

Shire of Perenjori

MINUTES

Ordinary Council Meeting

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on the

19th August 2010, commencing at 1.30pm

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10081 PRELIMINARIES

10081.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

Cr Chris King officially opened the Ordinary Council Meeting at 1.35pm.

10081.2 OPENING PRAYER

Cr Chris King led Council in the opening prayer

10081.3 DISCLAIMER READING

10081.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present

Cr Chris R King
Cr Laurie C Butler
Cr Graeme K Reid
Cr John A Bendsorp
Cr Jenny H Hirsch
Cr John R Cunningham
Cr Robyn A Benton
Cr Rodney P Desmond (arrived at 1.49pm)
Stan Scott – Chief Executive Officer
Doug Stead – Deputy Chief Executive Officer
Gary Agnew – Director Developmental Services
Ken Markham – Works Supervisor
Kimberley Wheeler – Executive Assistant

Apologies

Cr Cathy M Johnston

10081.5 PUBLIC QUESTION TIME

Nil

10081.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

10081.7 NOTATIONS OF INTEREST

Financial Interest – Local Government Act s 5.60A

Cr John Cunningham declared a Financial Interest in item *10084.1 Application for Planning Consent – Eneabba to Karara 330KV Transmission Power line Karara Mining Limited*

Proximity Interest – Local Government Act s 5.60B

Nil

Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

Cr John Bendsorp declared an Interest Affecting Impartiality in item *10086.4 Maintenance of Karara Access Roads – Tender 10/2010*

10081.8 APPLICATIONS FOR LEAVE OF ABSENCE

Cr JR Cunningham verbally applied for leave of absence from the next Ordinary Council meeting to be held on the 16th September 2010.

COUNCIL RESOLUTION

That Cr JR Cunningham be granted leave of absence for the next ordinary council meeting to be held on the 16th September 2010

Carried: 6/0

10081.9 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

Moved: Cr JA Bendsorp

Seconded: Cr LC Butler

That the minutes from Ordinary Council meeting held 15th July 2010 be seen as a true and accurate record.

Carried: 8/0

Moved: Cr LC Butler

Seconded: Cr GK Reid

That the minutes from the Special Council meeting held on the 12th August 2010 be seen as a true and accurate record subject to Cr GK Reid, Cr JR Cunningham and Cr CM Johnston being added as present.

Carried: 8/0

NOTE: Minutes were confirmed immediately after Cr RP Desmond's arrival at the meeting at 1.49pm

10081.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

10081.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS

Nil

10082 ECONOMIC DEVELOPMENT

10083 FINANCE**10083.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

APPLICANT:	DEPUTY CEO
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	LEAH LEOPOLD – SENIOR FINANCE OFFICER
RESPONSIBLE OFFICER	DOUG STEAD - DCEO
REPORT DATE:	12TH AUGUST 2010
ATTACHMENTS	JULY FINANCIAL ACTIVITY REPORTS

Executive Summary:

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

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

Statutory Environment:	N/A
Policy Implications:	N/A
Financial Implications:	N/A
Strategic Implications:	N/A
Consultation:	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 July 2010 including report on variances be accepted as presented.

2. Finance Report

That the Finance Report for the period ended 31st July 2010 be accepted as presented.

3. Acquisition of Assets

That the Acquisition of Assets Report for the period ended 31st July 2010 with a balance of \$189,234.00 as presented be received.

4. Reserves Report

That the Reserves Report for the period ended 31st July 2010 with a balance of \$916,668.81 as presented be received.

5. Net Current Assets

That the Net Current Assets report for the period ended 31st July 2010 as presented be received.

6. Bank Reconciliation's

That the balances of the Municipal Fund of \$430,622.44 and the Trust Fund of \$41,166.77 as at 31st July 2010 as presented be received.

7. Sundry Creditors Report

That the Sundry Creditors Report for the period ended 31st July 2010 with a balance of \$471,088.30 as presented be received.

8. Sundry Debtors Report

That the Sundry Debtors Report for the period ended 31st July 2010 with a balance of \$334,942.82 as presented be received.

9. Accounts for Payment

That the Accounts for payment for the Municipal Account consisting of Cheque Numbers 17577 to 17604 and EFT Numbers 1803 to 1869 for \$513,379.21 and the Trust Account consisting of Cheque Number 793 and EFT Numbers 1859 to 1860 for \$325.70 for the period ended 31st July 2010 as presented be accepted.

10. Rates Outstanding

That the Rates Outstanding Report for the period ended 31st July 2010 with an outstanding balance of \$38,334.00.

COUNCIL RESOLUTION

Moved: Cr LC Butler

Seconded: Cr JA Bendsdorp

That Items 1-10 relating to the Financial Activity Reports ended 31st July 2010 be accepted.

Carried: 7/0

10084 HEALTH AND BUILDING**MOTION**

Moved: Cr JH Hirsch

Seconded: Cr LC Butler

That Cr JR Cunningham be allowed to stay in the chambers but is not to vote on item 10084.1 due to declaring a Financial Interest

Carried: 6/0

10084.1 APPLICATION FOR PLANNING CONSENT – ENEABBA TO KARARA 330KV TRANSMISSION POWER LINE, KARARA MINING LIMITED

APPLICANT: KARARA MINING LIMITED
FILE: ADM0135
DISCLOSURE OF INTEREST: NIL
AUTHOR: GARRY AGNEW - DDS
RESPONSIBLE OFFICER: GARRY AGNEW - DDS
REPORT DATE: 21 JULY 2010
ATTACHMENTS: 10084.1a, 10084.1b, 10084.1c, 10084.1d, 10084.1e.

Executive Summary:

Council consideration is sought in respect to an Application for Planning Consent submitted by Karara Mining Limited for the development of a 30 km 330kv Transmission Power Line running through the Shire from Lot 6298 on Plan P226611 to Lot 1255 on Plan D005355.

Comment:

Council is in receipt of an Application for Planning Consent from Karara Mining Limited for a Transmission Power Line and associated infrastructure to service its Karara Mine, the processing plant and associated infrastructure - see **Attachment 10084.1a**.

The Application for Planning Consent is supported by a Planning Report (Karara Iron Ore Project – Eneabba to Karara 330kV Transmission Power Line – Shire of Perenjori) - see **Attachment 10084.1b**.

Also supplied is the Transmission Line Alignment Drawings – see **Attachment 10084.1c**, landowner details – see **Attachment 10084.1d** (one consent letter outstanding) and Traffic Management Plan – see **Attachment 10084.1e**.

SHIRE OF PERENJORI TOWN PLANNING SCHEME NO. 1

The Shire of Perenjori Town Planning Scheme No. 1 Zoning Table '1' does not show mining infrastructure as a permitted use class and Clause 3.3.3 states -

“Where no symbol appears in the cross reference of a use class against a zone in the Zoning Table a use of that class is not permitted in that zone”.

However, Clause 3.3.5 states:

"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:

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".

Further, Clause 3.2.4 states:

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

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

Clause 6.2 Advertising of Applications

6.2.3.1 Where the Council is required or decides to give notice of an application for planning consent the Council shall cause one or more of the 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 21 days of the service of such notice;*
- b) Notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council within 21 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.*

Determination of Applications

Clause 6.3.2 -

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 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.

With reference to Clause 3.2.4 the proposed Transmission Power Line will not generally impact on the rural landscape and amenity.

With reference to Clause 6.2.3.a) –

Karara Mining Limited has given notice of the proposed development to all land owners affected and has received responses of support from all - see **Attachment 10084.1d**.

Note: Council is informed that the DDS has taken advice on the requirement to advertise in a newspaper as stipulated by Clause 6.2.3a). That advice is that as each and every land owner affected by the development was individually notified and has provided endorsed confirmation of no objection there is no obligation to require placement of an advertisement in a newspaper.

As the required notifications have been met and that no submissions for objection were received it is suggested that Planning Consent be granted.

Statutory Environment:

Shire of Perenjori Town Planning Scheme No.1

Policy Implications:

Nil

Financial Implications:

Planning fee received - \$30,600.00

Voting Requirements:

Absolute Majority

Officers Recommendation:

Planning Consent is granted to Karara Mining Limited for the development of a 330KV Transmission Power Line along a corridor through the Shire of Perenjori from Lot 6298 on Plan P226611 to Lot 1255 on Plan D005355 as shown on the attached pipeline route submitted with the Application for Planning Consent; conditional upon:

1. Karara Mining Limited communicating with the Main Roads Western Australia regarding the Wubin-Mullewa Road crossing; and
2. all road crossings in the Shire of Perenjori being restored to their original standard/condition and to the satisfaction of the Shire of Perenjori Manager Works and Services.

COUNCIL RESOLUTION

Moved: JH Hirsch

Seconded: Cr RA Benton

Planning Consent is granted to Karara Mining Limited for the development of a 330KV Transmission Power Line along a corridor through the Shire of Perenjori from Lot 6298 on Plan P226611 to Lot 1255 on Plan D005355 as shown on the attached pipeline route submitted with the Application for Planning Consent; conditional upon:

1. **Karara Mining Limited communicating with the Main Roads Western Australia regarding the Wubin-Mullewa Road crossing; and**
2. **All road crossings in the Shire of Perenjori being restored to their original standard/condition and to the satisfaction of the Shire of Perenjori Manager Works and Services.**

Carried: 6/0

10084.2 HEALTH AND BUILDING INFORMATION ITEM

1. KARARA MINING LIMITED PERMANENT ACCOMMODATION VILLAGE – B/LIC 03/10

Doric Construction has sought progressive certification of Buildings Classification and Approvals to Use for its development of the Karara Permanent Village at Lot 4278 Karara Road Perenjori.

Waste Water Services has also sought certification of approval for the sewage treatment plants servicing the accommodation village and processing plant.

Sodexo Remote Sites has sought Certificates of Registration of the Karara and Lochada Village kitchens as well as Section 39 and 40 Certificates under the Liquor Control Act 1988 for the Wet Mess at both locations.

Site inspections and Approval Certificates issued so far:**KARARA VILLAGE**

Building Classification and Building Approval Certificates – Building Regulations 1989:

- 111 x 4 single bedroom accommodation units;
- 8 x laundry units;
- Zone '1' construction kitchen;
- Wet mess;
- First Aid Facility;
- Recreation room; and
- Gymnasium.

Certificate of Occupation - Section 107 Health Act 1911:

- 111 x 4 single bedroom accommodation units;
- 8 x laundry units;
- Zone '1' construction kitchen;
- Wet mess;
- First Aid Facility;
- Recreation room; and
- Gymnasium.

Certificate of Registration of a Food Premise - Section 110 Food Act 2008:

- Karara Village Zone '1' Construction Kitchen.

Section 39 and 40 Certificates - Liquor Control Act 1988:

- Karara Wet Mess.

Permit to Use Apparatus - Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974:

- 2 x 750EP Sewage Treatment Plants (ATU) Karara Accommodation village; and
- 1 x 60KL Sewage Treatment Plant (ATU) Karara Processing Plant.

LOCHADA VILLAGE

Certificate of Registration of a Food Premise - Section 110 Food Act 2008:

- Lochada Camp Kitchen.

Section 39 and 40 Certificates - Liquor Control Act 1988:

- Lochada Wet Mess.

2. SHORT TERM ACCOMMODATION FACILITY – PERENJORI CARAVAN PARK, B/LIC 09/10

Council is informed that a Certificate of Building Classification and Building Approval Certificate have been issued for the above development at Lot 137 Crossing Street. The development is now occupied and being used.

3. FOOD ACT 2008

Below is a copy of a letter that has been sent to all food premises in Perenjori in respect to food safety requirements under the new Food Act 2008.

NEW FOOD ACT 2008.

The Food Act 2008 (the Act) is in force and is now the principal piece of legislation regulating the sale of food in Western Australia (WA), providing food safety regulation over the entire food supply chain; paddock to plate approach. This represents a significant shift in the direction of food regulation and management within WA. The purpose of this letter is to provide an overview of some of the important changes to the food regulatory system that the Act brings into fruition and impact on you and your business.

Application

The Act applies to everyone involved in the sale of food in WA. Sale is defined broadly and includes activities such as:

- *The supply of food as a meal to employees at the place of work in accordance with employment arrangements;*
- *Offering of food as a prize or reward;*
- *The giving away of food for the purpose of advertisement; and*
- *The supply of food under contract together with accommodation, service or entertainment.*

Notification Requirements

Pursuant to the Food Act 2008 all food businesses must notify the enforcement agency (in your case the local government) in writing that they plan to or currently conduct a food business. The information required includes contact details, the nature of the food business and the location of the food business. The purpose of notification is so that the enforcement agency knows of their existence, can contact them if required and knows the sort of food business in operation. In addition, it enables the enforcement agency to make a decision as to whether the food business needs to apply for registration as a food business.

Note: It is an offence not to provide this information.

Registration

Section 109 of the Act specifies that it is an offence to conduct a food business at any premises unless the food business is registered with the relevant enforcement agency in respect of those premises. This enables the enforcement agency to be aware of food businesses trading within its responsible area and collect information in relation to food handling so that targeted food safety education, surveillance, enforcement and awareness programs can be developed.

Enforcement

The Act provides enforcement agencies with a number of new enforcement options, designed to assist them to manage compliance with the food standards. Depending on the severity of food safety breaches, authorised officers from enforcement agencies may issue or initiate any of the following:

- Formal warnings;
- improvement notices;
- prohibition orders;
- infringement notices (fines); or
- legal action through the Courts.

It is important to be aware that the details of any successful prosecution will be publicly listed on the Department of Health's website.

Further information

- the Act is available online at: www.slp.wa.gov.au
- the Code and Food Safety Standards are available at: www.foodstandards.gov.au

Please note that the information contained within this letter is intended to provide an overview of some of the key changes resulting from the implementation of the Act and is therefore not exhaustive.

I trust this information has been of assistance to you and if you have any queries do not hesitate to contact me through the Shire of Perenjori Office.

For your convenience and attention I have enclosed a Food Act 2008 Notification/Registration Form. Please complete the form then return it to me at the earliest convenience. On my receipt of the completed form you will be provided with a Certificate of Registration of a Food Business in accordance with Section 110(6) of the Act.

Yours faithfully

Garry J. Agnew

DIRECTOR DEVELOPMENT SERVICES

(Principal Environmental Health Officer)

4 August 2010

RECOMMENDATION:

That the information be noted.

1.49pm Cr RP Desmond entered the Council Chambers

1.49pm Cr JA Bendsorp left the Council Chambers

1.50pm Director of Developmental Services Garry Agnew left the Council Chambers

1.51pm Cr JA Bendsorp returned to the Council Chambers

Minutes from Ordinary Council Meeting held on the 15th July and Special Council Meeting on the 12th August moved – see page 4

10085 PLANT & WORKS**10085.1 SALE OF MACK TRUCK**

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	15 AUGUST 2010
ATTACHMENTS	NIL

Executive Summary:

The Shire has received 3 offer for the purchase of the Mack Prime Mover.

Applicants Submission:

The last time the Mack was advertised for sale no acceptable offers were received. However we have now received 3 additional unsolicited offers as follows:

Bidder	Location	Price ex GST
Bestry Bros Transport	Perenjori	\$36,364
Uvee farms	Mingenew	\$44,000
G & C Rowe	Mullewa	\$40,909

Council's local supply policy allows a 6% margin for local businesses over subregional businesses for goods and services. Even taking account of the 6 % margin the Uvee Farms bid is still superior.

Background:

When Council advertised the Mack for sale no satisfactory bids were received.

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:

The Local Supply Policy gives preference for regional suppliers for goods and services (which can be interpreted to include goods sold by the Shire) as follows:

Goods and Services (Excluding Works)

Supplier	% Reduction	Maximum Differential
Local Business	10%	\$5,000
Sub Regional Business	4%	\$2,000
Regional Business	2%	\$1,000

Financial Implications:

Transport to Perth to auction plus auctioneers fees would eat into any proceeds of sale at auction.

Strategic Implications:

Nil

Consultation:

Nil

Comment:

The Mack Truck has been advertised for sale twice with very little interest. In this context the best offer seems quite reasonable.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council accept the offer from Uvee farms for \$44,000 plus GST for the purchase of the Mack Prime Mover.

COUNCIL RESOLUTION

Moved: Cr GK Reid

Seconded: LC Butler

That Council accept the offer from Uvee farms for \$44,000 plus GST for the purchase of the Mack Prime Mover

Carried: 8/0

10086 GOVERNANCE**10086.1 CLIMATE CHANGE ADAPTATION PLAN**

APPLICANT:	MID WEST REGIONAL COUNCIL
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	11 AUG 2010
ATTACHMENTS	Member Council Risk Assessment and Adaptation Action Plan - Shire of Perenjori

Executive Summary:

The Project aimed to identify and evaluate the risks that climate change may present for the seven member Councils, and to select adaptation actions that can be taken to reduce these risks and/or take advantage of opportunities. The work reported on here was completed between October 2009 and June 2010

Applicants Submission:

The purpose of the report is to present the Climate Change Risk Assessment and Adaptation Action Plan for the Shire of Perenjori. The report is intended to be read in conjunction with the overall Project Final Report, the Mid West Regional Council Climate Change Risk Assessment and Adaptation Action Plan. Implementation of the actions recommended in these two reports will enable effective implementation and mainstreaming of climate change adaptation into Council operations.

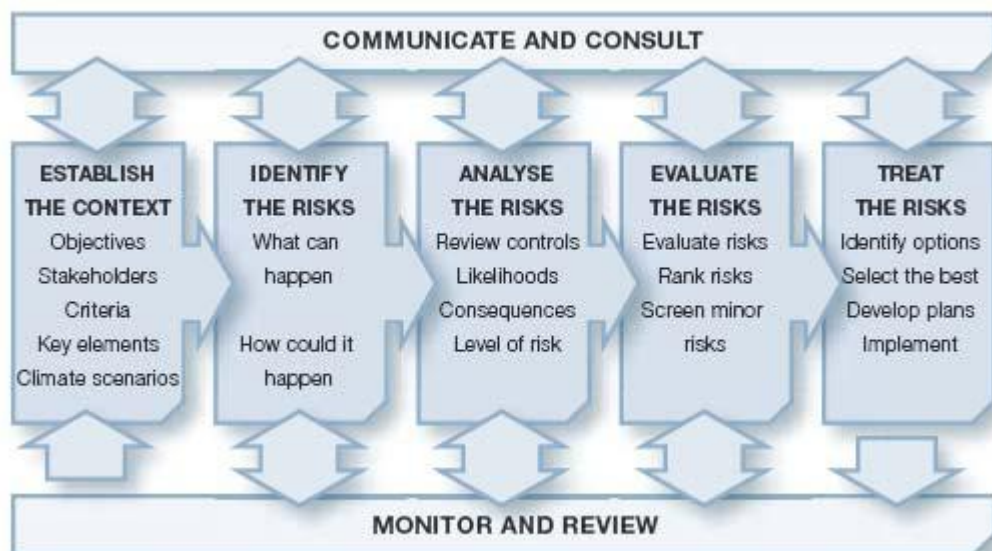
It is important to note that the Project focused on the entire geographic area bounded by the Mid West Regional Council. Consequently, the risk assessment and adaptation actions developed were required to be applicable to all member Councils; therefore, adaptation actions and options are necessarily strategic in nature. The Shire of Perenjori is encouraged to further tailor the adaptation options presented here to enhance application to the Shire.

The plan, together with the overarching regional plan provides a sound basis for seeking support for appropriate adaptation actions.

Background:

The process consisted of a series of one day workshops, with follow up action by participants in between.

The project was funded by the Australian Department of Climate Change and Energy Efficiency which mandated a process based on the following:



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:

The action plan should guide future policy development.

Financial Implications:

Some responses will require greater investment than might otherwise be required.

Strategic Implications:

Council is well placed to develop future strategy which takes account of climate change implications.

Consultation:

The workshops involved input from other key stakeholders such as FESA, DEC and NACC.

Comment:

The most significant climate change risks as assessed were:

- Increased temperature
- Decreased rainfall
- Increased frequency or severity of extreme weather events.

Impacts resulting from these risks could include:

- Increase in the frequency and severity of bushfires.
- Reduced grain and livestock production reduces farm profitability
- Changes in the biodiversity of the region.
- Harsher outside working conditions.
- Increased demand for potable water for human and stock consumption.
- Increased demand for irrigation water for sporting grounds, parks and gardens.

- Reduced grain and livestock production reduces farm profitability
- Changes in the biodiversity of the region.
- Reduced runoff into surface water catchments and reduced recharge of groundwater aquifers.
- More frequent and/or more severe damage to public and private infrastructure, particularly from flooding.
- Increased prevalence of mosquito born diseases due to increase in frequency and/or duration of standing bodies of water.

Each of these impacts will have implications for future Council policies or investments.

The adaptation plan helps us consider these things in advance of the worst of the impacts .

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council adopts the *Member Council Risk Assessment and Adaptation Action Plan - Shire of Perenjori*

COUNCIL RESOLUTION

Moved: Cr JR Cunningham

Seconded: Cr JH Hirsch

That Council adopts the *Member Council Risk Assessment and Adaptation Action Plan - Shire of Perenjori*

Carried: 8/0

Item 10086.2 *Local Government Reform* deferred to the end of the meeting. Item to be looked at before item 10086.10 *Budget Adoption 2009-10*.

10086.2 LOCAL GOVERNMENT REFORM

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	11 AUGUST 2010
ATTACHMENTS	DLG INFORMATIONPAPER – The proposal to Amalgamate the Shires of Mingenew, Morawa, Perenjori and Three Springs

Executive Summary:

The Structural Reform Working Group met on 5th and 6th of August and considered presentations from each of the consultants engaged to prepare business planning documents. The final versions of these documents are scheduled to be available prior to the Council meeting and will be distributed as they arrive.

Applicants Submission:

There have been a range of developments in the Local Government Reform process as it applies to the four shires:

Community Meetings:

Community meetings were held in 5 locations, the four shire headquarters and Latham. The two meetings in the Shire of Perenjori were very well attended and discussions and questions were very sound and reasonable. There is concern that the intention for direct mailing of invitations to ratepayers did not happen.

Voting Enrolments

The necessary forms for ratepayers who are on the electoral roll elsewhere to enrol and vote have been prepared and are held at the Latham Post Office and the Shire Office in Perenjori. At the request of the president there will be a general mail out to ratepayers. To be valid electoral enrolment applications must be lodged more than 50 days prior to any poll.

Business Planning

Five consulting contracts have been engaged to prepare reports addressing different aspects of the business planning.

Project	Consultant
Strategic / Governance	Morrison Lowe
Asset Management	Morrison Lowe
Human Resource Management	Risk ID
Records / Data	Not allocated
Financial planning	UHY Haines Norton
Rates and Grants Modelling	Ray Hadlow (Maunsell)

So far the Strategic and Asset Management portions of the contract have been very positive. The Human Resource consultant has indicated that there is little significant resistance from staff but there is general and reasonable concern about how people's roles might change.

The rates and grants modelling is providing some cause for concern as it appears that FAGS grants when recalculated for the new entity will be substantially less than for the four separate entities. FAGS are frozen at pre-amalgamation levels for the first five years, and there is a 15% maximum grant reduction in any year thereafter (assuming present rules formulae remain in place). Collective rates would need to rise by CPI plus 1% to achieve a break even income result at the end of the ten year projection. The outstanding questions are:

- The FAGS Grants process is under review. Will the present formula and relativities remain in 10 years time?
- If the FAGS Process does not change what are the impacts in the years beyond year 10?
- Will the capacity to access additional competitive grants outweigh the disadvantages. The new Council is still below the magic 5,000 for a different category of RLCIP funding.

The final reports from Ray Hadlow and UHY Haines Norton should provide a better indication on these matters. The four Shire Presidents are meeting with Minister Castrilli at 4pm on 16 August 2010 to discuss the implications of the grants modelling.

Local Government Advisory Board

The Local Government Advisory Board will be holding public hearings in the region during the week commencing 23 August 2010. LGAB Commitments in Perenjori are as follows:

25 August 2010

4 pm Meet with Council in the chambers

7 to 9 pm Public Hearing at the Perenjori Pavilion.

The Information Paper sets out the processes of the LGAB and the issues that it will be considering in relation to the proposed amalgamation.

Background:

The Structural Reform Working Group consists of the CEO's and two representatives of each participating Council, notionally the President and Deputy President.

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:

Community Meetings in Latham and Perenjori.

Comment:

The Local Government Advisory Board has delayed the public hearings so that the business planning process can help inform deliberations. The reports from the various consultants should be before the LGAB commences its hearings.

The Working Group continues to work through the issues surrounding structural reform. The elected members met on 11 August 2010 without the CEO's present. This meeting has resulted in a meeting with Minister Castrilli scheduled for 16 August 2010. Cr King may be in a position to comment on that meeting.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council convenes a Special Meeting to coincide with the meeting with the Local Government Advisory Board at 4 pm on Wednesday 25th August 2010.

That Council notes the public hearing to be convened at the Perenjori Pavilion at 7 pm on Wednesday 25th August 2010.

NOTE: There may be additional recommendations depending on the final consultants reports and the working group meeting of 11 August 2010, or the meeting with Minister Castrilli on 16 August 2010.

The President advised that he will convene a Special Meeting at 3pm prior to meeting with the Local Government Advisory Board at 4 pm on Wednesday 25th August 2010.

10086.3 MIDWEST REGIONAL COUNCIL

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	11 AUGUST 2010
ATTACHMENTS	<ul style="list-style-type: none"> a) Minutes of Council Meetings August 2010 b) MWRC Final Budget

Executive Summary:

MWRC met on 4 August 2010

Applicants Submission:**Annual Budget**

The primary issue considered at the August meeting was the consideration of the final budget for 2010/11. A copy of the minutes of the 4 August meeting are attached.

The specific costs applicable to the Shire of Perenjori are as follows:

Project	Contribution
Zero Waste Management Plan Implementation	\$10,000
EBPPP Project	\$4,253
Main Roads Services Unit	\$10,000
Development Services Unit (Garry Agnew)	\$77,155
WELL Funded Training Program	\$5,000
MWRC Operational Costs	\$17,000
TOTAL	\$123,409

Apart from project specific costs the budget shortfall is \$17,000 per member Council.

Climate Change Adaptation Plan

The MWRC adopted the regional Climate Change Adaptation Plan which support the local plan for consideration by the Shire of Perenjori.

Background:

Under the MWRC Establishment Agreement member Councils are responsible for an equal share of the budget shortfall of the budget adopted by the MWRC. This is similar in some respects to the process for Local Government setting rates.

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 share expenses as set out in the table above will be included in the Shire of Perenjori Budget for 2010 / 11.

Strategic Implications:

The Midwest Regional Council is still involved in significant regional projects>

Consultation:

Transition arrangements between present structures and future structures are likely to remain a subject of extensive discussion.

Comment:

While the MWRC has not really emerged as a vehicle for the delivery of joint services it has been quite successful in attracting funding and managing joint strategic regional projects.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council receive the final budget and minutes of the August MWRC meeting.

COUNCIL RESOLUTION

Moved: Cr LC Butler

Carried: Cr RP Desmond

That Council receive the final budget and minutes of the August MWRC meeting.

Carried: 8/0

MOTION

Moved: Cr LC Butler

Seconded: Cr JR Cunningham

That Cr JA Bendsorp be allowed to stay in the chambers but is not to vote on item 10084.4 *Maintenance of Karara Access Roads – Tender 10/2010* due to declaring an Interest Affecting Impartiality

Carried: 7/0

10086.4 MAINTENANCE OF KARARA ACCESS ROADS – TENDER 10/2010

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	The Senior Finance Officer is closely associated with one of the tenderers.
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	13 AUGUST 2010
ATTACHMENTS	NIL

Executive Summary:

The Shire tendered for the delivery of Road Maintenance Services on the access roads to the Karara Iron Ore Project.

Applicants Submission:

The Shire advertised for the delivery of Grading and water carting for maintenance of roads servicing the Karara Iron Ore Project, specifically:

- North Road from the end of seal to the Lochada Camp;
- Lochada Road between North Road and Mungada Road;
- Mungada Road between the Shire of Morawa boundary and the Karara site;
- Karara Road between Mungada Road and Warriedar Coppermine Road;
- Warriedar Coppermine Road between Karara Road and Perenjori Rothsay Road
- Perenjori Rothsay Road between Warriedar Coppermine Road and the end of seal.

By Close of Tenders at 4.30 pm on Monday 9th August 2010, 13 tenders had been received. A late tender arrived on 10th August but was not accepted.

Of the 13 Tenders two were rejected as non-compliant as critical information was missing. A further 6 tenders had minor compliance issues but were assessed nevertheless.

Assessment of tenders was based on the following criteria:

Description of Qualitative Criteria	Weighting
1. A demonstrated experience delivering similar services and understanding of the required tasks.	20%
2. Quality and suitability of the machinery or equipment proposed to be used.	20%
3. Skills and experience of operators.	20%
Weighted Cost Criterion	Weighting
4. Tendered price	40%

Final Tendered Prices were modified using Council's Local Price Preference Policy.

A summary tender assessment sheet is attached, but the results of the final assessment are as follows:

Tenderer	1	2	3	4	Total
Leopold Contracting	17	14	16	37	84
Roger Davies Contracting	16	12	14	40	82
Central Earthmoving	18	12	15	35	80
Jadley Nominees	12	12	12	40	76
Mayday Earthmoving	12	10	12	40	74
Great Southern Sands	10	12	12	40	74
BTR Hire	18	12	16	22	68
HAS Earthmoving	18	12	15	22	67
Taysil Pty Ltd	14	15	12	22	63
Kerbtech	15	10	12	23	60
International Building Industries	10	10	10	20	50

As a result of the tender assessment, it is recommended that Leopold Contracting be awarded the ongoing contract for the work Tender 10/2010.

Background:

Early in 2010 the Shire of Perenjori was requested to provide additional maintenance services on the roads providing access to the Karara project. The shire recommended local contractors and Karara agreed, but requested that the Shire act as the principal contractor to avoid any pre-qualification issues.

This ongoing work has now exceeded the Shires \$100,000 tender threshold. Karara has proposed to extend the works order and we therefore need to tender.

Statutory Environment:

Local Government Act 1995 S3.57 sets out the requirement to tender for certain goods or services.

Local Government (Functions and General) Regulations 1996 Part 4 sets out tendering rules.

Policy Implications: Nil

Financial Implications:

The proposed works are funded by Karara Iron Ore. The Shire charges a 5% administrative overhead.

Strategic Implications: Nil

Consultation: Nil

Comment:

As Elected Members are aware Leah Leopold our Senior Finance Officer is married to Adam Leopold, the principal of Leopold Contracting. Leah helps with the day to day administration of the business. This of course creates the perception of a potential conflict of interest. We have therefore taken all reasonable steps to ensure that Ms Leopold has not been involved at any stage in the administration of the tender. All tenders were deposited in sealed envelopes in a locked tender box. The tender box was opened by the CEO with Ms Gypsie Douglas as a witness. The tenders were collated by Ms Kimberley Wheeler and assessed by the CEO.

In the CEO's view there were three tenders that stood as in terms of completeness and professionalism, and these were the three top ranked tenderers. Central Earthmoving, the second ranked tenderer would in any event have subcontracted the work to Leopold Contracting. Roger Davies Contracting was also very competitive in all respects.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council awards the contact for the maintenance of Perenjori public roads servicing the Karara Iron Ore Project to Leopold Contracting.

COUNCIL RESOLUTION

Moved: Cr GK Reid

Seconded: Cr RP Desmond

That Council awards the contact for the maintenance of Perenjori public roads servicing the Karara Iron Ore Project to Leopold Contracting.

Carried: 7/0

10086.5 UPGRADE TO MUNGADA ROAD

APPLICANT:	KARARA MINING LIMITED
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	11 AUGUST 2010
ATTACHMENTS	<ul style="list-style-type: none"> a) Scope of Works b) Technical Specifications

Executive Summary:

Karara Mining Limited has requested permission for the upgrade of the Mungada Road.

Applicants Submission:

Karara Mining Limited has requested permission for the upgrade of the Mungada Road. The proposed upgrade will utilise the same profile as the previously approved project. Essentially this consists of a 9 metre gravel formation with an 8 metre bitumen seal. This route will link up with the road constructed to Koolanooka and will provide a sealed road from Morawa to Karara. The Scope of Works and Technical Specification is attached.

The CEO has requested assurance from Karara as follows:

1. Public access – I understand there are presently private road signs erected and a checkpoint where members of the public are turned away. While we understand that the public needs to be kept out of the mine site, there needs to be provision for through traffic. I discussed this with Steve Murdoch and Frank Cosoleto last week and we discussed the possibility of an information bay for non mine traffic. The Shires of Perenjori and Morawa are developing a drive trail between the two towns that includes Mungada and Karara Roads as part of the route.
2. The second issue is haul traffic. Council will need assurance that the purpose of the upgrade is as an access road, not a haul road. The process for hauling ore on public roads has already been set through precedent with other projects, and is usually accompanied by a road use agreement. There is no such expectation for an access road.

Background:

In March 2010 Council gave approval for the upgrade of the North Road Lochada Road to improve safety and access to the Lochada Camp.

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 have no cost to the Shire, but we will eventually become responsible for maintenance of the new road.

Strategic Implications:

Mining company investment in common use infrastructure is to be encouraged.

Consultation:

The CEO has had discussions with Steve Murdoch, Frank Cosoleto (both from Karara Mining) and Clive Ascot from Worley Parsons about the best route to invest in.

Comment:

If the road is to be developed as an access road and not a haul road there should be no impediment to the project.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council approved the proposed upgrade subject to continued public access and a clear understanding that the approval does not extend to the use of the road for hauling iron ore.

COUNCIL RESOLUTION

Moved: Cr LC Butler

Seconded: JH Hirsch

That Council approved the proposed upgrade subject to continued public access and a clear understanding that the approval does not extend to the use of the road for hauling iron ore.

Carried: 8/0

2.17pm Ken Markham left the chambers

2.19pm Ken Markham returned to the chambers

10086.6 LAND OFFER TO MR PHIL CLEAVER**APPLICANT: SHIRE OF PERENJORI****FILE: 0****DISCLOSURE OF INTEREST: 0****AUTHOR: STAN SCOTT – CEO****RESPONSIBLE OFFICER STAN SCOTT – CEO****REPORT DATE: 11 AUGUST 2010****ATTACHMENTS Letter from Brain Baxter**

Note S5.23 of the Local Government Act provides that this matter may be considered behind closed doors.

Executive Summary:

Mr Cleaver has advised the CEO that he would still like to avail himself of the free land offer to build

Applicants Submission:

Mr Cleaver wrote to the CEO in the following terms:

1. I spoke with Gary and we are not far away from receiving engineering plumbing plans and lodging all specifications and energy certification This is expensive and has been time consuming.
2. We as a family unit need to receive in writing that the shire as promised will allow us to commence building Be Mindful that the house will be modern and an aesthetic addition to the community
3. Incorporate where applicable Fortress methodology and some aspects of UWA co-operation Be linked into the Office of energy experiment which passes data to housing planning construction and so forth
4. May be linked to the long awaited tender process as discussed in December 2009
5. At a later time be offered to the shire for use as shire/mining housing
6. Cash out so far exceeds \$10,000 before you hinted at certain Council comments The take up of the land and intention to build was a significant incentive to continue to use all assets networks and so forth available to me more for the community than personal benefit
7. Once we receive a letter of comfort /contenance plans will be lodged to building officers satisfaction forthwith. Given that the proposed building would cost the shire in excess of \$370,000 to build at today's prices, as discussed we were happy to offer to shire & mines working with you as individuals for lifting the standard of this communities housing. Now that I am relatively unfettered , as mentioned to you in December & March we always intended to commence building activities in August.
8. My notes and even certain shire minutes reflect the call for tenders .As discussed with you it was agreed that a call for tenders we would be happy to roll into such our proposal to induce quality and cost effective new buildings here. 5 buildings rather than 4 etc

9. Finally it should be known that the writer and his wife stayed in this town for years because of in part the above mentioned arrangement. Given the events of Drought, lack of builders, engineers and the like, because resources booms etc (minutes reflect this) Financial crisis, health issues and more. I see mutual benefit by the shire and whomever made such comments staying their hand and allowing building to commence. We are now in a position and have spent good money by trusting the shire. One hopes that common sense and natural justice prevails.

Background:

Mr Cleaver was employed full time by the Shire of Perenjori as an Economic Development Officer from August 2006 until June 2010. The free land offer was made at the November 2006 Ordinary Meeting in the following terms:

That Lot 36 Russell Street be made available to Mr Cleaver and Ms Taweasap with the condition that a submission of a building license be received within six months.

At the same meeting the free land policy was rescinded, with the intention that this would be the last occasion on which free land was offered. Council had been offering conditional free land since 2001. The free land was subject to the recipient building within 2 years, with the land not transferred until this condition is complied with. The CEO could find no record of anyone successfully completing such a transaction.

Mr Brian Baxter, retired Shire President, has written to Council on Mr Cleaver's behalf.

Statutory Environment:

Local Government Act 1995

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;

Council may choose to consider the matter behind closed doors.

Policy Implications:

Nil

Financial Implications:

Land in the new subdivision is valued from \$55,000 upwards, but is in a new subdivision with underground power. Since the subdivision was completed there has only been one offer to purchase. It is reasonable to expect that land elsewhere in Perenjori would be somewhat less valuable.

Strategic Implications:

Nil

Consultation:

This matter has previously been discussed with Council but no resolution was taken.

Comment:

Mr Cleaver was employed by the Shire for over 4 years. He was advised by the CEO that to take advantage of the land offer he would have to lodge building plans before his employment ceased on 30 June 2010. This was however a verbal not a written advice.

There was no undertaking in relation to mining housing and when the suggestion was made the CEO's advice was to put a written proposal to Council, but that any such arrangement would need to be put to tender. There has been extensive consideration of mining housing and these deliberations have been in the public domain.

Since Mr Cleaver ceased employment with the Shire of Perenjori he has continued to do some work on projects in which he had an interest, but not in any formal capacity on behalf of the Shire of Perenjori.

Such was the nature of the EDO's role the CEO worked closely with Mr Cleaver and the former Shire President Cr Baxter on a range of ambitious projects. That close working relationship probably precludes the CEO giving a completely unbiased view on this arrangement.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council determine whether or not to further extend the free land offer.

MOTION

Moved: Cr LC Butler

Seconded: Cr RA Benton

That Mr Cleaver be given four weeks (25 working days) from the date of this meeting to lodge a compliant building license application and failing that, the free land offer lapses

Tied 4/4

President cast deciding vote **AGAINST** the motion

Lost 4/5

MOTION

Moved: Cr JH Hirsch

Seconded: Cr JA Bendsorp

That Council not extend the free land offer and the CEO advise Mr Cleaver that the offer has lapsed

Tied: 4/4

President cast deciding vote **FOR** the motion

Carried: 5/4

Shire of Perenjori

12 AUG 2010

PO Box 52

Perenjori 6620

13.8.2010

The C.E.O. Mr Stan Scott,
Dear Stan,

I am led to believe the Perenjori Shire Council has withdrawn the offer made a few years ago to Phil Cleaver regarding the housing block in Perenjori.

I am well aware of the policy the Shire has regarding the block but my understanding is that he was to get one anyway. In fact we gave him our word as such. The Shire does have the ability to step outside the policy and I would seriously urge the Shire to reinstate that block to Phil Cleaver immediately upon receipt of housing plans. I am amazed that you have taken this course of action by withdrawing ~~such~~ the block. I always felt that your and the councillors word was their bond.

yours sincerely
Brian Baxter

10086.7 OLD DEPOT SITE

APPLICANT:	Shire of Perenjori
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	15 August 2010
ATTACHMENTS	Nil

Executive Summary:

The old depot has potential commercial value for lease to small business.

Applicants Submission:

There have been several enquiries over the last 12 months about possible use of the old depot site as business premises.

The site would however have value for one or more subleases for small business purposes. Rather than invest in improvements council could request proposals from potential lessees for all or part of the premises and determine what improvements if any would be needed based on those submissions. This would also allow us to determine the market value of the property for leasing.

Background:

The old shire depot at the rear of the Council chambers has not been used as a depot for over 2 years and is no longer used for bulk fuel for Council Plant. It would also be considered as a contaminated site and would require treatment if a change of use was contemplated.

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 site would have some commercial value.

Strategic Implications:

All light industrial lots are now under offer. There appears to be more demand.

Consultation: Nil

Comment:

It is possible that the old depot could house as many as 4 different businesses. This would mean some investment in improvements particularly to divide up the space and manage access. There does seem to be a shortage of business premises in Perenjori.

We would need to find other places to store some of the things that are presently stored at the depot site.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council advertise for expressions of interest from businesses to lease all or part of the old depot site.

COUNCIL RESOLUTION

Moved: Cr RA Benton

Seconded: Cr JH Hirsch

That Council advertise for expressions of interest from businesses to lease all or part of the old depot site.

Carried: 8/0

10086.8 YEAR OF WOMEN IN LOCAL GOVERNMENT EVENT**APPLICANT:** NORTHERN COUNTRY ZONE OF WALGA**FILE:** 0**DISCLOSURE OF INTEREST:** 0**AUTHOR:** STAN SCOTT – CEO**RESPONSIBLE OFFICER:** STAN SCOTT – CEO**REPORT DATE:** 11 AUGUST 2010**ATTACHMENTS:** NIL**Executive Summary:**

The Northern Country Zone of WALGA is holding a Women in Local Government event at Dongara on 15th October 2010.

Applicants Submission:

The Northern Country Zone of WALGA is holding a Women in Local Government event at Dongara on 15th October 2010. The CEO and Domenica Curtin have been invited to make a joint presentation and participate in a panel session.

Background:

The Seminar is being put together by Zone President Moira Girando and Deputy President Karen Chappel.

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:**

Attendance cost for elected members are expected to be minimal.

Strategic Implications:

The seminar is intended to encourage women to aspire to leadership positions in Local Government.

Consultation: Nil**Comment:**

The seminar is available to women and men. Elected members may wish to attend.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council notes the proposed seminar and Perenjori's intended role.

10086.9 SELECTION OF NEW STATIONARY SUITE

APPLICANT:	MARKET CREATIONS
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	15 AUGUST 2010
ATTACHMENTS	STATIONERY SELECTIONS

Executive Summary:

Following adoption of a new community logo by Council, Market Creations has prepared a suite of stationery options for consideration by Council

Applicants Submission:

The three stationery selections are attached.

- Each of the concepts involves a white front with a solid coloured back;
- Each involves using elements of the logo as a watermark on stationery;
- Each involves using one of the three main colours for other design elements – two using pink, one using blue.

Background:

Last month Council adopted a new community logo. There has been publicity through the ABC and an article in the Mid West Times. Community feedback to date has been very positive.

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:

Solid coloured or watermarked reverse side of stationery would be more expensive than plain coloured stock.

Strategic Implications:

The stationery compliments the logo design.

Consultation: Nil

Comment:

Presently the Shire's relatively simple letterhead allows most correspondence to be printed directly on plain coloured stock paper using a word template. While this is inexpensive there is the opportunity to step up a level in terms of the professionalism of the Shire's image. That said pre-printed letterhead stock does not need a solid colour on the back. There may be an opportunity to make a more subtle statement using pastel coloured paper stock with some of the design elements of the new letter head.

Voting Requirements:

Simple Majority

Officers Recommendation:

That concept 3 be selected as the preferred stationery concept WITH / WITHOUT the solid coloured reverse

COUNCIL RESOLUTION

Moved: JH Hirsch

Seconded: Cr RA Benton

That concept 2 be selected as the preferred stationery concept without the solid coloured reverse.

Carried: 7/1

Amendment due to concept 2 without the solid coloured reverse being preferred by council

3.27pm Cr Chris King adjourned the meeting

4.01pm Meeting resumed with item *10086.2 Local Government Reform*

10086.10 BUDGET ADOPTION 2009-10

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO
RESPONSIBLE OFFICER	STAN SCOTT – CEO
REPORT DATE:	16 August 2010
ATTACHMENTS	Budget Document to be tabled at meeting

Executive Summary:

Council is required to adopt its annual budget by 31st August each year.

Background:

A Draft Budget was presented at the Budget Special Meeting on 12 August 2010, and a revised budget reflecting input from that meeting is attached.

The latest Draft budget includes the following changes to the Operating Budget resulting from the budget meeting:

1. Adjust the distribution of administration allocations to program areas
2. Reinstate allocation for doctor travel;
3. Increase education donations;
4. Perenjori Oval Expenses have been reduced to reflect historical allocations
5. Caravan Village expenses now include an allocation for the return to Midwest Transportables’;
6. Private Works has been modified to separately identify Karara Access Roads, an expected Main Roads Project and general private works. Work from the Main Roads ISA has not been identified in the budget.
7. The mistake in relation to works supervisor costs has been corrected
8. Fuel and Oil has been increased substantially;

Other changes in individual schedules include:

1. Changes to the housing budget in line with Council’s decisions;
2. Removal of investment in Lot 71 Carnamah Road;
3. Reduction in allocation to caravan park office (also reflected in Capital);
4. Revised allocation to outdoor kitchen

Changes to the Capital Program include:

1. Remove allocation for ambulance roller door
2. Delete Miner Housing, include shire worker housing;
3. Combine Recreation and Culture into a single item pending Sport and Recreation Plan;
4. Minor adjustments to Plant figures

As a result of the decision to pursue Staff Housing, funds from the Staff Housing Reserve will be applied to that project. There were no other changes to reserves.

Fees and Charges are as presented except for a rental review.

Statutory Environment:

Local Government Act 1995 sets out the annual budget requirements as follows:

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

* *Absolute majority required.*

(2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of :

- (a) the expenditure by the local government;
- (b) the revenue and income, independent of general rates, of the local government; and
- (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

(3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.

(4) The annual budget is to incorporate :

- (a) particulars of the estimated expenditure proposed to be incurred by the local government;
- (b) detailed information relating to the rates and service charges which will apply to land within the district including :
 - (i) the amount it is estimated will be yielded by the general rate; and
 - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
- (c) the fees and charges proposed to be imposed by the local government;
- (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
- (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
- (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
- (g) such other matters as are prescribed.

(5) Regulations may provide for :

- (a) the form of the annual budget;
- (b) the contents of the annual budget; and
- (c) the information to be contained in or to accompany the annual budget.

Local Government (Financial Management) Regulations 1996 sets out the further requirements under the authority of Section 6.2 (5)

Policy Implications:**Nil****Comment:**

The budget reflects the changes requested by Council at the Special Budget Meeting.

The Rates proposed are in line with Council's advertised intention in April 2010.

Rubbish Charges are as discussed at the Special Council meeting.

Instalment arrangements and discounts are in line with previous years.

Meeting Fees remain unchanged. Comparison with the limits set in regulation are as follows:

Recipient	Meeting	Maximum	Minimum	Perenjori
Councillor	Council	\$140.00	\$60.00	\$100.00
President	Council	\$280.00	\$120.00	\$200.00
President or Councillor	Committee	\$70.00	\$30.00	\$50.00

Voting Requirements:

Absolute Majority

Officers Recommendation:

1. RATES

That Council adopts the following Rate and Rubbish Charges for the Shire of Perenjori for the year ending 30 June 2011.

Gross Rental Value	11.5099	cents in the dollar
Rural Rate – Unimproved Value	1.5278	cents in the dollar
Mining Rate – Unimproved Value	23.3735	cents in the dollar

MINIMUM RATES

Rural – UV	\$175.00	per assessment
Perenjori Townsite – GRV	\$175.00	per assessment
Latham Townsite – GRV	\$105.00	per assessment
Other Townsite – GRV	\$ 53.00	per assessment
Mining Tenements	\$292.00	per assessment

RUBBISH CHARGES

Domestic	\$160.00/bin
Commercial	\$160.00/bin
Pensioners – Domestic bin	\$ 75.00/bin

2. PAYMENT OF RATES

That Council adopts the following payment dates for the payment of rates.

Option 1 – Payment in full by a single instalment within 35 days from date of issue.

Option 2 – Payment by four equal instalments. The first instalment 35 days from the date of issue of the rates notice and that instalments 2, 3 and 4 become due not less than 60 days following the previous instalment.

3. DISCOUNT

That a discount of 10% be given on all current rates paid within 35 days from date of issue.

That a discount of 5% be given on all current rates paid between the day following the first due date and close of business on 8 January 2010.

4. FEES AND CHARGES

That the schedule of fees and charges as set out in the budget for the year ended 30 June 2010 be adopted.

5. MEETING FEES

That fees, expenses and allowances be paid to each Councillor as follows:

President	\$200	full Council meetings
	\$50	Committee meetings
Councillors	\$100	full Council meetings
	\$50	Committee meetings

Travelling 1600cc and under	\$0.52	cents per kilometre
Travelling 1600cc to 2600cc	\$0.621	cents per kilometre
Travelling Over 2600cc	\$0.725	cents per kilometre

Communication Allowance	\$400	per annum
Info Technology Allowance	\$100	per annum

6. ADOPTION OF BUDGET

That the Annual Budget for the Shire of Perenjori for the year ending 30 June 2010 comprising of Income Statement, Operating Statement, Statement of Cashflows, Rate Setting statement and associated notes be adopted.

COUNCIL RESOLUTION**1. RATES**

Moved: Cr RA Benton

Seconded: Cr JR Cunningham

That Council adopts the following Rate and Rubbish Charges for the Shire of Perenjori for the year ending 30 June 2011.

Gross Rental Value	11.5099	cents in the dollar
Rural Rate – Unimproved Value	1.5278	cents in the dollar
Mining Rate – Unimproved Value	23.3735	cents in the dollar

MINIMUM RATES

Rural – UV	\$175.00	per assessment
Perenjori Townsite – GRV	\$175.00	per assessment
Latham Townsite – GRV	\$105.00	per assessment
Other Townsite – GRV	\$ 53.00	per assessment
Mining Tenements	\$292.00	per assessment

RUBBISH CHARGES

Domestic	\$160.00/bin
Commercial	\$160.00/bin
Pensioners – Domestic bin	\$ 75.00/bin

Carried: 8/0

2. PAYMENT OF RATES

Moved: Cr LC Butler

Seconded: Cr GK Reid

That Council adopts the following payment dates for the payment of rates.

Option 1 – Payment in full by a single instalment within 35 days from date of issue.

Option 2 – Payment by four equal instalments. The first instalment 35 days from the date of issue of the rates notice and that instalments 2, 3 and 4 become due not less than 60 days following the previous instalment.

Carried: 8/0

3. DISCOUNT

Moved: Cr RP Desmond

Seconded: Cr LC Butler

That a discount of 10% be given on all current rates paid within 35 days from date of issue.

That a discount of 5% be given on all current rates paid between the day following the first due date and close of business on 7 January 2011.

Carried: 8/0

4. FEES AND CHARGES

Moved: Cr JH Hirsch

Seconded: Cr LC Butler

That the schedule of fees and charges as set out in the budget for the year ended 30 June 2010 be adopted.

Carried: 8/0

5. MEETING FEES

Moved: Cr GK Reid

Seconded: Cr JR Cunningham

That fees, expenses and allowances be paid to each Councillor as follows:

President	\$220	full Council meetings
	\$60	Committee meetings
Councillors	\$120	full Council meetings
	\$60	Committee meetings
Travelling 1600cc and under	\$0.61	cents per kilometre
Travelling 1600cc to 2600cc	\$0.711	cents per kilometre
Travelling Over 2600cc	\$0.815	cents per kilometre
Communication Allowance	\$400	per annum
Info Technology Allowance	\$100	per annum

Carried: 8/0

6. ADOPTION OF BUDGET

Moved: Cr CR King

Seconded: Cr LC Butler

That the Annual Budget for the Shire of Perenjori for the year ending 30 June 2010 comprising of Income Statement, Operating Statement, Statement of Cashflows, Rate Setting statement and associated notes be adopted subject to the below changes.

- 1. Transfer R4R grant of \$429 749 from Operating Grants to Non-Operating Grants, allocation Community Amenities*
- 2. Increase cost of Shire Branding by \$10 000*
- 3. Reduce transfers to Staff Housing to nil*

Carried: 8/0

10087.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

- Correspondence addressed to Minister O'Brian regarding Morawa - Mullewa Road from Hon Grant Woodhams MLA dated 24th June 2010
- Correspondence addressed to Stan Scott regarding Mid West Local Government Services Agreement from Main Roads dated 14th July 2010
- Correspondence addressed to Stan Scott regarding Western Australian Country Shire Councils Representation from Fitz Gerald Strategies – 09 August 2010
- Correspondence addressed to Stan Scott regarding inquiry into mental health and wellbeing of children and young people from Commissioner for Children and Young People WA dated 06 August 2010
- Correspondence addressed to Stan Scott regarding Local Government National Report dated 7th June 2010
- Info Page – Road Maintenance Task dated 9th July 2010
- Info Page – Update on Environmental Clearing Regulations Review dated 30th July 2010
- Info Page – Local Government Convention Highlights dated 9th August 2010
- Local Government News Issues 27.10, 28.10, 29.10, 30.10, 31.10.
- National Desexing Month 2010
- MWAC Information Bulletin - Issue 139 July 2010
- Planning and Community Development Newsletter – Edition 20 23rd July 2010
- Keep Australia Beautiful – Why your town should enter tidy towns Sustainable Communities 2011
- Roadside Conservation Committee – Nominate a Flora Road
- Legacy Newsletter – Spring 2010
- Safe System News – Issue 6 July 2010
- Government News – volume 30 Issue 4 August/September 2010
- Statewide – Winter 2010 Issue 145
- Heritage Matters – Issue 31 June 2010
- Mining Chronicle – August 2010 Volume 15 Number 7
- WALGA Financial Report for the year ending 31 May 2010
- PCYC Annual Report – 3rd August 2010
- Midwest Regional Heritage Adviser – Report to Shire of Perenjori, CEO Stan Scott – 14th July 2010

10087.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN**10087.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN****10087.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION****MOTION**

Moved: Cr JH Hirsch

Seconded: Cr JR Cunningham

That item 'Closure of Wanarra Road' be accepted as a late item

Carried: 8/0

10087.4.1 LATE ITEM - CLOSURE OF WANARRA ROAD

APPLICANT:	Brierty / Mount Gibson iron
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	STAN SCOTT – CEO _____
RESPONSIBLE OFFICER	STAN SCOTT – CEO _____
REPORT DATE:	19 August 2010
ATTACHMENTS	Nil

Executive Summary:

Brierty has requested permission to close Wanarra Road and Wanarra East Road during construction.

Applicants Submission:

The Shire of Perenjori has entered into an agreement with Mount Gibson Iron for the use of the Perenjori Rothsay and Wanarra East Roads to haul iron ore between the Extension Hill Project and a Rail siding south of Perenjori. Brierty has been awarded the contract for the construction of the road.

Particular issues that may be discussed include:

- Brierty has requested permission to close Wanarra Road for some period during construction. We need to discuss how this issue will be dealt with on different parts of the road project;
- There has been concern raised about the standard of construction, but concern is probably premature when the stage of the project is considered. Greenfield Technical Services will be inspecting the project every months or so on behalf of the Shire.
- Water supplies – there is a significant issue with a lack of quality water for construction. Brierty and Mount Gibson would welcome any ideas Elected Members may have on access to quality water.

Background:

Peter Panek, Project Manager for Mount Gibson Iron and Andrew Cullen, Project manager for Brierty will be attending the forum to discuss the project.

Statutory Environment:

Local Government Act 1995 S3.50

3.50. Closing certain thoroughfares to vehicles

- (1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.
- (1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.
- (2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.
- [(3) *deleted*]
- (4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —
 - (a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission;
 - (b) give written notice to each person who —
 - (i) is prescribed for the purposes of this section; or
 - (ii) owns land that is prescribed for the purposes of this section;and
 - (c) allow a reasonable time for submissions to be made and consider any submissions made.
- (5) The local government is to send to the Commissioner of Main Roads appointed under the *Main Roads Act 1930* a copy of the contents of the notice required by subsection (4)(a).
- (6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.
- [(7) *deleted*]
- (8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.
- (9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.

[Section 3.50 amended by No. 1 of 1998 s. 11; No. 64 of 1998 s. 15; No. 49 of 2004 s. 26.]

3.50A. Partial closure of thoroughfare for repairs or maintenance

Despite section 3.50, a local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure —

- (a) is for the purpose of carrying out repairs or maintenance; and
- (b) is unlikely to have a significant adverse effect on users of the thoroughfare.

[Section 3.50A inserted by No. 64 of 1998 s. 16.]

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:

Notwithstanding that Brierty is building the road for Mount Gibson, Council still retains some liability risk.. Work on the eastern section of the road includes cut and fill including blasting.

Consultation:

Peter Panek, Project Manager for Mount Gibson Iron and Andrew Cullen, Project manager for Brierty will be attending the forum to discuss the project, as will representatives of Greenfield technical services..

Comment:

Brierty has consulted with local landowners and has obtained their agreement to the closure. There will be some impact on tourists and casual visitors.

Voting Requirements: Simple Majority

Officers Recommendation:

That Council agree to the closure of Wanarra Road and Wanarra East Road during construction, subject to appropriate access arrangements for landowners and legitimate visitors;

That Council advertise the intention to temporarily close the road in accordance with the provisions of Section of the Local Government Act

COUNCIL RESOLUTION

Moved: GK Reid

Seconded: Cr JH Hirsch

That Council agree to the closure of Wanarra Road and Wanarra East Road during construction, subject to appropriate access arrangements for landowners and legitimate visitors;

That Council advertise the intention to temporarily close the road in accordance with the provisions of Section of the Local Government Act

That Council reserves the right to reopen the road if legitimate access becomes too burdensome for road users

Carried: 7/1

Amendment to resolution due to council requiring the right to reopen the road if deemed appropriate.

10087.5 MATTERS BEHIND CLOSED DOORS

10087.6 DATE OF NEXT MEETING / MEETINGS

The next ordinary council meeting to be held on the 16th September 2010

10087.7 CLOSURE

With no further business the meeting was officially closed at 5.45pm

I certify that this copy of the Minutes is a true and correct record of the meeting held 19th August 2010.

Signed: _____

Presiding Elected Member

Date: _____