed in Table 1 of the Shire of Perenjori TPS as an approved Use Class in a “Rural” zone however it is suggested to be reasonable that the project be embraced as “Industry – Extractive” which is listed with an ‘AA’ symbol for rural zones.

‘AA’ Means that Council may, at its discretion, permit the use.

Clause 3.3.5 of the Shire of Perenjori Town Planning Scheme –
If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:

a) Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted, or:

b) Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and therefore follow the advertising procedures of clause 6.2 in considering an application for planning consent.

Clause 6.2 ADVERTISING OF APPLICATIONS

6.2.3 Where the Council is required or decides to give notice of an application for planning consent the Council shall cause one or more of following to be carried out.

a) Notice of the proposed development to be served on the owners and occupiers of land within an area determined by Council as likely to be affected by the granting of planning consent stating that submissions may be made to the Council within twenty-one days of the services of such notice;

b) Notice of the proposed development to be published in a newspaper circulating in the scheme area stating that submission may be made to the Council within twenty-one days from the publication thereof;

c) A sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

6.2.5 After expiration of twenty-one days from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs whichever is the later, the Council shall determine the application.

Clause 6.3 DETERMINATION OF APPLICATIONS

6.3.2 The council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the Scheme, to the purpose for which the land in the locality is used, and to the orderly and proper planning of the locality and the preservation of the amenities of the locality, may refuse to approve any application for planning consent or may grant its approval unconditionally or subject to such conditions as it thinks fit.

Council is also reminded that its draft Town Planning Scheme No. 2 states that multiple dwellings will be a permitted use within the Rural Zone.

Council will also notice that the attached Application for Planning Consent has not been signed by the owner of the land as required. Karara Mining Limited has assured me that an original signed Application for Planning Consent will be forwarded to the Shire prior to Council’s determination of the matter.
Statutory Environment:
Shire of Perenjori Town Planning Scheme No.1
Local Government Act 1995 S3.1 – the General Function of Local Government is to provide for the good government of people in the district.

Policy Implications:
Application for Planning Consent fee $30,600.00 submitted.

Financial Implications:
Nil.

Voting Requirements:
Absolute Majority

Officers Recommendation:

1. Conceptual Planning Consent is granted to Karara Mining Limited for the development of a Construction Camp for Mining Project at Lot 8582 Lochada – Mungada Road Perenjori, conditional upon:

   • Notice of the proposed development being published in Bush Telegraph and a sign being erected at a conspicuous position on the land stating that submissions may be made to the Council within twenty-one days – in accordance with Clause 6.2 of the Shire of Perenjori Town Planning Scheme No. 1.

2. At the expiration of the twenty-one days public notice and taking account of any submissions received Council shall consider and finally determine the application with the following recommended conditions:

   (i) No building work is to commence until an Application for Building Licence has been submitted to the local government and a Building Licence issued – Section 374 Local Government (Miscellaneous Provisions) Act 1960;

   (ii) The installation of any treatment of sewage and disposal of liquid waste systems is not to commence until an application to construct has been submitted and approval granted – Section 107 Health Act 1911;

   (iii) The proponent is to accept full accountability for the cost of maintaining its service and access road surfaces where, for safety and convenience, the maintenance is beyond the normal maintenance standard carried out by the Shire under its annual road works program;

   (iv) The treated effluent disposal area is to be no closer than 500m from any residence or accommodation area;

   (v) At the end of the camp life all buildings, fences, in-ground services, other structures together with effluent and liquid waste disposal areas are to be removed and the site cleared then rehabilitated;

   (vi) The proponent is to acknowledge that the collection and final disposal of refuse is the proponents responsibility only and it shall not rely upon the Council in relation thereto;

   (vii) The proponent must provide appropriate road warning signage where any road surface or road design could jeopardise public safety; and

   (viii) The granting of this planning consent shall not be deemed to be approval from any government agency.
Council Resolution:
Moved: Cr King  Seconded: Cr Cunningham

1. Conceptual Planning Consent is granted to Karara Mining Limited for the development of a Construction Camp for Mining Project at Lot 8582 Lochada – Mungada Road Perenjori, conditional upon:

- Notice of the proposed development being published in Bush Telegraph and a sign being erected at a conspicuous position on the land stating that submissions may be made to the Council within twenty-one days – in accordance with Clause 6.2 of the Shire of Perenjori Town Planning Scheme No. 1.

2. At the expiration of the twenty-one days public notice and taking account of any submissions received Council shall consider and finally determine the application with the following recommended conditions:

(ix) No building work is to commence until an Application for Building Licence has been submitted to the local government and a Building Licence issued – Section 374 Local Government (Miscellaneous Provisions) Act 1960;

(x) The installation of any treatment of sewage and disposal of liquid waste systems is not to commence until an application to construct has been submitted and approval granted – Section 107 Health Act 1911;

(xi) The proponent is to accept full accountability for the cost of maintaining its service and access road surfaces where, for safety and convenience, the maintenance is beyond the normal maintenance standard carried out by the Shire under its annual road works program;

(xii) The treated effluent disposal area is to be no closer than 500m from any residence or accommodation area;

(xiii) At the end of the camp life all buildings, fences, in-ground services, other structures together with effluent and liquid waste disposal areas are to be removed and the site cleared then rehabilitated;

(xiv) The proponent is to acknowledge that the collection and final disposal of refuse is the proponents responsibility only and it shall not rely upon the Council in relation thereto;

(xv) The proponent must provide appropriate road warning signage where any road surface or road design could jeopardise public safety; and

(xvi) The granting of this planning consent shall not be deemed to be approval from any government agency.

Carried 7/0
Executive Summary:
Council is asked to consider advice from the Western Australian Planning Commission that it is prepared to endorse a deposited plan for the subdivision of Lot 60 Downer Street Perenjori once conditions as set out have been fulfilled.

Comment:
Council is referred to Resolution No. 8095.1 of its September 2008 Minutes.

Moved: C.R. King  
Seconded: C.R. Cunningham

It is agreed that 60 Downer Street is to be subdivided into 3 x 1000m² and 1 x 1856m² single lots.

Carried: 7/0

Council is now in receipt of correspondence from the Western Australian Planning Commission advising that it has considered the application for subdivision of 60 Downer Street Perenjori and is prepared to endorse a deposited plan in accordance with the plan date-stamped 7 October 2008 once the conditions as set out have been fulfilled – see Attachment 90210.2a.

The conditions of approval for subdivision of 60 Downer Street are:

1. A fire Management Plan being implemented to the specifications of the local government and the Fire and Emergency Services Authority.

2. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specifications of Western Power for the provision of an under ground electricity supply to the lot(s) shown on the approved plan of subdivision. (Western Power)

3. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)
1. With regard to Condition 1 Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.

2. If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.

Statutory Environment:
Planning and Development Act 2005

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

Policy Implications: Nil.

Financial Implications: Nil.

Voting Requirements: Simple Majority

Officers Recommendation:
Submitted for Council direction.

Council Resolution:
Moved: Cr G K Reid Seconded: Cr R A Benton
That the MCS proceed with quotations for the completion of the 60 Downer Street subdivision and report back with costings.
Carried 7/0
Executive Summary:
Council is notified of preliminary advertising seeking submissions from suitably qualified persons to register their interest in providing design and construction details for the proposed Perenjori Aquatic/Leisure Centre.

Comment:
The following notice has been published in the Western Australian, Geraldton Guardian and Midwest Times.

PROPOSED AQUATIC/LEISURE CENTRE

Submissions are sought from suitably qualified persons to register their interest in providing design and construction details for a proposed 25 metre multi purpose public (Class 1) pool and innovative leisure pool to be incorporated into an aquatic and leisure centre facility.

Further details are available from Mr Garry Agnew, Manager Community Services, Shire of Perenjori, P.O. Box 22 Perenjori WA 6620, Phone: 9973 1002, Fax: 9973 1029, Email: garrya@carnamah.wa.gov.au.

Submissions, detailing pool construction and equipment options are required by Tuesday 24 February 2009 to the office of the Shire, attention Mr Garry Agnew.

S. Scott
Chief Executive Officer

The purpose of this advertisement seeking “Expressions of Interest” is to assess possible alternative pool construction methods thereby allowing Council to formally consider and determine the type of pool construction it prefers.

The following summary of the project background has been sent to those persons seeking further details together with Attachments 90210.3a, 90210.3b and 90210.3c.
Generally

Eastman Poletti Sherwood Architects and Project Managers have been appointed to design, document and administer a contract to provide a replacement Aquatic/Leisure Centre at Perenjori Townsite for the Shire of Perenjori.

The project is to be funded jointly by the West Australian Department of Sport and Recreation and the Shire of Perenjori. Availability of funding should be known by the end of March 2009.

The intention is to call tenders for the buildings and pools, for a fixed lump sum amount and for the successful tenderer to be awarded a single contract to commence construction in June 2009.

The Shire is keen to explore the pool shell options available including for capital costs, longevity, maintenance costs etc. Similarly for the hydraulics and associated equipment including availability, capital costs, longevity, maintenance costs, operating costs and simplicity of operation and care, any staff implications etc.

It is proposed that options available through the various pool suppliers and installers be sought and further considered. Later, submissions including costing will be assessed and a recommendation made to the Shire for their consideration and acceptance.

THE CONTRACT
The contract will be a single contract awarded to a Builder. As part of the contract the pool supplier and its installation including associated plant and equipment will be a nominated sub contractor to the Builder. This way one entity is responsible through a single contract for the whole project.

Pool and Hydraulics and Associated Equipment Selection
The intention is to ensure that the preferred options are established prior to committing to any one sub contractor, price or proposal.

A consultant group of Greg Eastman - Eastman Poletti Sherwood Architects, Garry Agnew - Midwest Regional Council and Colin Hassell – Board Member of the RLSSWA & Leisure Institute WA (Aquatics) will consider all available options from this expression of interest and provide a recommendation to the Shire.

A public tender for the supply and installation of the preferred pool type and hydraulics and associated equipment will be called in March 2009. Those shortlisted from this expression of interest will be advised of the tender and encouraged to submit. The successful tenderer will become the nominated sub contractor to the project Builder.

TIME FRAME
Initial expression of interest to close 24 February 2009
Tendering and acceptance of pool, hydraulics and associated equipment to close 22 April 2009
Tendering and acceptance of building contractor to close 18 May 2009
Let contract for project to close 25 May 2009
Practical Completion of project 30 November 2009

EXPRESSION OF INTEREST DETAILS
PROPOSITIONS
• Name of firm, address, years of operation, principals.
• Previous experience and examples of projects and their values in the last 8 years.
• Referees, maximum 2 years old.
• Details of how design is achieved and any structural or other sub consultants used.

POOL CONSTRUCTION
Provide details of your preferred type of construction for the pool structure. List type of finishes, type of surround deck, any other unique features.

HYDRAULICS AND ASSOCIATED EQUIPMENT
Provide details of your preferred hydraulics and associated equipment including sizes and required enclosures and any other relevant details.

OTHER
Provide any relevant details, evidence and your understanding in respect to longevity, maintenance, life cycle and running costs.

CAPITAL COST
Provide an indicative cost for the 25 metre pool and adjacent leisure pool, supply, installation and commissioning.
Provide indicative costs for any alternatives you believe may be suitable and acceptable in this project.

ATTACHMENTS
Aerial photo (to be added)
Artist’s impression (to be added)
Schematic plan (to be added)

At the time of preparing this report information packages had been requested by and supplied to the following persons.

Wetdeck Pools (Brian Macdonald) Danni Sayer – RED Engineers
Tel: 95932888 Tel: 63634588
Fax: 95931721 Fax: 36364589
Mobile: 0407477780 E-mail: reception@redengineers.com.au
E-mail: wetdeckpools@bigpond.com

AVP (Mark Harper) Patrick – Enter Architects
Tel: 92408622 E-mail: patrick@enterny.com
Fax: 92408633
Mobile: 0418933799 Tel: 93214402
E-mail: info@avpc.com.au Fax: 94818259
E-mail: secretary@bollig.com.au

Atlantic Pools (Anthony McCormick) Russell Fuller Hill – Critical Path Management
Tel: 93063066 Mob: 0439697964
Statutory Environment:
Local Government Act 1995 S3.1 – the General Function of Local Government is to provide for the good government of people in the district.

Policy Implications: Nil

Financial Implications:

Application has been made to the Department of Sport and Recreation for grant funding towards the construction of a new Perenjori Aquatic Centre.

Voting Requirements: Simple Majority

Officers Recommendation:

The placement of advertisements seeking submissions from suitable qualified persons to register interest in providing design and construction details for the proposed new 25m multi purpose pool and leisure pool is indorsed as is the proposed intention to go out to tender for building contractor for the project in March 2009.

Council Resolution:

Moved: Cr C R King Seconded: Cr L C Butler
The placement of advertisements seeking submissions from suitable qualified persons to register interest in providing design and construction details for the proposed new 25m multi purpose pool and leisure pool is indorsed as is the proposed intention to go out to tender for building contractor for the project in March 2009.

Carried 7/0
FEBRUARY 2009
INFORMATION ITEM

1. SUBDIVISION – 900 JOHN STREET

Council is informed that hand-over from Geraldton Electric to Western Power occurred on the 7 February 2009 – a copy of that hand-over certificate has been provided to the Shire.

I am informed that HTD Planners are now waiting for a Clearance Certificate to be issued to them by Western Power.

On receipt of that Western Power Clearance Certificate HTD will make application to the WAPC for the issue of titles.

I am informed that the issuing of titles by the WAPC will then take approximately 3 weeks.

All going well it is hoped titles for the 900 John Street subdivision lots should be at hand late March 2009.

2. SHIRE OF PERENJORI TOWN PLANNING SCHEME NO.1 AND LOCAL PLANNING STRATEGY

The statutory process for approval of a new Town Planning Scheme or amendment to a current Scheme requires preliminary Clearance by the EPA before advertising for public comment.

Correspondence received from the EPA requires, in this instance, that Council provide a summary of any environmental impacts that may occur as a result of the changes – see copy of the correspondence attached.

Council is informed that the MCS is consulting with Planwest to prepare a list of the environmental impacts (if any) that may occur.

CR WEST ENTERED THE MEETING AT 1.55PM

MCS, GARRY AGNEW LEFT THE CHAMBERS AT 1.56PM
Executive Summary:
The Australian Business Arts Foundation offers a program for Local Governments to encourage partnerships between businesses and the arts.

Applicants Submission:
The program offered by ABAF is too big for a single Council, but the Shire of Morawa has agreed to participate in a joint program. Detailed below is an extract from the program information on the foundation’s website: [www.abaf.org.au](http://www.abaf.org.au)

People want to live, work and invest in communities with strong connections between arts and business.

**Arts Connecting Communities** (ACC) is a program for local councils across Australia, giving councils, the arts and local businesses the skills to develop and make their partnerships work.

ACC supports local government planning objectives such as:

- making the local community a great place to live, work and invest
- private sector support for arts and cultural activities
- creative connections between councils, business and the arts
- building capacity and strengthening communities
- a diverse cultural life for residents and visitors
- developing cultural tourism
- health, employment and community development initiatives
- attracting skilled workers and retaining young people

**ACC package**

AbaF supplies the following:

- **Strategic action planning session** – for key cultural and economic council staff, and local arts and business leaders. Half day session.
Background:
Perenjori and Morawa have already started the process of working more closely together as Councils, but joint strategies such as this will help strengthen the informal links between the two communities.

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 project will cost $2,500 per shire.

Strategic Implications:
This project will help strengthen the informal business and community links between the two communities.

Consultation:
The project has been discussed with the CEO, Shire of Morawa and he is keen for Morawa and Perenjori to cooperate on this project.

Comment:
There is a lot of evidence of the community development benefits of arts and cultural projects. The benefits of this project are:
- The project will help build capacity within local councils, artists and artisans;
- It raises the profile of the arts;
- It should deliver outcomes long after the project is completed;
- It promotes activities that should attract support form large businesses (such as mining companies, agri-service businesses) and s local small businesses;
- It will help build informal relationships between the two communities.

Voting Requirements:
Absolute Majority

Officers Recommendation:
That Council agree to participate in the Arts Connecting Communities program and allocate $2,500 in unbudgeted expenditure.

Council Resolution:
Moved: Cr L C Butler  Seconded: Cr R A Benton
That Council agree to participate in the Arts Connecting Communities program and allocate $2,500 in unbudgeted expenditure.  Carried 8/0
Executive Summary:
The State Records Office is seeking to strengthen the record keeping requirements for Local Governments as a result of an FOI request seeking access to elected members records.

Applicants Submission:
The State Records Office is responding to an opinion from the information commissioner that elected members records are subject to FOI. It is seeking to clarify what elected member records need to be captured.

Background:
Presently the only records retained are those that contribute to decision making processes such as agendas, minutes, correspondence with Elected Members including emails. There is no system in place to collect details of meetings or discussions individual elected members participate in which could constitute a matter for which a record could or should be created.

Statutory Environment:
State Records Act 200 sets out the record keeping requirements of state agencies including Local Government.

Policy Implications:
The State Records Office has proposed a new policy.

Financial Implications: Nil

Strategic Implications:
The work of elected members is already undervalued. Placing additional demands on elected members should be subject to serious scrutiny.

Consultation:
When the State Records Act was implemented and initial record keeping plans were developed by Local Governments there was extensive consultation and debate on this very issue.

Comment:
In previous consultations the State Records Office eventually backed down on Local Government record keeping requirements. This appears to be an opportunity for the SRO to resurrect its original position.

A decision by the Information Commissioner that elected member records are subject to the FOI Act is not surprising but should be immaterial to the State Records Act. The FOI Act makes public records available to the public subject to a limited range of exclusions. The State
Records Act provides the basis for deciding what constitutes a record and should be the only basis for determining what record should be created.

You cannot recover a record under the FOI Act that has not been created.

**Voting Requirements:**
Simple Majority

**Officers Recommendation:**
That Council advise that it does not support the proposed change to policy on Local Government Elected Members record keeping.

**Council Resolution:**
Moved: Cr J A Bensdorp  
Seconded: Cr B T Baxter

That Council advise that it does not support the proposed change to policy on Local Government Elected Members record keeping.

Carried 8/0
9026.3 PERENJORI FIREMANS BALL

APPLICANT: PERENJORI VOLUNTEER BUSH FIRE BRIGADE
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 8 FEBRUARY 2009
ATTACHMENTS Correspondence from PVBFB

Executive Summary:
The Perenjori Bush Fire Brigade is seeking Shire support for its proposed Fireman’s Ball on 28th March 2009.

Applicants Submission:
The Perenjori Bush Fire Brigade is will be holding a Fireman’s Ball on 28th March 2009 and is seeking the following support from the Shire:

- Free accommodation for the band at the Caravan Park Chalets;
- Free use of the Perenjori Hall
- A cash contribution to the event.

Background:
The fire brigade ran a successful Fireman’s Ball in 2007 supported by drought assistance from the State Government.

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

Policy Implications: Nil

Financial Implications:
Support would consist of income foregone from the hall ($88) and chalets,($110) and the cash contribution ($500 from donations) if provided.

Strategic Implications:
Such events are important for community building.

Consultation: Nil

Comment:
It is positive for a community when its volunteer organisation take responsibility for major community events. Shire sponsorship helps support this activity.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council sponsor the Perenjori Bush Fire Brigade Fireman’s Ball on 28th March 2009 as follows:

• Free accommodation for the band at the Caravan Park Chalets;
• Free use of the Perenjori Hall
• A cash contribution of $500 to the event.

Council Resolution:
Moved: Cr I F West Seconded: Cr L C Butler
That Council sponsor the Perenjori Bush Fire Brigade Fireman’s Ball on 28th March 2009 as follows:

• Free accommodation for the band at the Caravan Park Chalets;
• Free use of the Perenjori Hall
• A cash contribution of $500 to the event.

Carried 8/0
Cr King declared a proximity interest in the following item as neighbour of the applicant.

9026.4 LATE RATE PAYMENT REQUEST

APPLICANT: JD & CJ SMITH

FILE: 0

DISCLOSURE OF INTEREST: 0

AUTHOR: DOMENICA CURTIN – DEPUTY CEO

RESPONSIBLE OFFICER DOMENICA CURTIN – DEPUTY CEO

REPORT DATE: 10 February 2009

ATTACHMENTS Letter

Executive Summary:
Mr Jeff Smith has made application to Council for the 5% discount on rates.

Applicants Submission:
The payment was made one working day late by Mr Smith on Monday 12th January 2009 by phone.

Background:
The 5% discount period ended on 9th January 2009. Reminder notices for the 5% discount option were sent out on 18th December 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:
A14819 $196.83 & A71 $281.30

Strategic Implications: Nil

Consultation: Nil

Comment:

Voting Requirements:
Simple Majority

Officers Recommendation:
For Council decision.

Council Resolution:
Moved: Cr B T Baxter Seconded: Cr J R Cunningham
That Council not grant the 5% discount to JD & CJ Smith.

Carried 4/3
Executive Summary:
On 5 February 2009 the Minister for Local Government Hon John Castrilli announced a reform package for Local Government including the requirement that Local Governments report back to him within 6 months of their amalgamation plans.

Applicants Submission:
The Ministers requirements are set out in the circular, but the expectation is that Local Governments will amalgamate and reduce the number of Elected Members.

Background:
The Minister has indicated that he agrees broadly with the results of the SSS, but seems to want a faster paced implementation.

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:
Existing rules guarantee combined FAGS grant allocations for 5 years after amalgamation.

Strategic Implications:
If Local Governments do not prepare satisfactory strategies the Minister has advised that he will legislate changes. The National Party has not committed to support (or oppose) the legislative changes.

Consultation: Nil

Comment:
Since the Minister’s announcement the CEO has considered the implications of the announcement and our possible response. Effectively there are three alternatives available to Council:

Fight the changes
The industry has prepared a comprehensive reform agenda which has already resulted in modest reform and most Local Governments are participating in some form of regional cooperation. The National Party has indicated that it is not committed to supporting the proposed legislative changes. I am not sure however that the industry can rely on the Labor opposition to oppose the changes.

**Pursue amalgamation with Morawa**

Council resolved at its December Ordinary Meeting as follows:

1. An application is submitted with the Department of Local Government & Regional Development seeking a “Connecting Local Governments and Structural Reform” (CLGSR) grant to engage a consultant to investigate options for establishing closer structural and working ties between the Morawa and Perenjori Shires / communities.

2. The Director Corporate Services of the Mid West Regional Council is engaged to manage this project process on behalf of the Morawa & Perenjori Shires.

3. If successful with the CLGSR grant, a consulting scoping proposal be prepared for further consideration by the Morawa and Perenjori Shire Councils.

Without the heat of the Minister’s announcement Council had already recognised the potential benefits of close cooperation with its nearest neighbour.

**Champion a more ambitious reform**

In the North Midlands we have already formed a Regional Council, and as part of the strategic planning process for that group an lot of consideration has been given to key issues including:

- What services would need to be retained locally and which could be centralised
- What kind of management structure is needed to collectively deliver services including the concept of place management.
- Discussions on involvement in the Main Roads Integrated Service Agreement are well advanced.

The CEO has prepared a discussion paper on amalgamating the seven North Midlands shires, including discussion of how the ‘parish pump’ model might be developed.

**Discussion**

There is a risk that collectively local governments will take the easiest option – amalgamation with the nearest neighbour – rather than looking at real reform. The Minister has indicated that he will change the Local Government legislation to support reform, so we should not be too restricted in our thinking by the constraints of current legislation.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council support the following alternatives:

1. That Council seek a region wide discussion on a single local government based on the Midwest Regional Council grouping;

2. In the event that the other members do not support the first option, that Council pursue amalgamation with Morawa.

**Council Resolution:**

Moved: Cr C R King  Seconded: Cr J R Cunningham
That Council support the following alternatives:

1. That Council seek a region wide discussion on a single local government based loosely on the Midwest Regional Council grouping;

2. In the event that the other members do not support the first option, that Council pursue amalgamation with Morawa.

Cr West moved an amendment

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

That Council support the following alternatives:

1. That Council seek a region wide discussion on a single local government based loosely on the Midwest Regional Council grouping;

2. In the event that the other members do not support the first option, that Council pursue the possibility of amalgamation with Morawa.

Carried 8/0

The amendment now becomes the motion

**Council Resolution**

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

That Council support the following alternatives:

1. That Council seek a region wide discussion on a single local government based loosely on the Midwest Regional Council grouping;

2. In the event that the other members do not support the first option, that Council pursue the possibility of amalgamation with Morawa.

Carried 8/0
**Executive Summary:**
DPI has now Confirmed that Lot 178 Perenjori is now available for purchase by the Shire and has provided the necessary Contract for Sale.

**Applicants Submission:**
Lot 178, the remaining industrial lot in the Perenjori Light Industrial Area was treated as a separate dealing when the Shire offered to purchase the vacant lots. The Taking Order for Lot 178 has been endorsed by the Minister. This lot has been valued at $42,500 plus GST.

**Background:**
In 2007/2008 Council purchased the 8 small industrial lots for $85,000 plus GST. These lots range in size between 0.209 and 0.385 hectare. Lot 178 is 5.342 ha.

At its November Ordinary Meeting (8116.7) the CEO recommended that:

1. That Council allocate funds in its 09/10 budget for the purchase of Lot 178.
2. That the CEO advise DPI of its continued interest in purchasing Lot 178, subject to settlement after 30 June 2009.

Council resolved that the item be laid on the 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:

The valuation is valid for 12 months and Council could allocate funds in its 09/10 budget.

Strategic Implications:

A lot of this size would support a significant development and as such could be a valuable strategic acquisition for council.

There is the counter argument that now that the land is available for freehold that Council should retain its funds as an interested developer could acquire the land directly from the State.

Further, even though the land has been zoned industrial since the town planning scheme was adopted in 1994, the undeveloped land is natural bush. The retention of 5 Hectares of natural bush close to the centre of town could have greater long term benefit than development of the land for industrial purposes.

Consultation:

Council resolved to express interest in this lot at the same time as the other industrial lots. Subsequent discussion with stakeholders has identified the alternative views.

Comment:

Council has long had a strategy to diversify the local economy. We have experienced the difficulties with being reliant on agriculture alone, and recent developments with mining proponents have indicated that mining will not be the entire answer.

For Perenjori to attract a major enterprise a suitable site will be essential. A 5 hectare industrial site would be such a site. There is however no shortage of cleared land in reasonable proximity to the townsit.e There is simply a longer lead time for alternative land for zoning changes and headworks.

Both arguments have weight and the CEO is seeking guidance from Council.

Voting Requirements: Simple Majority

Officers Recommendation:

That Council adopt one of the following resolutions:

A. That Council proceed with the purchase of Lot 178 subject to settlement after 30 June 2009. OR
B. Council advise DPI that it no longer wishes to pursue the purchase of Lot 178.

Council Resolution:

Moved: Cr I F West  Seconded: Cr C R King
That Council adopt the following resolution:

A. Council advise DPI that it no longer wishes to pursue the purchase of Lot 178. Carried 8/0

Moved: Cr C R King  Seconded: Cr I F West
That the CEO report for the next meeting options for different zonings on Lot 178. Carried 8/0
Executive Summary:
The Department of Local Government and Regional Development has confirmed Perenjori’s allocation of $681,709 under the Country Local Government Fund and has set out the requirements for claiming the allocation.

Applicants Submission:
To claim the allocation the Shire is required to:

- Buildings and Infrastructure as defined in the Local Government Accounting Manual
- Complete an Acceptance Form setting out the priorities for the current year
- Demonstrate that the first payment has been fully allocated before the second is released (by 29 May 2009)
- Acknowledge the source of the funding through appropriate signage and promotional material.
- Register as a supplier with the Office of Shared Services.

Background:
The Shire has a pending grant application under the Federal Local Community Infrastructure Program – Strategic Component for the swimming pool, pavilion, sports club and related activities. Decision on that application is expected by the end of February. The Federal Government announced an increase in the allocation for this program from $50 Million this year to $550M over two years, including more funding for the current year. This should improve the prospects of a successful application.

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 funding will be distributed in 2 payments in March and June.

Strategic Implications:
The Country Local Government Fund provides a real opportunity to overcome our infrastructure maintenance backlog.
Consultation: Nil

Comment:
An appropriate use of the Country Local Government Fund would be those projects already identified as a priority:

1. Flat Packed Housing – The program does not allow us to retire debt but this does not appear to prevent us from funding assets that might otherwise be debt funded;


Our original plans for flat packed housing involved 4 houses – 2 funded by the Shire and 2 by grant funding. If the LCIP application is successful Council has the option of returning to its original plans.

Voting Requirements:
Absolute Majority

Officers Recommendation:
That Council identifies the following projects as its priorities under the 2008/09 allocation under the Country Local Government Fund:

1. Flat Packed Housing
2. Perenjori Swimming Pool replacement

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

That Council identifies the following projects as its priorities under the 2008/09 allocation under the Country Local Government Fund:

1. Flat Packed Housing
2. Perenjori Swimming Pool replacement
3. Relocation of Single persons units to Caravan Park

Carried 8/0
Executive Summary:
WALGA President Cr Bill Mitchell and CEO Ricky Burges will be visiting Perenjori to meet with President, CEO and interested Councillors and senior staff.

Applicants Submission:
The meeting is scheduled for Tuesday 21\textsuperscript{st} April 2009 from 3.30pm to 4.30pm

The objectives of the meeting include:

- Identifying key issues of concern to our Council
- Exploring new opportunities for improving the Associations service to our Local Government
- Identifying areas of unmet needs and exploring new program and service opportunities which would benefit our Council as an association member
- Providing new information on current or emerging programs and services
- Building positive relationships between association and Council elected members and senior staff.

Background:
The meeting was originally scheduled late last year but was postponed by WALGA.

Statutory Environment:
\textit{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 meeting with WALGA President and CEO and Councillors confirm their attendance. \textbf{NOTED}
9026.9 VICTORIAN BUSHFIRE APPEAL 2009

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: DOMENICA CURTIN – DEPUTY CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 11TH FEBRUARY 2009
ATTACHMENTS: NIL

Executive Summary:
Council is asked whether it would like to make a donation to the Victorian Bushfire Appeal 2009 to assist individuals and communities affected by the devastating bushfires in Victoria.

Applicants Submission:
Donations may be made through the Australian Red Cross or other avenues.
Council’s staff are also keen to donate monies which could be sent to the Red cross or alternatively be used towards a raffle to raise more funds.

Background:
Nil

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

Policy Implications:
Nil

Financial Implications:
$1450 is available in unclassified donations. A higher donation will need to be recognised as unbudgeted expenditure.

Strategic Implications:
Nil

Consultation:
Nil

Comment:
Nil

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council donate towards the Victorian Bushfire Appeal 2009.

Council Resolution:
Moved: Cr B T Baxter Seconded: Cr L C Butler
That Council make contact with Katanning Shire regarding labour assistance and contribute by funding interested persons from Perenjori to the value of $5000 and that this be recognised as unbudgeted expenditure.

Carried 8/0
Cr C R King declared a financial interest in the following item as owner of land.

**9027.4.1 UPGRADE TO PERENJORI AERODROME**

<table>
<thead>
<tr>
<th>APPLICANT:</th>
<th>SHIRE OF PERENJORI</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>
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<tr>
<td>RESPONSIBLE OFFICER</td>
<td>STAN SCOTT – CEO</td>
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<tr>
<td>REPORT DATE:</td>
<td></td>
</tr>
<tr>
<td>ATTACHMENTS</td>
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</tbody>
</table>

**Executive Summary:**

The Perenjori Airstrip was inspected by Kevin Thomas and Wendy Grace of AMS on the 19th of December 2008. AMS provided two reports, one detailing work required to meet airstrip maintenance guidelines, and a second report detailing the work that would be required to upgrade the airstrip to meet requirements for regular use for air charters, Regular Public Transport or registration or certification standards.

**Applicants Submission:**

The scope of works required to upgrade the airstrip depends on the design aircraft. In essence the current configuration is not suitable for aircraft with a maximum take off weight over 5700 kg. To accommodate such aircraft the length of the strip would need to be extended to 1800m (it is presently 1300m.)
If the airstrip was extended to 1800m it could become a certified aerodrome
If the airstrip was limited to 30 seat aircraft and had an instrument landing approach it could be registered at its present length;
Sealing the airstrip at its present length would not change the aerodrome classification but would make it far safer for turbo prop aircraft.

Potential upgrade work aside, the airstrip will need to be resheeted and other works done regardless. Cost of upgrade works are as follows:

<table>
<thead>
<tr>
<th>Costing for Aerodrome Upgrade</th>
<th>Current</th>
<th>1800m Strip*</th>
</tr>
</thead>
<tbody>
<tr>
<td>GRAVEL AND WATERBIND AIRSTRIP</td>
<td>$159,000</td>
<td>$230,550</td>
</tr>
<tr>
<td>STABILISE GRAVEL</td>
<td>$116,000</td>
<td>$168,200</td>
</tr>
<tr>
<td>SEAL (PRIME AND TWO COAT )</td>
<td>$224,000</td>
<td>$324,800</td>
</tr>
<tr>
<td>ENGINEERING AND TESTING</td>
<td>$25,000</td>
<td>$36,250</td>
</tr>
<tr>
<td>DRAINAGE</td>
<td>$180,000</td>
<td>$261,000</td>
</tr>
<tr>
<td>SHIFT WINDSOCK</td>
<td>$15,000</td>
<td>$15,000</td>
</tr>
<tr>
<td>CONSTRUCT APRON</td>
<td>$11,000</td>
<td>$15,950</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$730,000</td>
<td>$1,051,750</td>
</tr>
</tbody>
</table>

Council or Third Party Contributions Required $365,000 $525,775

*Does not include land acquisition costs

Background:
Copies of both reports are attached.

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:
Regional Airport Development Scheme applications close on the 20 March 2009. RADS will generally only fund 50% of the cost of projects meaning Council will have to contribute either $365,000 or $526,000 depending on the option selected.

It may be possible to source some financial support form airport users.

Strategic Implications:
The airport upgrade should improve Perenjori’s attractiveness as a fly in fly out location or as a base for a residential workforce.

Consultation:
Each of the mining companies has plans for dedicated on site airstrips to support mining operations.

Comment:
Quality air transport infrastructure will provide Perenjori with a strategic advantage. It is a matter of some debate as to whether the advantage will be sufficient to justify the investment.

**Voting Requirements:**
Simple majority (there are no budget implications in the current year)

**Officers Recommendation:**
1. That The CEO negotiate with adjacent landowners to extend the airstrip;
2. That The CEO seek funding towards the cost of the airport upgrade including extending the airstrip to 1800m.

**Council Resolution:**
Moved: Cr B T Baxter   Seconded: Cr J R Cunningham
1. That The CEO negotiate with adjacent landowners to extend the airstrip;
2. That The CEO seek funding towards the cost of the airport upgrade including extending the airstrip to 1800m.

Carried 7/0

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**9027.4.2 WATER EXPLORATION IN ROAD RESERVES**

**APPLICANT:** KARARA MINING LIMITED (GINDALBIE)
**FILE:** 0
**DISCLOSURE OF INTEREST:** 0
**AUTHOR:** STAN SCOTT – CEO 
**RESPONSIBLE OFFICER:** STAN SCOTT – CEO
**REPORT DATE:** 16 FEB 09
**ATTACHMENTS** LETTER

**Executive Summary:**
Karara Mining has requested permission to explore for groundwater in Council road reserves.

**Applicants Submission:**
Karara Mining has written to the CEO in the following terms:
As you are aware Karara Mining Limited (KML) plans to imminently start constructing the Karara Iron Ore Project. In particular we hope to start construction of 60 km of blacktop road and rail between Morowa and Karara in June this year, with much of the remaining onsite construction happening after July. We envisage that most of the construction water would be drawn from bores on our leases, together with new bores on private properties along the road/rail alignment. We also seek permission to use groundwater from the Shire’s Road Reserve if water exists.

For this reason we ask your permission to firstly explore by drilling and then if drilling is successful to use water from bores within the Shire’s road reserve.

The specific areas referred to in the request are as follows:

1. Unnamed local road running south from Mungada Rd to Warriedar Copper Mine Rd, adjacent to:
   - Lot 4278 on deposited plan 238238 (Ninghan Location 4278)
   - Lot 4290 on deposited plan 238238 (Ninghan Location 4290)
   - Ninghan Location 3521
   - Ninghan Location 3527
   - Ninghan Location 3531

2. Perenjori-Rothsay Rd, from Rothsay east 25km, adjacent to:
   - Lot 4290 on deposited plan 23828 (Ninghan Location 4290)
   - Ninghan Location 3521
   - Ninghan Location 3522
   - Ninghan Location 3523
   - Ninghan Location 3524
   - Ninghan Location 3525
   - Ninghan Location 3526
   - Ninghan Location 3529 (Reserve 3209)

3. Lochada Rd
   - Between lot 8582 on deposited plan 203935 (Victoria Location 8582) and Timber Reserve between lot 8582 on deposited plan 203935 (Victoria Location 8582) and Bogada Nature Reserve (Victoria Location 10350, Reserve 40161).

The locations are set out on the map below.
Background:
The water is to support construction activities for the Karara project.

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:
Water is a valuable resource and the establishment of water supplies within the road reserve is not desirable.

Consultation:
The CEO discussed the rationale of the request with Mr Cosoleto.

Comment:
The CEO advised Mr Cosoleto of Council’s preference for the road reserve not to be used for water extraction where a suitable location is available outside the road reserve. Further if a reliable supply is located on private land that the bore be handed over to the landowner on completion of construction.

He indicated that the road reserve was preferred for exploration, as a single permission from the Shire is more expedient than multiple negotiations with land owners. If the exploration does identify an appropriate water source Karara Mining’s intention would be to negotiate for the installation of a production bore in the adjacent property outside the road reserve.

Voting Requirements:
Simple Majority

Officers Recommendation:

1. That the CEO respond to Karara Mining’s request as follows:

   The Shire of Perenjori grants Karara Mining Limited (KML) authority to access the defined local road reserves within the Shire shown in attached Plan A, and described below for the purposes of exploring and using groundwater; conditional upon KML obtaining any and all necessary regulatory approvals for its activities and meeting any and all licence conditions arising from those approvals.

Drilling in the road reserve shall be subject to the following conditions:

- That the water drilling within the road reserve will only be within the undeveloped verge and not impinge on the running surface or road formation;
- That KML will take all reasonable steps to minimise disturbance to natural vegetation within the road reserve; and
- Unsuccessful bores will be capped.

In the event that Karara Mining Limited identifies a suitable water source it will:

- Negotiate with the adjacent landholder for the purpose of establishing the production bore outside the road reserve;
- Give the landholder the opportunity to retain and use the bore when it is no longer required by Karara Mining Limited.

Should the landholder not agree to the production bore Karara Mining Limited must seek specific permission from the CEO Shire of Perenjori to establish a production bore in the road reserve.

This authority expires on March 31, 2011.
The defined road reserves are as follows:

1. Unnamed local road running south from Mungada Rd to Warriedar Copper Mine Rd, adjacent to:
   - Lot 4278 on deposited plan 238238 (Ninghan Location 4278)
   - Lot 4290 on deposited plan 238238 (Ninghan Location 4290)
   - Ninghan Location 3521
   - Ninghan Location 3527
   - Ninghan Location 3531

2. Perenjori-Rothsay Rd, from Rothsay east 25km, adjacent to:
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   - Ninghan Location 3524
   - Ninghan Location 3525
   - Ninghan Location 3526
   - Ninghan Location 3529 (Reserve 3209)

3. Lochada Rd
   - between lot 8582 on deposited plan 203935 (Victoria Location 8582) and Timber Reserve
   - between lot 8582 on deposited plan 203935 (Victoria Location 8582) and Bogada Nature Reserve (Victoria Location 10350, Reserve 40161)

2. That Council authorise the CEO to determine any subsequent request by Karara Mining Limited to develop a production bore within the road reserve.

Council Resolution:

1. That the CEO respond to Karara Mining’s request as follows:

   The Shire of Perenjori grants Karara Mining Limited (KML) authority to access the defined local road reserves within the Shire shown in attached Plan A, and described below for the purposes of exploring and using groundwater; conditional upon KML obtaining any and all necessary regulatory approvals for its activities and meeting any and all licence conditions arising from those approvals.

   Drilling in the road reserve shall be subject to the following conditions:

   - That the water drilling within the road reserve will only be within the undeveloped verge and not impinge on the running surface or road formation;
   - That KML will take all reasonable steps to minimise disturbance to natural vegetation within the road reserve; and
   - Unsuccessful bores will be capped at ground level

   In the event that Karara Mining Limited identifies a suitable water source it will:

   - Negotiate with the adjacent landholder for the purpose of establishing the production bore outside the road reserve;
   - Give the landholder the opportunity to retain and use the bore when it is no longer required by Karara Mining Limited.
Should the landholder not agree to the production bore Karara Mining Limited must seek specific permission from the CEO Shire of Perenjori to establish a production bore in the road reserve.

This authority expires on March 31, 2011.

The defined road reserves are as follows:

1. Unnamed local road running south from Mungada Rd to Warriedar Copper Mine Rd, adjacent to:
   - Lot 4278 on deposited plan 238238 (Ninghan Location 4278)
   - Lot 4290 on deposited plan 238238 (Ninghan Location 4290)
   - Ninghan Location 3521
   - Ninghan Location 3527
   - Ninghan Location 3531

2. Perenjori-Rothsay Rd, from Rothsay east 25km, adjacent to:
   - Lot 4290 on deposited plan 23828 (Ninghan Location 4290
   - Ninghan Location 3521
   - Ninghan Location 3522
   - Ninghan Location 3523
   - Ninghan Location 3524
   - Ninghan Location 3525
   - Ninghan Location 3526
   - Ninghan Location 3529 (Reserve 3209)

3. Lochada Rd
   - between lot 8582 on deposited plan 203935 (Victoria Location 8582) and Timber Reserve
   - between lot 8582 on deposited plan 203935 (Victoria Location 8582) and Bowgada Nature Reserve (Victoria Location 10350, Reserve 40161)

2. That Council authorise the CEO to determine any subsequent request by Karara Mining Limited to develop a production bore within the road reserve.

   Carried 8/0
Executive Summary:

On 11 February 2008 MRWA CEOs and members met with Brian Noble and Tim Glenister from Main Roads WA to discuss the roll out of Integrated Service Agreements.

Applicants Submission:

Main Roads is keen for Local Government to play a role in future maintenance arrangements for the main roads network. Rather than acting as a contractor Local Government would be a partner with main roads under the integrated service agreements. The advantages of working together include:

- Reduced mobilisation costs – Local Government has resources on the ground close to where the work needs to be done;
- Larger Network – Local Government is already managing its own road network, and Roads of Regional Significance could add to the network to be managed.
- Reduced unit costs – by increasing the utilisation of existing equipment owned by Local Government the unit cost of works can be reduced.
- Increased workforce – Local Government would be able to employ more local people to manage the larger task.

If the relationship between Main Roads and Local Government was purchaser - supplier Local Government would have to compete head to head with private contractors. By establishing an arrangement where we jointly manage a combined network it is not a purchasing situation and not subject to tendering requirements.

Background:

Main Roads WA presently maintains its roads under Term Network Agreements. Under these ten year contracts private contractors provide all routine maintenance. On 1 March 2009 MRWA will invite expressions of interest from contractors to participate in Integrated Service Agreements (ISA).

There are 3 levels of service identified under the Integrated Service Agreements:

The Routine Maintenance Service would undertake the following works;

- Rubbish collection
- Remove road kill
- Emergency response crew
- Patching and minor pothole repairs
• Maintain / replace signs and guideposts

Periodic Maintenance Services (PMS) covering items such as;
• Clearing
• Shoulder renewal
• Drainage works
• Pavement repairs

Minor Improvements Works – MIW’s which generally consist of;
• Road widening
• Road re-constructions
• Pavement overlays
• Intersection improvements and
• Other forms of capital improvement such as drainage structures

The ISA process allows for MIW’s up to a value of $3.0M to be procured within the ISA alliance, whereas improvements with a value in excess of $3.0M will automatically go to public tender.

Local Government could very easily take on routine maintenance and periodic maintenance. Minor improvement works would also in most cases be within the capability of Local Government, but there may be capacity restraints on larger projects.

The intention of reimbursement under the ISA is an open book model – Local Government would be paid cost plus margin on works on the Main Roads Network.

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

Policy Implications:  
Nil

Financial Implications:
The proposed arrangements would:
• Increase the pool of available funds
• Increase utilisation of shire plant
• Increase the collective shire workforce

Strategic Implications:
Even with other potential structural change participation in this process will help maintain the number of shire employees located at towns within the region.

Consultation:
There have been numerous meetings with MRWA over the last 18 months but the potential relationship is only just becoming clear.

Comment:
The critical things that Local Government can bring to the table are:
• A significant in situ workforce and fleet
Its own road network

The benefits for Local Government are:

- Increased funding to match the increased task
- Greater access to expertise
- Raising overall road maintenance standards
- A seat at the table for network planning.

In order to justify an arrangement outside a tendering process Local Government must agree to an open book partnership. This includes having Roads of Regional Significance included in the managed network. In Perenjori’s case these roads are:

- Perenjori Carnamah Road
- Latham Coorow Road
- Perenjori Rothsay Road
- The Morawa South / Boundary Road is under consideration for being included in this network.

Jointly managing these roads as part of the ISA process should increase the standard of maintenance on these roads. Should this arrangement proceed there may need to be changes in the way that Regional Road Group funds are distributed in this region.

In all of the planning for regional governance arrangements one of the key issues has been increasing the size of the cake rather than just looking at new ways to divide the existing cake. In the CEO’s view this is a golden opportunity not to be missed.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

The Council advise the Mid West Regional Council and through the MWRC that:

1. Council remains committed to partnering with Main Roads WA through the MWRC for the provision of ISA services in the Mid West;
2. Council agrees for local Roads of Regional Significance to be jointly managed as part of the ISA process.

**Council Resolution:**

Moved: Cr L C Butler  Seconded: Cr G K Reid

The Council advise the Mid West Regional Council and Main Roads WA through the MWRC that:

1. Council remains committed to partnering with Main Roads WA through the MWRC for the provision of ISA services in the Mid West;
2. Council agrees for local Roads of Regional Significance to be jointly managed as part of the ISA process.

Carried 8/0
Executive Summary:

The original school building for the Perenjori Primary School has been condemned. It is unsafe to use as a school building and has been scheduled for demolition. It would be timely for the Shire to lobby for an alternative site.

Applicants Submission:

See Attached discussion paper. It is proposed that the primary school be relocated to the hockey field as it provides safer access by students and allows the school to access a range of sporting and recreation facilities. This should provide significant savings for the school and allow those funds to be invested in improved educational outcomes.

Background:

The original school building for the Perenjori Primary School has been condemned. It is unsafe to use as a school building and has been scheduled for demolition. Due to its proximity to other school buildings and the presence of asbestos the demolition can only take place during school holidays. Temporary arrangements are in place to house students and planning is well advanced on replacement of the derelict building.

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 remaining school building would be an ideal location for the proposed Environment Centre.

Strategic Implications:

Relocation of the school would consolidate facilities close to the centre of town and the primary residential areas.

Consultation:

The proposal has been discussed with Grant Woodhams for factual errors. It is understood that the school community would support the proposed relocation.

Comment:

One of the suggestions common to many of the proposals from visiting landscape architecture students was that the existing school location is not ideal. The problems with the old building provides a unique opportunity to get it right.
Shire of Perenjori

MINUTES 19th FEBRUARY 2009

Voting Requirements: Simple Majority

Officers Recommendation:
That Council endorses the proposed relocation of the Perenjori Primary School to the hockey ground site in the recreation reserve;

That Council authorises the CEO to lobby relevant ministers, politicians and senior departmental staff to achieve the primary school relocation.

Council Resolution:
Moved: Cr G K Reid  Seconded: Cr I F West
That Council endorses the proposed relocation of the Perenjori Primary School to the hockey ground site in the recreation reserve;
That Council authorises the CEO to lobby relevant ministers, politicians and senior departmental staff to achieve the primary school relocation.
Carried 8/0

9027.5 GENERAL BUSINESS

Council Resolution
Moved: Cr B T Baxter  Seconded: Cr C R King
That the CEO commence negotiations with Gindalbie for the sealing of the access road to the Karara Camp and produce a business plan.
Carried 8/0

Council Resolution
Moved: Cr L C Butler  Seconded: Cr J R Cunningham
That the CEO and President meet with CBH in regards to the movement of wheat from the Perenjori bin to Morawa along the Wubin-Mullewa Hwy.
Carried 8/0

Council Resolution
Moved: Cr L C Butler  Seconded: Cr J R Cunningham
In relation to the Black Spot Project, that Caron Road be deemed the main road.
Carried 8/0

9027.6 DATE OF NEXT MEETING / MEETINGS

Next full meeting of Council to be held on 19th March 2009.

9027.7 CLOSURE

There being no further business the meeting was closed at 3.15pm

I certify that this copy of the Minutes is a true and correct record of the meeting held 19th February 2009.

Signed: ______________________
Presiding Elected Member

Date: ______________________