Shire of Perenjori
MINUTES
Ordinary Council Meeting
To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 21st MAY 2009 to commence at 1.30PM.

Table of Contents

LUNCH AT PERENJORI HOTEL – 12.30PM

9051 PRELIMINARIES ................................................................. 3
9051.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS .......... 3
9051.2 OPENING PRAYER .......................................................... 3
9051.3 DISCLAIMER READING .................................................. 3
9051.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE .......... 3
9051.5 PUBLIC QUESTION TIME ............................................... 3
9051.6 PETITIONS / DEPUTATIONS / PRESENTATIONS .............................. 3
9051.7 NOTATIONS OF INTEREST ............................................. 4
9051.8 APPLICATIONS FOR LEAVE OF ABSENCE ............................... 4
9051.9 CONFIRMATION OF MINUTES ......................................... 4
9051.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION ......................... 4
9051.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS ........... 4

9052 ECONOMIC DEVELOPMENT REPORT .................................. 4

9053 FINANCE ........................................................................... 5
9053.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY ....................... 5

9054 HEALTH BUILDING & PLANNING ..................................... 7
9054.1 SUBDIVISION – 60 DOWNER STREET PERENJORI ......................... 7
9054.2 AQUATIC CENTRE – SELECTION OF POOL CONTRACTOR TENDER .......... 9
9054.3 MAY INFORMATION ITEMS ............................................. 12

9055 PLANT & WORKS ............................................................. 13
9055.1 REVIEW OF CLASS 2/3 RAV NETWORK .................................. 13
9055.2 AGITATOR TRUCK .......................................................... 18

9056 GOVERNANCE ................................................................. 19
9056.1 NORTHERN BARRIER FENCE .......................................... 19
9056.2 RESERVE 18087 – BOWGADA LOTS 60 AND 61 ................................. 20
9056.3 GRAIN FREIGHT INFRASTRUCTURE – LOCAL ROAD EVALUATION .......... 22
9056.4 PROPOSED DETOUR ROUTES DURING ACCESS ROAD UPGRADE ........... 23
9056.5 APPLICATION FOR LICENSE TO SELL AMMUNITION ..................... 26
9056.6 KARARA MINING – APPEAL AGAINST CONDITIONS OF ENVIRONMENTAL APPROVAL ................................................................. 28
9056.7 WALGA MEMBER VISIT .................................................. 31
9056.8 CEO PERFORMANCE REVIEW, AND CONTRACT RENEWAL ...................... 32
9056.9 WALGA ANNUAL GENERAL MEETING ........................................................... 35
9056.10 LOCAL GOVERNMENT REFORM .............................................................. 37
9056.11 MIDWEST REGIONAL COUNCIL ............................................................ 42
9057 OTHER BUSINESS ............................................................................................... 43
9057.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS ............... 43
9057.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN ................................ 44
9057.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN......... 44
9057.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION .. 44
9057.5 MATTERS BEHIND CLOSED DOORS ....................................................... 44
9057.6 DATE OF NEXT MEETING / MEETINGS ...................................................... 44
9057.7 CLOSURE ............................................................................................................. 44
9051  PRELIMINARIES

9051.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
The Chairman opened the meeting at 1.30pm

9051.2 OPENING PRAYER
Cr Baxter led Council in the opening prayer.

9051.3 DISCLAIMER READING
Nil

9051.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present
Cr B T Baxter
Cr C R King
Cr J A Bensdorp
J R Cunningham
Cr R A Benton
Cr I F West
Cr G K Reid

CEO Stan Scott
DCEO Domenica Curtin
MCS Garry Agnew
Minutes Leah Leopold

Apologies
Cr J H Hirsch
Cr L C Butler
WS Ken Markham
EDO Phil Cleaver

9051.5 PUBLIC QUESTION TIME
Nil

9051.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Moved: Cr King Seconded: Cr Benton
That standing orders be suspended.
Carried 7/0

Murray Harrison from the Country Housing Authority brought to Councils attention that through Royalties for Regions there is a substantial amount of funding available for Councils to either build new homes or upgrade existing housing infrastructure. There is up to $150,000 available for each house with no limit on the amount of houses. A letter advising Council of the funds is forthcoming. The Department would like to hand out monies as soon as possible.
Mr Murray Harrison left the chambers at 1.40pm.

**Moved: Cr King  Seconded: Cr Bensdorp**
That Standing Orders be resumed.  
**Carried 7/0**

<table>
<thead>
<tr>
<th>9051.7</th>
<th>NOTATIONS OF INTEREST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Interest – Local Government Act s 5.60A</td>
<td></td>
</tr>
<tr>
<td>Proximity Interest – Local Government Act s 5.60B</td>
<td></td>
</tr>
<tr>
<td>Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.</td>
<td></td>
</tr>
</tbody>
</table>

| 9051.8 | APPLICATIONS FOR LEAVE OF ABSENCE |

<table>
<thead>
<tr>
<th>9051.9</th>
<th>CONFIRMATION OF MINUTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minutes of Ordinary meeting of Council held 16th April 2009 are attached.</td>
<td></td>
</tr>
<tr>
<td><strong>Moved: Cr Bensdorp  Seconded: Cr King</strong></td>
<td></td>
</tr>
<tr>
<td>That the minutes of the Ordinary meeting of Council held on the 16th April 2009 be accepted as a true and correct record.</td>
<td></td>
</tr>
<tr>
<td><strong>Carried 7/0</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9051.10</th>
<th>ANOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9051.11</th>
<th>MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

| 9052 | 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 30th April 2009 including report on variances be accepted as presented.

2. Finance Report
That the Finance Report for the period ended 30th April 2009 be accepted as presented.
3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 30th April 2009 with a balance of $709,586.00 as presented be received.

4. Reserves Report
That the Reserves Report for the period ended 30th April 2009 with a balance of $1,259,088.00 as presented be received.

5. Net Current Assets
That the Net Current Assets report for the period ended 30th April 2009 as presented be received.

6. Bank Reconciliation’s
That the balances of the Municipal Fund of $435,716.60 and the Trust Fund of $36,153.61 as at 30th April 2009 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 30th April 2009 with a balance of $22,144.73 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 30th April 2009 with a balance of $83,603.04 as presented be received.

9. Accounts for Payment
That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 16994 to 17043 and EFT Numbers 848 to 880 for $223,052.24 and the Trust Account consisting of Cheque Numbers 761 to 763 for $775.50 for the period ended 30th April 2009 as presented be accepted.

10. Rates Outstanding
That the Rates Outstanding Report for the period ended 30th April 2009 with an outstanding balance of $51,526.00.

Council Resolution
Moved: Cr I F West  Seconded: Cr J R Cunningham
That Items 1-10 relating to the Financial Activity Reports ended 30th April 2009 be accepted.

CARRIED: 7/0
Executive Summary:
Council is to consider an estimate from Western Power for power services and scope of works fees from GHD for water main upgrade associated with its proposed subdivision of 60 Downer Street Perenjori.

Comment:
Council is referred to its February 2009 Minutes – Item 9024.1.

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

Hille, Thompson & Delphos have advised of their receipt of the following quotations.

Western Power = The estimated cost is $15,980.00 – see Attachment 90510.1a.
Western Power advised in its covering letter that this was an estimate only and that in order to receive a firm quote a design fee of $1,380.00 would need to be paid in advance – see Attachment 90510.1b.

Water Services = GHD Engineering Services have submitted a Scope of Works and associated fees for Civil Engineering services for the water upgrade for the project. The services to be provided are:

- Water Reticulation
- Preliminary investigations
- Detailed design and documentation
- Tender Documentation
- Contract Administration

Lump sum fee = $8,500.00 – see Attachment 90510.1c.
Council is advised that the GHD Scope of Works fee covers design, tender documentation and contract administration etc it does not cover construction and Water Corporation head-works costs.

The cost for the actual upgrade work will be subject of a Tender by a contractor. I have been informed that Council should anticipate up to $25,000.00 for installation and up to $15,000.00 for Water Corporation head work charges.

- Western Power design fee - $1,380.00
- Western Power estimated cost of service - $15,980.00
- GHD Scope of Works - $8,500.00
- Water Corporation Head Works - $15,000.00
- Water Service Upgrade Works - $25,000.00

Estimated potential total cost $65,860.00

Council will recall originally resolving to have Lot 60 Downer Street surveyed into 5 separate lots (min lot size under the Residential Design Codes); these lots were intended to be used for Shire owned housing, including new ‘Flat Pack Housing’.

To create a single title so that the substandard house at Lot 60 Downer Street could be sold Council resolved as follows at its April 2008 Meeting.

 Moved: Cr. Reid    Seconded: Cr. Bensdorf

That Council include for 2008-09 budget consideration the subdivision of Lot 60 Downer Street Perenjori.

Carried: 7/0

Council must now decide whether the cost of subdivision is acceptable in light of the potential costs involved.

Statutory Environment: Nil
Policy Implications: Nil
Financial Implications: Subject to budget consideration 2009/10
Strategic Implications: Nil
Consultation: Nil
Voting Requirements:
Simple Majority
Officers Recommendation:
Submitted for Council direction
Council Resolution:
Moved: Cr C R King    Seconded: Cr J R Cunningham

That Council proceed with the Subdivision of Lot 60 Downer Street, Perenjori with allocation in the 2009/10 budget.

Carried: 7/0
9054.2 AQUATIC CENTRE – SELECTION OF POOL CONTRACTOR TENDER

APPLICANT: N/A
FILE:
DISCLOSURE OF INTEREST: NIL
AUTHOR: GARRY AGNEW - MCS_______________________
RESPONSIBLE OFFICER GARRY AGNEW - MCS_______________________
REPORT DATE: 12 MAY 2009
ATTACHMENTS To be Tabled

Executive Summary:
Council is to decide on the successful tender for the Preferred Pool Contractor for the new Perenjori Aquatic Centre

Comment:
Council is referred to its March 2009 Minutes

Moved: CR Bensdorp Seconded: CR Reid

That AVP Commercial Pools of 22 Gibberd Road Balcatta WA 6021, Wetdeckpools of PO Box 6153 Waikiki WA 6153 and Aquatic Construction Services of PO Box 5337, Canning Vale South WA 6155 are to be invited to submit a competitive Tender for the preparation of working drawings, specifications and construction of the new Perenjori 25m pool and leisure pool with associated hydraulics and water treatment system.

CARRIED: 8/0

The above mentioned pool construction contractors were provided with Tender Documents, Contract Documents and Scope of Works for the new Perenjori Aquatic Centre Development and asked to submit lump sum tender documents by the close of business on Monday 11 May 2009.

Two submissions were received – Aquatic Construction Services and AVP Commercial Pools – copies tabled.

Wetdeck pools did not submit as its Principal advised that he was unable to commit to the project at this stage.

To follow the key milestones set for the project Council will hopefully make its selection of its preferred pool sub-contractor at its May 2009 Ordinary Meeting.

As this will be a major decision of Council that has technical operational implications it is considered essential that there is prior assessment by our professional consultants.

Greg Eastman and Colin Hassell are away and not available till Monday 18 May.
Council is therefore informed that the Director Community Services arranged to meet with Greg Eastman and Colin Hassell in Geraldton on Monday the 18 May 2009 to assess the technical aspects of the two submissions and prepare a recommendation for Council consideration.

Aquatic Centre Buildings.
Council is advised that the following advertisement was placed in the Geraldton Guardian on Friday 15 May 2009 and the West Australian on Saturday 16 May 2009.

**TENDER**
Shire of Perenjori

Tenders are invited for 240m² of steel frame, steel clad metal roof amenities buildings and associated paving and fencing to Perenjori Aquatic Centre.

The lowest or any tender not necessarily accepted.

Canvassing of Councillors will disqualify.

Documents available from Eastman Poletti Sherwood Architects, “five” Bayly Street Geraldton Marina, phone 9964 4949, email greg.eps@westnet.com.au

Tenders close at the Perenjori Shire Council offices at 2.00pm Friday 12 June 2009

**Statutory Environment:** Nil
**Policy Implications:** Nil
**Financial Implications:** Expenditure Budget as per grant application $2,311,500 ex gst

Income:
CSRFF Grant - $747,000 ($560,250 in 2010/11 & $186,750 in 2011/12)
Royalties for Regions Grant (2008/09) – CLGF $236,709
RLCIP – Perenjori Community Recreational Revitalisation Program $1,114,000 (grant success pending)

**Voting Requirements:** Simple Majority

**Officers Recommendation:** Submitted for council direction.

**Council Resolution:**

Moved: Cr J A Bensdorp   Seconded: Cr C R King

It is recommended that Council:

- Appoint AVP as the pool contractor
- Select design Option 1
- Select Myrtha as the preferred construction method;
- Elect to include a concrete ballast tank in lieu of prefabricated;
- Elect to include wetdeck to all sides of the 25 metre pool;

At a tendered price of $1,284,000.

Carried: 7/0
SUMMARY OF SWIMMING POOL TENDER ASSESSMENT

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Option</th>
<th>Base Cost</th>
<th>Revised Cost*</th>
<th>Pool Committee</th>
<th>Architect</th>
<th>Aquatic Expert</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aquatic Construction Services</td>
<td>Option A – conforming bid, narrow lanes</td>
<td>$1,492,088</td>
<td>$1,492,088</td>
<td>Not Supported</td>
<td>Not Supported</td>
<td>Not Supported</td>
</tr>
<tr>
<td></td>
<td>Option B – non-conforming, single pool</td>
<td>$1,263,821</td>
<td>$1,263,821</td>
<td>Not Supported</td>
<td>Not Supported</td>
<td>Not Supported</td>
</tr>
<tr>
<td>AVP</td>
<td>Option 1 Concrete</td>
<td>$1,196,900</td>
<td>$1,240,900</td>
<td>Preferred</td>
<td>Acceptable</td>
<td>Acceptable</td>
</tr>
<tr>
<td></td>
<td>Option 1 Myrtha</td>
<td>$1,240,000</td>
<td>$1,284,000</td>
<td>Preferred</td>
<td>Preferred</td>
<td>Preferred</td>
</tr>
<tr>
<td></td>
<td>Option 2 Concrete</td>
<td>$1,280,000</td>
<td>$1,324,000</td>
<td>Acceptable</td>
<td>Acceptable</td>
<td>Acceptable</td>
</tr>
<tr>
<td></td>
<td>Option 2 Myrtha</td>
<td>$1,250,000</td>
<td>$1,294,000</td>
<td>Preferred</td>
<td>Acceptable</td>
<td>Preferred</td>
</tr>
</tbody>
</table>

*Revised cost includes concrete ballast tank in lieu of prefabricated (+$35,000); and Myrtha Wetdeck on all sides of pool (+$9,000).

Aquatic Construction services offer two options, one a non-conforming bid which was marginally cheaper than other options as it is a single pool with single filtration system, and the second which was the most expensive but was still 3 metres narrower than the specification. Neither of these options was assessed as acceptable by the committee, the architect or the expert.

AVP offered two designs with two alternative construction methods giving 4 options in all. The Option 1 layout was preferred by the committee and the expert – the architect found either layout acceptable. This layout was preferred because it provide better lines of sight for supervising both pools. Myrtha construction was preferred by the architect and the expert – the pool committee found either construction method acceptable. Myrtha Construction was preferred because of reliable quality and durability. Tiled pools are excellent if done well, but are very reliant on the skills of the tiler.

Conclusion

It is recommended that Council:

- Appoint AVP as the pool contractor
- Select design Option 1
- Select Myrtha as the preferred construction method;
- Elect to include a concrete ballast tank in lieu of prefabricated;
- Elect to include wetdeck to all sides of the 25 metre pool;

At a tendered price of $1,284,000.
9054.3 MAY INFORMATION ITEMS

1. SUBDIVISION – 900 JOHN STREET

Peter Groom Settlements have advised that the Application for Titles has been lodged at Landgate and Certificates of Title will be forwarded to the Shire upon reissue from Landgate.

I am informed that this process should only take 2 weeks.

Notwithstanding the above there was comment that the Telstra service may not have been installed as programmed and as expected.

Two weeks ago a David Evans from Visionstream (Telstra’s Contractor) contacted the Shire Office to inquire when trenches would be available to install Telstra cabling. This was a shock as it was assumed and expected that Telstra cabling had been installed under the Agreement with GHD.

Council is aware that it appointed GHD Consultancy as Project Manager for the 900 John Street subdivision project and an Agreement to that effect was signed in April 2007. That Agreement included the liaison with relevant Service Authorities, including Water Corporation, Telstra and Western Power.

Geraldton Electrical was contacted regarding the assertion that the Telstra service was not installed prior to it closing off all its electrical trenches – this was confirmed.

GHD was then informed of the problem and asked for a solution; the attached copy of an e-mail was GHD’s response – see Attached.

Council will appreciate that a Telstra service is integral component for the John Street subdivision and must be installed therefore the MCS and MWS have arranged trenches to be dug commencement on the 2 June 2009 – Visionstream has been informed of the program.

Once the cost of trenching has been finalised compensation will be sought from GHD or Telstra.

Manager Community Services, Garry Agnew left the Chambers at 2.05pm
Executive Summary:
Main Roads WA are finalising the latest Class 2/3 Restricted Access Vehicle routes and are seeking Local Government feedback prior to finalisation.

Applicants Submission:
Main Roads WA has distributed a map setting out the routes within the Shire of Perenjori. Specifically Main Roads has requested that we consider:

i) Approve the existing vehicle combinations permitted on the roads
ii) View issues that may affect inter-Shire RAV traffic movement
iii) The addition/modification/deletion of local access conditions on certain roads/routes
iv) Delete authorisation for the future usage of existing roads/routes
v) Request Main Roads to make specific additions (after an assessment) of additional roads/routes. This may also include “closing gaps” in the existing networks.

Council undertook an extensive review of its roads two years ago and advised Main Roads WA of its preferences. Since then Main Roads have assessed roads for inclusion. The map is the result of these considerations.

Background:

Vehicle Classes
Main Road Vehicle Categories determine the licensing and permitting of vehicle combinations; in short the categories are:

General Access Vehicles
- not a road train or b-double;
- within regulation axle mass limits;
- 19 metres or less in length (or a maximum 12.5 metres for rigid vehicles);
Class 1 Restricted Access Vehicles (RAVs) are:

- special purpose vehicles (i.e. cranes);
- agricultural machines or implements;
- those designed to carry large indivisible items;

that are not:

- road trains or b-doubles;
- which together with their loads exceed a regulation mass or dimension limit.

Class 2 RAVs

- B-doubles (that meet VSRs)
- Road trains (including most of their variants that meet VSRs)
- Vehicle transporters not more than 4.6 metres in height
- Livestock carrying vehicles between 4.3 and 4.6 metres in height

Class 3 RAVs

- are all of those RAVs that are not Class 1 or Class 2 and include:
  - Class 2 RAVs that are oversize or over-mass;
  - Class 2 RAVs that are concessionally loaded; and
  - Class 2 RAVs that do not meet VSRs in terms of axle spacing.

**RAV Networks**

Main Roads WA in consultation with Local Government has developed a Network of routes for different categories of vehicles within vehicle classes 2 and 3. Full details of the vehicle categories within each Class and Network are contained within the attachments. A summary is set out below:

<table>
<thead>
<tr>
<th>Class</th>
<th>Network/Category</th>
<th>Max Length</th>
<th>Max Mass</th>
<th>Max axle groups</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1</td>
<td>20</td>
<td>50</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>1</td>
<td>20</td>
<td>50</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>27.5</td>
<td>67.5</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
<td>27.5</td>
<td>67.5</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
<td>27.5</td>
<td>84</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
<td>27.5</td>
<td>84</td>
<td>5</td>
</tr>
<tr>
<td>2</td>
<td>4</td>
<td>27.5</td>
<td>87.5</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>4</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>2</td>
<td>5</td>
<td>36.5</td>
<td>84</td>
<td>6</td>
</tr>
<tr>
<td>3</td>
<td>5</td>
<td>36.5</td>
<td>84</td>
<td>6</td>
</tr>
</tbody>
</table>
Network and Category 9 and 10 are combinations between 36.5 and 53.5 metres in length and do not affect local roads in Perenjori.

**Statutory Environment:**

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

*Main Roads Act 1930* sets the statutory framework for road management. In Relation to heavy vehicle routes, Local Government Recommends, the Commissioner for Main Roads decides.

**Policy Implications:** Nil

**Financial Implications:** Nil

**Strategic Implications:**

A strategic road network is necessary to support agriculture and mining.

**Consultation:** Nil

**Comment:**

In reviewing the network map the following anomalies were identified.

<table>
<thead>
<tr>
<th>Road</th>
<th>Issue</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carnamah Perenjori Road</td>
<td>Changes designation from Network 5 in Perenjori to Network 7 in Carnamah</td>
<td>Upgrade to Network 7</td>
</tr>
<tr>
<td>Perenjori Three Springs Road</td>
<td>Is designated Network 5, justifies a higher standard.</td>
<td>Upgrade to Network 7</td>
</tr>
<tr>
<td>Morawa South, Hill Rd, Boundary Road</td>
<td>Changes designation from Network 5 in Morawa to Network 4 in Perenjori. Justifies a higher standard, main inter-town route between Morawa and Carnamah.</td>
<td>Upgrade to Network 7</td>
</tr>
<tr>
<td>Perenjori Rothsay Road, Karara Road</td>
<td>Network classification ceases at the edge of the agricultural area. This is a main service access route to the Karara Magnetite Project.</td>
<td>Upgrade to Network 7</td>
</tr>
<tr>
<td>Wanarra Rd, Wanarra East Road</td>
<td>Network classification ceases at the edge of the agricultural area. This is a main service</td>
<td>Upgrade to Network 7</td>
</tr>
</tbody>
</table>
access route to the Mount Gibson Haematite project

<table>
<thead>
<tr>
<th>Old Perth Road, South of Cannon Road</th>
<th>This route is designated Network 7 and runs parallel to Road</th>
<th>Downgrade to Network 4 or 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caron Road</td>
<td>Changes designation from Network 5 in Carnamah to Network 3/4 in Perenjori.</td>
<td>Upgrade to Network 5</td>
</tr>
<tr>
<td>Dring Road</td>
<td>Changes designation from Network 5 in Coorow to Network 3/4 in Perenjori.</td>
<td>Upgrade to Network 5</td>
</tr>
<tr>
<td>Wubin Mullewa Road</td>
<td>This is designated Network 7 North of Perenjori and has very heavy usage</td>
<td>Downgrade to Network 4</td>
</tr>
<tr>
<td>North Road</td>
<td>Network 4, should be Network 7</td>
<td>Upgrade to Network 7</td>
</tr>
</tbody>
</table>

Councillors may identify anomalies that the CEO did not.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That the CEO advise Main Roads WA of the following recommended changes:

- Carnamah Perenjori Road Upgrade to Network 7
- Perenjori Three Springs Road Upgrade to Network 7
- Morawa South, Hill Rd, Boundary Road Upgrade to Network 7
- Perenjori Rothsay Road, Karara Road Upgrade to Network 7
- Wanarra Rd, Wanarra East Road Upgrade to Network 7
- Old Perth Road, South of Cannon Road Downgrade to Network 4 or 5
- Caron Road Upgrade to Network 5
- Dring Road Upgrade to Network 5
- Wubin Mullewa Road Downgrade to Network 4
- North Road Upgrade to Network 7

**Committee Recommendation:**

That the Committee advise Main Roads WA of the following recommended changes:

- Carnamah Perenjori Road – Upgrade to Network 7
- Perenjori/Three Springs Road – Upgrade to Network 7
- Morawa South, Hill Rd, Boundary Road – Upgrade to Network 5
- Perenjori Rothsay Road, Karara Road – Upgrade to Network 5
Committee Recommendation:
That Council reduce all other Network 7 Roads to Network 5.

Council Resolution:
Moved: Cr J A Bensdorp        Seconded: Cr J R Cunningham
That Council advise Main Roads WA of the following recommended changes:

- Carnamah Perenjori Road – Upgrade to Network 7
- Perenjori/Three Springs Road – Upgrade to Network 7
- Morawa South, Hill Rd, Boundary Road – Upgrade to Network 5
- Perenjori Rothsay Road, Karara Road – Upgrade to Network 5
- Warriedar- Coppermine Road - Upgrade to Network 5
- Old Perth Road - Downgrade to Network 5
- Caron Road - Upgrade to Network 5
- Dring Road - Upgrade to Network 5
- Wubin Mullewa Road - Downgrade to Network 4 (North of Perenjori only)
- North Road - Upgrade to Network 5
- Lochada Road - Upgrade to Network 5

That all other Network 7 Roads be reduced to Network 5.

CARRIED: 7/0
Executive Summary:
A truck has been purchased with a live drive system that will carry the agitator bowl. It was purchased from Skippers Trucks in Perth for $35000 plus GST.

Applicants Submission:
Council agreed to sell the UD Nissan truck that was previously earmarked to carry the new agitator bowl. This was due to not being able to fit a live drive system to the gearbox as we were first led to believe.

The Works Supervisor & Plant Mechanic went to Perth and inspected a truck that was advertised on the internet and passed it as suitable for our requirements. It was then purchased. The truck is now sitting at Western Equipment Group waiting for a new agitator bowl to be fitted.

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:
$35,000 which should be offset by the sale of the UD NISSAN

Strategic Implications:
Consultation: Nil
Comment: Nil
Voting Requirements: Nil

Officers Recommendation:
For Council Information
9056 GOVERNANCE

9056.1 NORTHERN BARRIER FENCE

APPLICANT: NORTHERN BARRIER FENCE COMMITTEE
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 11 MAY 2009
ATTACHMENTS Minutes - Committee Meeting of 19 March 2009

Executive Summary:
The Northern Barrier Fence Committee is concerned at the lack of priority attached to funding repairs to the fence.

Applicants Submission:
The committee is suggesting that Minister Redman be invited to the July meeting of the Northern Country Zone of WALGA.

Background:
The committee met on 19 March 2009.

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 barrier fence reduces the impact of vermin breeding in pastoral country invading agricultural land.

Comment:
Council has previously expressed concern with the lack of State investment in the vermin proof fence.

Voting Requirements: Simple Majority

Officers Recommendation:
That Council supports the invitation of the Minister for Agriculture and food to the July Meeting of Northern Country Zone.

Council Resolution:
Moved: Cr C R King Seconded: Cr I F West
That Council supports the invitation of the Minister for Agriculture and food to the July Meeting of Northern Country Zone. CARRIED: 7/0
Executive Summary:
Council has previously agreed that Reserve 18087 be leased to Mr Donovan. DPI is now seeking Council’s advice on how this is best achieved.

Applicants Submission:
DPI, State land services has offered the following options:

Three options are available to this Office to achieve Mr Donovan’s proposal.
1. Change the current reserve purpose to “Recreation and Vegetation Rehabilitation” and leave the reserve under Council management with power to lease. This will allow Council to retain a management role in the land but lease to Mr Donovan.
2. Change the reserve purpose as above but revoke the current Management Order to Council. This will remove Council from any management role and allow this Office to lease direct to Mr Donovan.
3. Leave reserve purpose as is but revoke Management Order as above. This will allow this Office to lease direct to Mr Donavon for “Vegetation Rehabilitation” but retain reserve in case Council decides to develop “Recreation, Showground and Racecourse” in the future.

Background:
Council previously resolved that it no objection to the reserve being leased.

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:
Lease income is likely to be nominal.

Strategic Implications:
Having a management role in the reserve may have some future benefits.

Consultation: Nil

Comment:
Option 1 appears the most attractive because:
• It changes the purpose of the lease to reflect a more contemporary purpose; and
• It allows Council to retain nominal control over the land which may have strategic benefit at some point in the future.

Voting Requirements:
Simple majority

Officers Recommendation:
That Council request that DPI:
Change the current reserve purpose to “Recreation and Vegetation Rehabilitation” and leave the reserve under Council management with a power to lease.

Council Resolution:
Moved: Cr B T Baxter        Seconded: Cr R A Benton

That Council request that DPI:
Change the current reserve purpose to “Recreation and Vegetation Rehabilitation” and leave the reserve under Council management with a power to lease.

CARRIED: 7/0
Executive Summary:

WALGA is campaigning for a significant State and Federal investment in rail and feeder road upgrades.

Applicants Submission:

The report proposes an $863 M investment over 10 years, with annual contributions of $20M, $20M and 46.3M from State Government, Industry and the Federal Government respectively.

Background:

The final report by Parsons Brinckerhoff consulting was completed in February 2009. To date the proposal has been supported by WALGA, NFF, CBH, Westnet and ARG. The plan has been opposed by the PGA and dismissed by the State Government as a publicity stunt.

Statutory Environment:

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

Policy Implications: Nil

Financial Implications:

If the campaign is successful it would involve an investment of $8.6m in Perenjori Feeder roads.

Strategic Implications: Nil

Consultation:

That project is managed by WALGA with a steering committee from Great Southern, Wheatbelt South and Wheatbelt North Zones.

Comment:

Recent road transport of grain from Perenjori by road has given an insight into the impacts of a shift from rail to road transport.

The CEO has written to WALGA expressing concern at the lack of involvement by NCZ in discussions which has led to some mistakes and omissions. For example there is no suggestion that the Perenjori Carnamah Road in Carnamah Shire requires investment.

Voting Requirements:

Simple Majority
Officers Recommendation:
That Council write to the Minister for Transport supporting the “grain on rail” campaign.

Council Resolution:
Moved: Cr J R Cunningham  Seconded: Cr G K Reid
That Council write to the Minister for Transport supporting the “grain on rail” campaign.
CARRIED: 7/0

9056.4 PROPOSED DETOUR ROUTES DURING ACCESS ROAD UPGRADE

APPLICANT: KARARA MINING (GINDALBIE / ANSTEEL)
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 11 MAY 2009
ATTACHMENTS LETTER

Executive Summary:
Karara Mining is proposing use of a number of Shire Roads for site access while Mungada Road is upgraded to meet the haulage route requirements.

Applicants Submission:
Karara Mining has identified the following roads for divesting site traffic during haul road construction:

Access to Lochada Camp and west end of Mungada Road:
- Lochada Road
- North Road

Access to Karara Mine Site and east end of Mungada Road
- Perenjori Rothsay Road
- Warriedar Coppermine Road
- Karara Road

The Karara Mining letter says in part:
In its letter dated 23rd April 2009 Karara Mining says:

Since that letter the Environmental Protection Authority has released its recommendation which supports the bulk of the mining proposal, and the Foreign Investment Review Board has approved Ansteel’s proposed equity position in Gindalbie Metals, subject to conditions.

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

Policy Implications: Nil

Financial Implications:
It is clear that Karara will need to invest in the proposed detour routes, and Council will need to agree to the proposed level of investment.

Strategic Implications:
Council’s view will be guided by its long term strategic view rather than the specific needs of the road construction project.

Consultation:
Council will need to meet with Karara Mining to discuss the nature and extent of its proposal.

Comment:
The route to the Karara camp in particular is of strategic importance to the Shire and upgrade to suit more than immediate needs would be of significant benefit.

Voting Requirements:
Simple Majority

**Officers Recommendation:**
That Council provides in principle support for the proposed detour routes strategy, subject to agreement on the detailed work proposal.

**Council Resolution:**
Moved: Cr G K Reid  Seconded: Cr J R Cunningham
That Council provides in principle support for the proposed detour routes strategy, subject to agreement on the detailed work proposal.

CARRIED: 7/0
9056.5 APPLICATION FOR LICENSE TO SELL AMMUNITION

APPLICANT: GELLATLY’S ROADHOUSE
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 13 MAY 2009
ATTACHMENTS: Letter from Proponent

Executive Summary:
Gellatly’s Roadhouse is applying for a license to sell ammunition, and is seeking Council’s support.

Applicants Submission:
Gellatly’s Roadhouse is applying for a license to sell ammunition, and is seeking Council’s support.

Background:
The nearest retailer selling ammunition is in Morawa, and the roadhouse premises was already fitted within a secure gun cabinet used by a previous business.

Statutory Environment:
To sell ammunition Gellatly’s Roadhouse will require a Firearm Dealer’s License issued by the WA Police under the Firearms Act 1973.

Policy Implications: Nil
Financial Implications: Nil
Strategic Implications:
Council’s strategic plan seeks to avoid ‘leakage’ where people must go to other towns to obtain one service and will therefore also make other spending.

Consultation: Nil

Comment:
Ammunition is a legitimate commodity which is not presently available in Perenjori. Providing supplies are adequately secured the premises is otherwise suitable for selling ammunition.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council advise Gellatly’s Roadhouse that it has no objections to the proposal to sell ammunition from the roadhouse.
Council Resolution:
Moved: Cr C R King       Seconded: Cr J A Benton
That Council advise Gellatly's Roadhouse that it has no objections to the proposal to sell ammunition from the roadhouse.

CARRIED: 7/0
Executive Summary:
The CEO has lodged an appeal against some conditions recommended by the EPA in relation to the Karara Mining Mungada Project.

Applicants Submission:
The EPA released its reports on the two Gindalbie projects it had been considering:

For the Karara Magnetite project the EPA recommended as follows:

Recommendations
The EPA submits the following recommendations to the Minister for Environment:

1. That the Minister notes that the proposal being assessed is to mine and process magnetite ore from Mt Karara, which is located on the western portion of the Blue Hills Range;

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

3. That the Minister notes that the EPA considers that the Blue Hills area has significant environmental values that would be adversely affected by the proposed development;

4. That the EPA acknowledges that the Government has decided that a portion of the Blue Hills area, in particular the Mungada Ridge, will be reserved for conservation purposes and protected from development;

5. That the Minister notes that the EPA considers that its objectives would not be compromised, provided there is satisfactory implementation by the proponent of the recommended conditions set out in Appendix 4, and summarised in Section 4, including the proponent’s commitments; and

6. That the Minister imposes the conditions and procedures recommended in Appendix 4 of this report.

Conditions
Having considered the information provided in this report, the EPA has developed a set of conditions that the EPA recommends be imposed if the proposal by Karara Mining Limited (KML) to develop and operate a magnetite mine in the Midwest region of Western Australia is approved for implementation. These conditions are presented in Appendix 4. Matters addressed in the conditions include the following:
For the Mungada Iron Ore Project the EPA recommended as follows:

**Recommendation**

The EPA submits the following recommendations to the Minister for Environment:

1. That the Minister notes that the proposal being assessed is to mine hematite and magnetite ore from the Blue Hills North and Terapod deposits which are located in the Blue Hills Range;

2. That the Minister notes that implications of development of the Blue Hills North and Terapod orebodies are not the same;

3. That the EPA notes that the Minister has advised that the Mungada Ridge will be protected in a Class A Nature Reserve;

4. That the Minister notes that the proposed Terapod orebody occurs in an area that forms part of the Mungada Ridge;

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

6. That the Minister considers Section 6 of the report which identifies the need for areas in the Blue Hills area to be reserved for conservation purposes and protected from development if these values are to be protected in the future; and

7. That the Minister imposes the conditions and procedures recommended in Appendix 4 of this report.

In its press release following the release of the EPA report Gindalbie said:

“The Joint Venture partners have previously withdrawn from assessment the hematite orebodies located on the Mungada Ridge, while continuing assessments of the nearby Blue Hills North and Terapod iron orebodies and the main Karara magnetite deposit,” the company said.

“While the EPA report recommends the approval of the Karara magnetite and Blue Hills North orebodies, it recommends the Terapod deposit should be included in the Government’s conservation area.

“It should be noted that during discussions with various Government departments in the review process, the Joint Venture partners advised they were prepared to consider relinquishment of the tenement covering the Mungada Ridge, strictly on the basis that Karara, Blue Hills North, Terapod and all associated infrastructure were approved.”

The Joint Venture partners are currently reviewing this issue, the findings of the EPA and the conditions attached to the report to determine whether they will appeal any conditions.

Subsequently Gindalbie has appealed some conditions.

**Background:**

Gindalbie lodged two separate PER documents, the latest being the Karara Magnetite project lodged in September 2008.
Statutory Environment:
Under the Environmental Protection Act 1986 the EPA is required to prepare a report and recommendations following the principles set out in the Act. The EPA is only permitted to consider environmental issues. There is a two week appeal period following release of the EPA report (ending 12 May 2009) The Appeals Convenor will consider the appeals and report to the Minister. The minister for the Environment may consider economic and social considerations in making her final decision.

Policy Implications: Nil

Financial Implications:
Gindalbie is a significant rate payer in the Shire of Perenjori.

Strategic Implications:
The EPA’s recommendation effectively reduces by half the haematite project. This project would provide more immediate benefits for the local community/economy and help fund the longer term magnetite project.

Consultation:
The CEO has consulted with Gindalbie and neighbouring shires.

Comment:
The entire appeal period for the EPA report fell between Council meetings. The CEO lodged an appeal on behalf of the Shire, but Council has the option of withdrawing the appeal or some ground for appeal if Council does not support those grounds.

A copy of the CEO letter and Appeal Form are attached.

Voting Requirements:
Simple majority

Officers Recommendation:
That Council supports the Appeal against some of the approval conditions for EPA Report 1322 as lodged by the CEO.

Council Resolution:
Moved: Cr I F West  Seconded: Cr C R King
That Council supports the Appeal against some of the approval conditions for EPA Report 1322 as lodged by the CEO.

CARRIED: 7/0
9056.7 WALGA MEMBER VISIT

APPLICANT: WALGA
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 13 MAY 2009
ATTACHMENTS LETTER FROM RIAKY BURGES, WALGA

Executive Summary:
Bill Mitchell and Wayne Scheggia will be visiting Perenjori at 3.30 pm on 4 June 2009.

Applicants Submission:
The WALGA correspondence includes the following:

The objectives of these meetings will include:

- Identifying key issues of concern to your Council (local, regional, state or national);
- Exploring new opportunities for improving the Association’s service to your Local Government;
- Identifying areas of unmet needs and exploring new program and service opportunities
  which would benefit your Council as an Association member;
- Providing new information on current or emerging programs and services; and
- Building positive relationships between Association and Council elected members and
  senior staff.

Background:
The WALGA meeting has been booked and rescheduled on 3 occasions.

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

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

Consultation:
WALGA is the peak body for Local Government in WA.

Comment:
Elected Members are welcome to join the meeting or advise the CEO and President of issues to
be raised.

Voting Requirements:
Simple Majority
Officers Recommendation:
That Council notes the proposed WALGA Member visit.

Council Resolution:
Moved: Cr King          Seconded: Cr West
That Council notes the proposed WALGA Member visit on 4th June 2009.
CARRIED 7/0

9056.8 CEO PERFORMANCE REVIEW, AND CONTRACT RENEWAL

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: CEO
AUTHOR: STAN SCOTT – CEO ________________________
RESPONSIBLE OFFICER STAN SCOTT – CEO ________________________
REPORT DATE: 16 APRIL 2007
ATTACHMENTS CEO Performance Assessment – Councillor Worksheet

Executive Summary:
Council is required by the Act and the CEO’s Employment Contract to review the CEO’s performance annually. The CEO’s current contract of Employment expires on 29th May 2011.

Applicants Submission:
Performance Review
The default process for the performance review is set out in Section 4 of the Contract (see Extract attached). The CEO and Council can agree to an alternative process, but in the absence of such an agreement the default process is used.

Features of the process are:
• Appointment of a reviewing person to act on behalf of Council. This may be a Councillor, a consultant such as Mike Fitz Gerald, or another person.
• The CEO conducts a self assessment.
• The CEO and the Reviewing Person meet to discuss the review and provide feedback
• The CEO and Reviewing Person prepare a report for Council

Salary Review
Section 6 of the Agreement makes provision for an annual salary review. At the last review in 2008 Council set salary adjustment for 2009 and 2010, so review of salary is not a consideration.

Contract Extension
The Shire and the CEO entered into a new 3 year contract in 2008 which means that the CEO’s contract will expire in May 2011. If the Minister’s Local Government Structural Reform proposals proceed they will take place prior to the October 2011 Local Government Elections. It would probably be better for the CEO and Council if the CEO’s Contract were extended beyond that period so that Perenjori’s needs are represented during any transition period.

Section 2.2 of the Agreement sets out provision for the extension of the term of the agreement as follows:

In the event that the Local Government and the Officer agree to an extension of the Term, this Agreement shall continue to apply unless varied in writing by the parties and clause 2.1 shall be read as though it refers to the extended term.

The CEO would propose however that the performance bonus remain payable after 3 years service.

Termination of Employment

The CEO’s contract has a number of termination options, but does not include any redundancy provisions. In most circumstances this makes perfect sense as the CEO’s role is statutory, and a CEO only becomes redundant through structural changes such as amalgamation. All permanent employees (not on contract) have a 2 year employment guarantee following amalgamation. This provision does not apply to CEOs.

In light of the possible changes it may be worthwhile considering the inclusion of redundancy provisions in the contract. For example the following provision could be included. 12 months is the maximum payment allowable under the act.

14.4 Redundancy

In the event that the CEO position ceases to exist and the employee is not employed in an equivalent position with the Council or its successor the CEO will be paid the equivalent of 12 months remuneration in addition to any accrued leave entitlements.

Background:

The CEO and Council negotiated a new contract in June 2008.

Statutory Environment:

Local Government Act 1995 S5.38 – sets out the requirement for an annual performance review.

Policy Implications: Nil

Financial Implications:

Changes to the contact may have implications in future years, but not in the current or next financial year.

Strategic Implications: Nil

Consultation:

The nominated Reviewing Person will need to be in a position to gain feedback from Council on their views on the CEO’s performance. This may be accomplished through:

- Written feedback to the reviewing person
- Council going behind closed doors in the absence of the CEO to provide oral feedback
- If Council elects to appoint a consultant, a special meeting may be needed.
Attached to this month’s agenda is a Councillor Assessment Form. In line with Council feedback from the 2007 process there is now provision for Elected Members to rate the individual elements of the performance criteria.

Comment:
The process set out in the contract is the default process if no alternative process is agreed between the parties.

The process agreed in 2007 and 2008 worked fairly well with the review conducted behind closed doors by Council, followed by a discussion with the CEO.

In light of the commitments of Elected Members at this time of year it is recommended as follows:

1. That Council review the CEO’s performance at the June 2009 Ordinary Meeting based on the CEO’s self assessment and the assessments by elected members
2. That the current contract be extended in to expire on 29 May 2013
3. That Council agree to the inclusion of a new redundancy clause.
4. That, notwithstanding the contract extension, the performance bonus remain payable in May 2011.

Voting Requirements:
Absolute Majority

Officers Recommendation:

1. That Council review the CEO’s performance at the June 2009 Ordinary Meeting based on the CEO’s self assessment and the assessments by elected members
2. That the current contract be extended in to expire on 29 May 2013
3. That Council agree to the inclusion of a new redundancy clause.
4. That, notwithstanding the contract extension, the performance bonus remain payable in May 2011.

Council Resolution:
Moved: Cr King             Seconded: Cr Cunningham
That Council review the CEO’s performance at the June 2009 Ordinary Meeting based on the CEO’s self assessment and the assessments by elected members
CARRIED 7/0

Council Resolution:
Moved: Cr Baxter         Seconded: Cr Reid
That the following items be laid on the table:
1. That the current contract be extended in to expire on 29 May 2013
2. That Council agree to the inclusion of a new redundancy clause.
3. That, notwithstanding the contract extension, the performance bonus remain payable in May 2011.
CARRIED 7/0
Executive Summary:
The deadline for Agenda Items to be considered at the WALGA AGM is 12 June 2009.

Applicants Submission:
WALGA has invited member Councils to submit motions for consideration at the WALGA AGM scheduled for 1 pm on Saturday 8 August 2009.

The following guidelines should be followed by Members in the formulation of motions:
- Motions should focus on policy matters rather than issues which could be dealt with by the WALGA State Council with minimal delay.
- Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.
- Due regard should be given to the timeliness of the motion – will it still be relevant come the Local Government Convention or would it be better handled immediately by the Association?
- The likely political impact of the motion should be carefully considered.
- Due regard should be given to the educational value to Members – i.e. does awareness need to be raised on the particular matter?
- The potential media interest of the subject matter should be considered.
- Annual General Meeting motions submitted by Member Local Governments must be accompanied by fully researched and documented supporting comment.

Background:
Agenda Items must be submitted by close of business Friday 12 June 2009.

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 WALGA AGM is an opportunity to put matters of strategic importance to the Association or the government. The State Council is not bound to abide by AGM resolutions.
Consultation: Nil

Comment:
It is likely that this year’s AGM debate will be dominated by structural reform issues.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council determine whether to contribute a motion or motions to the WALGA AGM.

Council Resolution:
That the voting delegates for the WALGA AGM be the President and Deputy President.

CARRIED 7/0
**Executive Summary:**

Neighbouring Councils have been holding community meetings and committing to reform groupings.

**Applicants Submission:**

**Reform Guidelines**

Under the reform guidelines the timeline for activities is as follows:

<table>
<thead>
<tr>
<th>Stage</th>
<th>Action</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 1</td>
<td>Individual local governments to complete the reform checklist</td>
<td>Completed</td>
</tr>
<tr>
<td>March/April 2009</td>
<td>Initial exploratory meeting to confirm local government amalgamation grouping is appropriate.</td>
<td>Commenced and ongoing</td>
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<td></td>
<td>Local governments determine suitable partners for amalgamation</td>
<td>At its February Meeting Council supported the following alternatives:</td>
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<tr>
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<td>That Council seek a region wide discussion on a single local government based loosely on the Midwest Regional Council grouping;</td>
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<td>In the event that the other members do not support the first option, that Council pursue the possibility of amalgamation with Morawa.</td>
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<td></td>
<td>Consideration of the reduction in the number of elected members</td>
<td>Will be considered if amalgamation not supported.</td>
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<tr>
<td></td>
<td>Consideration of skill sets for the establishment of a project team to coordinate local government’s reform process</td>
<td>Project team established.</td>
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<td></td>
<td>Local governments to forward completed checklist to the Local Government Reform Steering Committee by 30 April 2009</td>
<td>Checklist lodged prior to 30 April 09</td>
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<tr>
<td>Stage 2</td>
<td>April/May 2009</td>
<td>Council appointed the President, CEO and Deputy President as its project team</td>
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<td>Project team established (2-3 members from each local government)</td>
<td>Project team meets as required to determine preferred amalgamation structure</td>
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<td>Project team to determine appropriate elected member representation and methods for ensuring appropriate community representation</td>
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<td>Project team to consider local government regional grouping</td>
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<td>Seek State Government funding assistance as necessary for preparing Reform Submissions</td>
<td>At its April meeting Council supported allocation of the $10,000 funding from the Department into a regional pooled arrangement</td>
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<td></td>
<td>If required, consultant/facilitator engaged</td>
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<td></td>
<td>Community consultation undertaken within each affected local government and comments recorded</td>
<td>To be scheduled at May Council meeting.</td>
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<tr>
<th>Stage 3</th>
<th>May/June 2009</th>
<th></th>
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<tbody>
<tr>
<td></td>
<td>Project team develops Reform Submission to include:</td>
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<td></td>
<td>- preferred amalgamation structure or other types of boundary adjustments;</td>
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<td></td>
<td>- number of elected members; and / or</td>
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<td></td>
<td>- regional grouping; and</td>
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<td></td>
<td>- transition timeline, including timeframe and estimated additional transition costs.</td>
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<tr>
<th>Stage 4</th>
<th>June/July 2009</th>
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<tbody>
<tr>
<td></td>
<td>Project team finalises Reform Submission and circulates to affected local governments</td>
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<td>Each council passes a resolution to proceed based on the findings of the submission</td>
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<td>Each council agrees to identify a date the amalgamation is to take effect</td>
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<tr>
<td></td>
<td>Each council is to agree to a date at which elected member numbers will be reduced</td>
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| Stage 5 - August 2009 | Local governments forward the Reform Submission to the Minister for Local Government by 31 August 2009. |

**Progress of Steering Committee & Working Groups**

The Local Government Reform Steering Committee has formed 4 working groups to consider different aspects of the reform process. In the Steering Committee Bulletin of 12 May they reported the following:
Legislative Reform Working Group

Chair, Tim Fowler, advised of the following outcomes:
- Progress has been made in reviewing the Local Government Act 1995 and associated Regulations, which includes assessing over 70 separate recommendations proposed by WALGA and LGMA.
- Consideration of proposals made by the Steering Committee and other Working Groups following the June reports.

Corporate and Strategic Planning Working Group

Chair, Andrew Hammond, advised of the following outcomes:
- Progress in the development of resources for local governments in the areas of sustainability assessment, strategic, financial and business planning, and local government borrowing and debt.
- Emphasis is to be placed on developing leading indicators, rather than utilising historical data to assess local government performance.
- Consideration is being given to the appropriate balance between legislative amendment and support and guidance to achieve better performance in the operation of local governments in this area.

Commercial Enterprise and Urban Development Working Group

Chair, Charles Johnson, reported that the group is to:
- Engage a consultant to evaluate the obstacles facing local governments and options to address achieving best practice in urban regeneration.
- Develop proposals to amend the Local Government Act 1995 and increase local government planning approval fees.
- Undertake work on a range of measures, including the collection of approvals data from local governments to enhance the local government statutory planning and development approvals process.
- Determine a best practice approach and develop support and training for local government officers and elected members.

Training and Capacity Building Working Group

Chair, Ricky Burges, advised of the following outcomes in regard to the working group’s tasks:
- Evaluation of the establishment of an Industry Training Fund and Industry Training Council.
- Consideration is underway regarding the reintroduction of new councillor weekends, development of a new councillor induction package and mandatory funding of training to enhance the skills and competency of elected members.
- Evaluation of methods to enable candidates to be better prepared for the role of councillor if elected.
- Training providers being consulted to determine their ability and desire to undertake training of elected members.

Progress of Neighbouring Councils

Mingenew
Has conducted its community consultation meeting and as a result has resolved as follows:

Shires of Mingenew, Three Springs, Morawa and Perenjori but no concerns if Carnamah and Coorow or Mullewa want to be in the group.

Three Springs:
Has conducted its community consultation meeting and as a result has resolved as follows:

Shires of Mingenew, Three Springs, Carnamah (in entirety), Coorow (in entirety). Perenjori and Morawa will be the group provided to the Minister

Carnamah
Community meetings had been held in Eneabba and Carnamah.

- While a Council Resolution had not yet been made, it was intended that negotiations continue with the Shires of Irwin, Coorow and Three Springs.
- There had been no support for the Shire continuing on its own without restructure.

Coorow
Two community meetings, one at Leeman and the other at Coorow, both being well attended.

Community survey's had come back divided as to whether the coastal and inland areas should be split.

A resolution is going to Council this month to apply for funding to do a feasibility study between the Shires of Irwin, Coorow and Carnamah.

Mullewa
Mullewa has not yet held community meetings and is still meeting with Geraldton Greenough and Chapman Valley. Most likely outcome is to seek to join the Mingenew Morawa grouping.

Yalgoo
Have not yet adopted a final position but appear likely to go alone. They see their community of interest as being with pastoral shires rather than agricultural shires. They recognise the growing importance of mining and environmental land use. Joining with Perenjori and Morawa is more attractive too them if Mullewa is in.

Dalwallinu
Appears likely to try to remain as a single shire, but is having discussions with its neighbours.

Background:
In February 2009, the Minister for Local Government announced wide ranging Local Government Reform Strategies. As part of this announcement, the Minister encouraged each local government within Western Australia to embrace the opportunity for voluntary amalgamations, including a reduction in the number of elected members to groupings of between six and nine.

More recently, the Department of Local Government and Regional Development has issued Guidelines to assist Local Governments in their efforts to achieve structural reform outcomes.

Statutory Environment:
Local Government Act 1995 SCHEDULE 2.1 sets out the existing procedure for amalgamations and boundary changes,

Policy Implications: Nil
Financial Implications: Nil
Strategic Implications:

While Council’s resolutions have been supportive of reform based around the Mid West Regional grouping it is fair to say that Council has been equivocal about the value of amalgamation. Much will depend on the safeguards identified by the Legislation Working Group.

Consultation:

There have been several meetings between Shire President and CEOs within the MWRC grouping and with other neighbouring Councils of Dalwallinu and Yalgoo.

The project team has not yet had a formal meeting.

Comment:

In the covering letter that accompanied the checklist the CEO made the following conclusion, which hopefully is a fair representation of Council’s sentiment:

_Council’s position as set out in the checklist is that, notwithstanding room for improvement on some best practice principles, the checklist does not support a compelling argument for reform. Council has recognised that, should a sustainable amalgamation model not emerge, it will need to reduce the number of elected members. It will work diligently and in good faith with neighbouring Councils to come to agreement on reform. The final decision will however be based unashamedly on what is best for the Perenjori community._

The next steps are set out in the checklist. The next and most urgent step is arranging community meetings to discuss reform. The attachments include a discussion paper which has been plagiarised with permission from a similar paper prepared for Morawa’s community consultations.

It is proposed that the Community Meetings be held on Tuesday 2 June 2009 and 2pm and 6 pm in Latham and Perenjori respectively. Council also needs to decide whether to identify an independent facilitator. A potential facilitator is Joanne Burgess who is a former Shire President for the Shire of Cunderdin and works for WALGA on SSS implementation. She has attended several MWRC meetings so she understands the region and the state of debate.

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That the Community Meetings be held on Tuesday 2 June 2009 and 2pm and 6 pm in Latham and Perenjori respectively.

2. That Council invite Joanne Burgess to act as an independent facilitator for the meetings.

Council Resolution:

Moved: Cr Cunningham       Seconded: Cr Benton

1. That the Community Meetings be held on Tuesday 23rd June 2009 at 2pm and 6pm in Latham and Perenjori respectively.

2. That Council invite Joanne Burgess to act as an independent facilitator for the meetings.

CARRIED 7/0
Executive Summary:
The MWRC met on 6 May 2009.

Applicants Submission:
Regional Council Resolutions were as follows:

- Council adopted the Waste Management Plan

Council had discussions with Steve Douglas from MWDC and Anne Hill from DPI. Notes of these discussions are included in the MWRC minutes.

In another development the MWRC has advised that the regional Climate Change Adaptation Grant has been successful.

Background:
Structural reform was not on the Agenda for the Council meeting but was considered at the Council Discussion Session. CDS Minutes updating the position of various Shires is 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: Nil
Strategic Implications: Nil
Consultation: Nil
Comment: Nil

Voting Requirements:
Simple Majority

Officers Recommendation:
1. That Council notes the outcomes of the MWRC meeting.

Noted by Council
9057 OTHER BUSINESS

9057.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

WALGA - Local Government News. Issue No.15.09
WALGA - Local Government News. Issue No.16.09
WALGA - Local Government News. Issue No.17.09
WALGA - Local Government News. Issue No.18.09
WALGA – Economic Briefing May 2009
WALGA - Infopage
Rural Health Matters Newsletter Issue 10
Department of Local Government and Regional Development – Letter
Department of Local Government and Regional Development – Reconciliation Action Plans
Liebe Group Newsletter Issue 3
WA Country Football League – Community Signage
Department of Culture and the Arts – Letter
Minister for Agriculture and Food – Letter
The City of Newcastle – Financial Loss Control and Climate Change Learning Program
Minister for Local Government – Letter
Australian Local Government Assoc – 2009 National General Assembly of Local Gov
Government News – Issue 3
Corruption and Crime Commission of WA – Australian Public Sector Anti-Corruption Conference
The Creative Spark – Newsletter
State Records Commission – Local Government Elected Members Records
Perenjori Volunteer Bush Fire Brigade – Letter of Thanks
Community Safety and Crime Prevention Profile – Shire of Perenjori 06/07
9057.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

9057.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

9057.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

9057.5 MATTERS BEHIND CLOSED DOORS

Nil

9057.6 DATE OF NEXT MEETING / MEETINGS

The next Ordinary meeting of Council will be held on Thursday 18th June 2009.

9057.7 CLOSURE

There being no further business the meeting was closed at 3.00pm.