Shire of Perenjori

MINUTES

Ordinary Council Meeting

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

20th October 2011 commencing at 1.30pm

Table of Contents

11101 PRELIMINARIES .................................................................3
  11101.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS 3
  11101.2 OPENING PRAYER .........................................................3
  11101.3 DISCLAIMER READING ..................................................3
  11101.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE 3
  11101.5 SWEARING IN OF COUNCILLORS ......................................3
  11101.6 PUBLIC QUESTION TIME ...............................................4
  11101.7 PETITIONS / DEPUTATIONS / PRESENTATIONS .....................4
  11101.8 NOTATIONS OF INTEREST .............................................4
  11101.9 APPLICATIONS FOR LEAVE OF ABSENCE .............................4
  11101.10 CONFIRMATION OF MINUTES ........................................4
  11101.11 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION 4
  11101.12 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS 4

11102 FINANCE .............................................................................5
  11102.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY ..................5

11103 HEALTH BUILDING & PLANNING .........................................7
  11103.1 COUNTRYWIDE APPLICATION .........................................7

11104 PLANT & WORKS ................................................................9
  11104.1 JETPATCHER ..................................................................9

11105 GOVERNANCE ..................................................................17
  11105.1 ELECTION OF PRESIDENT AND DEPUTY PRESIDENT .............17
  11105.2 ELECTION OF COMMITTEES ...........................................19
  11105.3 PROPOSED CHANGES TO ENVIRONMENTAL CONDITIONS – KARARA IRON ORE PROJECTS ...........................................34
  11105.4 ADVICE OF WITHDRAWAL OF PARTICIPANTS ......................38
  11105.5 PROGRESS ON TENNIS, NETBALL AND BOWLING PROJECTS 41
  11105.6 REVIEW OF COUNTRY LOCAL GOVERNMENT FUND ............47
  11105.7 REVIEW OF WATER ALLOCATION PROCESSES ..................50
  11105.8 CARDBOARD RECYCLING .............................................56
  11105.9 OFFICE CLOSURE – CHRISTMAS / NEW YEAR PERIOD .........58
  11105.10 UPCOMING CONFERENCE EVENTS ..................................60
  11105.11 CEO’S REPORT ..........................................................63
11106 OTHER BUSINESS ........................................................................................................................................66
  11106.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS ........66
  11106.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN...............................66
  11106.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN...66
  11106.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY
            DECISION66
  11106.5 MATTERS BEHIND CLOSED DOORS..............................................................66
  11106.6 DATE OF NEXT MEETING / MEETINGS..........................................................67
  11106.7 CLOSURE........................................................................................................67
11101 PRELIMINARIES

11101.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
CEO Stan Scott officially opened the meeting at 1.30pm.

11101.2 OPENING PRAYER
After item 11105.2 Election of Committee Members Cr Chris King led council in the opening prayer.

11101.3 DISCLAIMER READING

11101.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:
Cr Chris King
Cr Laurie Butler
Cr Graeme Reid
Cr Jenny Hirsch
Cr Rodney Desmond
Cr John Cunningham
Cr Harold Wass
Cr Lisa Smith
Stan Scott – Chief Executive Officer
Doug Stead – Deputy Chief Executive Officer
Ken Markham – Works Supervisor
Kimberley Wheeler - Executive Assistant

Apologies:
Cr Robyn Benton

11101.5 SWEARING IN OF COUNCILLORS
Each newly elected Councillor is required to swear an oath or affirmation of allegiance (see Form 7 Attached)

It was noted that Cr Chris King was sworn in as a councillor at the Finance Meeting held at the Shire of Perenjori Council Chambers previous to today’s Ordinary Council Meeting.

The CEO Stan Scott witnessed the Declaration by Elected Members of the following councillors;

Cr Graeme Kingsley Reid
Cr Harold Charles Wass
Cr Lisa Jane Smith
Cr John Ross Cunningham

CEO Stan Scott noted that both Cr Harold Wass and Cr Lisa Smith were elected unopposed for a 4 year term and 2 year term respectively.
Item 11105.1 Election of President and Deputy President and Item 11105.2 Election of Committees were addressed.

11101.6 PUBLIC QUESTION TIME

11101.7 PETITIONS / DEPUTATIONS / PRESENTATIONS

11101.8 NOTATIONS OF INTEREST

Financial Interest – Local Government Act s 5.60A
Cr Lisa Smith declared a Financial interest in Item 11105.3
Cr Rodney Desmond declared a Financial interest in Item 11105.3

Proximity Interest – Local Government Act s 5.60B
Cr Chris King declared a Proximity Interest in item 11105.3

Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.

11101.9 APPLICATIONS FOR LEAVE OF ABSENCE
Nil

11101.10 CONFIRMATION OF MINUTES

Minutes of Ordinary Council meeting held 15th September 2011 are attached.

COUNCIL RESOLUTION

Moved: Cr RP Desmond
Seconded: Cr LC Butler
That the Minutes of Ordinary Council meeting held on the 15th September 2011 are a true and accurate record.

Carried: 8/0

11101.11 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

11101.12 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS
**11102 FINANCE**

**11102.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

<table>
<thead>
<tr>
<th>APPLICANT:</th>
<th>DEPUTY CEO</th>
</tr>
</thead>
<tbody>
<tr>
<td>FILE:</td>
<td>0</td>
</tr>
<tr>
<td>DISCLOSURE OF INTEREST:</td>
<td>0</td>
</tr>
<tr>
<td>AUTHOR:</td>
<td>GYPSIE DOUGLAS – SENIOR FINANCE OFFICER</td>
</tr>
<tr>
<td>RESPONSIBLE OFFICER</td>
<td>DOUG STEAD - DCEO</td>
</tr>
<tr>
<td>REPORT DATE:</td>
<td>13th OCTOBER 2011</td>
</tr>
<tr>
<td>ATTACHMENTS</td>
<td>SEPTEMBER FINANCIAL ACTIVITY REPORTS</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
<th>Statutory Environment:</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Implications:</td>
<td>N/A</td>
</tr>
<tr>
<td>Financial Implications:</td>
<td>N/A</td>
</tr>
<tr>
<td>Strategic Implications:</td>
<td>N/A</td>
</tr>
<tr>
<td>Consultation:</td>
<td>N/A</td>
</tr>
</tbody>
</table>

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 September 2011 including report on variances be accepted as presented.

2. **Finance Report**
   
   That the Finance Report for the period ended 30th September 2011 be accepted as presented.
Shire of Perenjori
Ordinary Meeting
MINUTES
20th October 2011

3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 30th September 2011 with a balance of $413,745.00 as presented be received.

4. Reserves Report
That the Reserves Report for the period ended 30th September 2011 with a balance of 923,610.00 as presented be received.

5. Net Current Assets
That the Net Current Assets report for the period ended 30th September 2011 with a balance of $2,549,212.00 as presented be received.

6. Bank Reconciliation's
That the balances of the Municipal Fund of $453,351.96 and the Trust Fund of $40,446.84 as at 30th September 2011 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 30th September 2011 with a balance of $332,451.71 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 30th September 2011 with a balance of $294,441.35 as presented be received.

9. Accounts for Payment
That the Accounts paid from the Municipal Account consisting of Cheque Numbers 18002 - 18034 and EFT Numbers 2969 - 3067 for $638,139.63 and the Trust Account consisting of Cheque Numbers 818 - 821 and EFT Numbers 3059 - 3071 for $2,100.45 for the period ended 30th September 2011 as presented be accepted.

10. Rates Outstanding
That the Rates Outstanding Report for the period ended 30th September 2011 as presented be received.

COUNCIL RESOLUTION
Moved: Cr RP Desmond Seconded: Cr JR Cunningham
That items 1-10 of the Financial Activity Report be accepted as a true and accurate record.

Carried: 8/0
11103 HEALTH BUILDING & PLANNING

11103.1 COUNTRYWIDE APPLICATION

APPLICANT: Countrywide Investments Pty Ltd
FILE: 0
DISCLOSURE OF INTEREST: Nil
AUTHOR: Trevor Brandy EHO/Building Officer
RESPONSIBLE OFFICER: Trevor Brandy EHO/Building Officer
REPORT DATE: 27.09.2011
ATTACHMENTS: House elevation

Executive Summary:
Council is in receipt of an application to place a second hand, timber framed transportable on lot 85 Livingston Street, Perenjori. The house is currently in Eneabba.

Applicants Submission:
Initially, the applicant requested permission to have two houses on the same lot, but the application was reject on the grounds that it did not comply with the Country Town Sewerage Policy set down by the Health Department of WA.

The House was built around 1985 and does not contain asbestos.

Statutory Environment:
Shire of Perenjori Town Planning Scheme No2

Policy Implications:
Councils Policy on relocating existing Dwellings.

Financial Implications:
Building fees are applicable with this application.

Strategic Implications:
Nil

Consultation:
Shire of Perenjori Town Planning Scheme No2
Comment:
The building consists of a timber framed, metal roofed dwelling with cellulose fibre external cladding. The area around Livingston Street is of an older nature so the proposal should not effect the amenity of the area.

Voting Requirements:
Simple Majority

Officers Recommendation:
1 That Council approve the application to place a Relocatable Dwelling on lot 85 Livingstone Street Perenjori as per plans submitted by Countrywide Investment Pty Ltd.
2 That if the building requires painting it will be carried out prior to occupancy.

COUNCIL RESOLUTION
Moved: Cr JH Hirsch  Seconded: Cr JR Cunningham
1 That Council approve the application to place a Relocatable Dwelling on lot 85 Livingstone Street Perenjori as per plans submitted by Countrywide Investment Pty Ltd.
2 That if the building requires painting it will be carried out prior to occupancy.
Carried: 8/0
## Executive Summary:

There are currently several of Council’s bitumen roads that require patching and we are having difficulties in catching up. We are looking at hiring a Jetpatcher as we have done previously to do the work.

## Applicants Submission:

Discussions with Ausroads, the company that hire Jetpatcher units has led to considerations as to whether we hire a unit or look at purchasing. There are several options in regards to the purchase of a unit including outright purchase or leasing through our finance companies the same as we do for some of our other equipment.

Ausroads have given a quote for the hire of a 6m3 unit with all the functions at $5,200 a week plus GST with a one off $6500 delivery and 2 day training fee. I have given an initial estimate that we would require the unit for at least 8 weeks to allow us to get the worst of the patching requirements up to date. This would cost around $48,100 for that period of time.

Ausroads have provided 4 quotes for various machines for the purchase of.

<table>
<thead>
<tr>
<th>Option</th>
<th>Year</th>
<th>Capacity</th>
<th>Features</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2002</td>
<td>4m3</td>
<td>Basic setup</td>
<td>$30,000</td>
</tr>
<tr>
<td>2</td>
<td>2007</td>
<td>4m3</td>
<td>All features</td>
<td>$85,000 (with an auxiliary motor)</td>
</tr>
<tr>
<td>3</td>
<td>2009</td>
<td>6m3</td>
<td>Full setup</td>
<td>$209,000 (PTO drive)</td>
</tr>
<tr>
<td>4</td>
<td>2010</td>
<td>6m3</td>
<td>All features</td>
<td>$291,000 (PTO drive)</td>
</tr>
</tbody>
</table>

## Background:

The hiring of a Jetpatcher allows for 1 operator who carries out all works from the cab. The unit allows the operator to carry out pothole repair, spray sealing, edge breaks, wheel ruts and minor resealing.

With the wet winter we have had and the increase in traffic on our roads it has
been impossible to keep up with the repair works, which has been made worse with the lack of staff available to do so.

With a jetpatcher unit, we can not only carry out repairs to our own seals, but those of Mungada road and even Wanara road if we take on the maintenance. We will have the opportunity to also carry out improvement works, including carparks, lane ways, driveways, widening on bends, crossovers and unsealed approaches to sealed roads.

The unit would also attract attention from other Shire’s and maybe able to be used with some of our works with the ISA for Main Roads.

**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:**

Unbudgeted expenditure if purchased. The possibility to lease means not needing upfront capital. If leased we would need to consider viability of purchasing at end of lease or entering into a new lease for another machine.

**Strategic Implications:**

Consultation:

Comment:

I am of the opinion that the purchasing or leasing of a Jetpatcher would be more cost effective and beneficial to the Shire in the long term compared to hiring. We will spend approximately $48,100 for an 8 week hire period, which could either be put towards the purchase or put towards the lease costs.

**Voting Requirements:**

Simple majority

**Officers Recommendation:**

Recommendation 1 : That Council purchase a Jetpatcher, being either option 2,3 or 4.

Recommendation 2 : That Council lease a Jetpatcher, being either option 3 or 4.

**COMMITTEE RECOMENDATION**

Moved: Cr RP Desmond Seconded: Cr LC Butler

That council lease Option 4 Jetpatcher Remote Control Front Delivery Unit (JP23).

Carried: 4/0
COUNCIL RESOLUTION

Moved: Cr LC Butler                           Seconded: Cr RP Desmond
That council lease Option 4 Jetpatcher Remote Control Front Delivery Unit (JP23).
Carried: 8/0
All Jetpatcher® hire units are fitted with the Jetmaster remote controlled boom which allows accurate placement of aggregate and emulsion to the work area.

The operator has complete control over the velocity of aggregate travelling in the system and the mixture with emulsion when delivered into the patch area.

6 and 4 cubic meter Jetpatcher® hire units are available, Ausroad™ can supply dry and wet hire rates on request.

Ausroad Systems Pty Ltd // Manufacturers & Distributors //
Jetpatcher® Road Maintenance Units // Ausroad™ HD-Series Road Maintenance Units // Hiring of Jetpatcher® Road Maintenance Units
P.O. Box 830, Archerfield QLD 4108 // SYMIR: Resistance St, Archerfield QLD 4108,
Four units are fitted with the aggregate spreader and spray bar to allow spray sealing in one forward pass. The spray bar and aggregate spreader can operate at full width (2.4 metres) or be shut down in any combination of eight 300mm wide gates, all controlled from the cab.

This process is extremely effective for heavy patching, shoulder seals, strip patching etc.

Spray and cover rates are all controllable from the cab via the ECOMAT control system.

Units with the aggregate spreader and spray bar are also fitted with a full width paver bar. When this is in use aggregate is sprayed with emulsion as it drops to the road before being leveled off with the paver bar.

This is an effective and permanent solution whenever a surface correction is required. Uses include shoulder repairs, wheel rutting etc.

- 6 and 4 cubic metre Jetpatcher® hire units available
- Able to be operated by single operator from cab
- Even distribution of aggregate and compete control from cab
- Full training and backup support provided.
SECOND HAND AUSROAD™ JETPATCHER® UNITS
Sept 2011

Option 1
• Jetpatcher® Remote Control Front Delivery Unit (JP17)

Second hand Jetpatcher® unit with 4m³ hopper capacity, 1000 litres of emulsion in a single pressurised vessel;

AU $30,000.00 + GST (ex Brisbane)

This Jetpatcher® was originally commissioned in December 2002 and is fitted to a Hino Ranger 9 automatic G.V.M. 15,000 kg. Includes air conditioned cab, tinted windows and centre seat. The cab chassis is compliance October 2002. This unit had a refurbishment in August 2006 which included new style joystick and full control system fitted.

As of May 2011, 236 700 km, auxiliary motor 6469 hours

Unit will come fitted with:
1. Jetmaster remote control front delivery system
2. Full cab control of all functions
3. Inline heat exchanger for heating emulsion
4. 2" Inline filter
5. Kerosene flush to nozzle including pressurised 20 litre kerosene tank
6. Equipment to fill emulsion tank from 200 litre drums
7. Sand Bin so that sand can be applied to the repaired area via the delivery hose
8. Rear mounted arrow board to Australian Standards

Availability approximately 8 weeks.

Option 2
• Jetpatcher® Remote Control Front Delivery Unit (JP19)

Jetpatcher® unit with 4m³ hopper capacity, 1000 litre emulsion vessel and aggregate spreader

AU $85 000.00 + GST (ex Brisbane)

This Jetpatcher® unit was commissioned in March 2007 and is fitted to an Isuzu FVD 950 HD Auto cab chassis, GVM 16000 kg. Includes air conditioned cab, tinted windows, centre seat.

As of August 2011, 146,000 km, auxiliary motor 1867 hours

Unit will come fitted with:
1. Jetmaster remote control front delivery system
2. 2.4m wide aggregate spreader (8 x 300mm gates)
3. 2.4m wide spray bar (8 x 300mm sections)
4. Full cab control of all functions
5. IFM CANBUS Control System
6. Ausroad™ pavement & edge repair unit
7. Ausroad™ hydraulic shoulder broom
8. Load Cover
9. LED Arrow Board and roof mounted patrol sign (electric up / down)
10. Rear view CCTV
11. 2007 Isuzu FVD 950 HD Auto cab chassis.

Delivery 16 weeks (Delivery applies within Australia)
Option 3

- **Jetpatcher® Remote Control Front Delivery Unit (JP21)**

Jetpatcher® unit with 6m³ hopper capacity, 2000 litre emulsion vessel and aggregate spreader.

AU $209 000.00 + GST (ex Brisbane)

This Jetpatcher® unit was commissioned in May 2009 and is fitted to an Isuzu FVZ1400 Auto cab chassis, GVM 24000 kg. Includes air conditioned cab, tinted windows, centre seat and extended transmission warranty. (First registered May 2009)

As of July 2011, 83000 km

**Unit will come fitted with:**

1. Jetmaster remote control front delivery system
2. Full PTO hydraulic drive system
3. 2.4m wide aggregate spreader (8 x 300mm gates)
4. 2.4m wide spray bar (8 x 300mm sections)
5. Full cab control of all functions
6. Ausroad™ pavement & edge repair unit
7. Ausroad™ hydraulic shoulder broom
8. Load Cover
9. LED Arrow Board and roof mounted patrol sign (electric up / down)
10. Rear view CCTV
11. 12/07 Isuzu FVZ Auto 1400 cab chassis with full dealer warranty and extended transmission warranty (5 years)

Delivery 16 weeks (Delivery applies within Australia)

Option 4

- **Jetpatcher® Remote Control Front Delivery Unit (JP23)**

Jetpatcher® unit with 6m³ hopper capacity, 2000 litre emulsion vessel and aggregate spreader.

AU $291 000.00 + GST (ex Brisbane)

This Jetpatcher® unit was commissioned in Sept 2010 and is fitted to an Isuzu FVZ1400 Auto cab chassis, GVM 24000 kg. Includes air conditioned cab, tinted windows, centre seat and extended transmission warranty. (First registered Sept 2010)

As of Sept 2011, 26745 km

**Unit will come fitted with:**

12. Jetmaster remote control front delivery system
13. Full PTO hydraulic drive system
14. 2.4m wide aggregate spreader (8 x 300mm gates)
15. 2.4m wide spray bar (8 x 300mm sections)
16. Full cab control of all functions
17. Ausroad™ pavement & edge repair unit
18. Ausroad™ hydraulic shoulder broom
19. Load Cover
20. LED Arrow Board and roof mounted patrol sign (electric up / down)
21. Rear view CCTV
22. 11/09 Isuzu FVZ Auto 1400 cab chassis with full dealer warranty and extended transmission warranty (5 years)
GOVERNANCE

ELECTION OF PRESIDENT AND DEPUTY PRESIDENT

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER STAN SCOTT – CEO
REPORT DATE: 10th October 2011
ATTACHMENTS NIL

Executive Summary:

Position of President, Deputy President, Standing Committees and Occasional Committees are elected after each Council election.

Applicants Submission:

All existing Elected Members who’s terms had expired and renominated were re-elected unopposed. The previous term of office has now expired, and the new term commenced from Saturday 15th October 2011.

The Election results are as follows:

<table>
<thead>
<tr>
<th>Ward</th>
<th>Vacancies/Year Term</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowgada Ward</td>
<td>1 Vacancy – 4 Year Term</td>
<td>Cr John Cunningham – re-elected unopposed</td>
</tr>
<tr>
<td>Caron/Latham Ward</td>
<td>2 Vacancies – 4 Year Terms</td>
<td>Cr Graeme Reid - re-elected unopposed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cr Chris King - re-elected unopposed</td>
</tr>
<tr>
<td>Maya Ward</td>
<td>1 Vacancy – 4 Year Term</td>
<td>Cr Robyn Benton - re-elected unopposed</td>
</tr>
<tr>
<td>Perenjori Ward</td>
<td>1 Vacancy – 4 Year Term, and 1 Vacancy – 2 Year Term</td>
<td>No Nominations Received</td>
</tr>
</tbody>
</table>

Cr Johnston did not renominate because of work and family obligations.

The president set a date of 25 November 2011 for an Extraordinary Election. This means that the nomination period is between 12 and 19 October 2011. This means that the CEO will be able to report on what nominations if any have been received.

The CEO will preside over the meeting until elected Councillors have been sworn in, and the Shire President has been elected and sworn in. The President will preside over the remainder of the meeting.
Background:
Position of President and Deputy President are elected after each ordinary election, and committees are formed.

Statutory Environment:
Local Government Act 1995:
Schedule 2.3 sets out the procedures for the election of presidents and Deputy Presidents by Council.

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

Comment:
The CEO will preside at the meeting until the election of the President. After members commencing new term have been sworn in the CEO will preside over the election of a president.

Officer Recommendation
That Council elect a Shire President and Deputy Shire President for a two year period commencing today.

NOTE: Following the elections Elected Members will draw lots to determine sitting positions for the next 2 years.
Cr Laurie Butler nominated Cr Chris King to be Shire President
Cr Chris king accepted the nomination
There being no other nominations the CEO Stan Scott announced Cr Chris King to be elected unopposed as Shire President.
Cr Chis King swore the oath of Allegiance as Shire President, witnessed by the CEO Stan Scott.
The CEO Stan Scott handed the chair to the President Cr Chris King
Cr Graeme Reid nominated Cr Laurie Butler to be Shire Deputy President
Cr Laurie butler accepted the nomination
There being no other nominations the President Cr Chris King announced Cr Laurie Butler to be elected unopposed as the Shire Deputy President
Cr Laurie Butler swore the oath of Allegiance as Shire Deputy President, witnessed by CEO Stan Scott.
11105.2 ELECTION OF COMMITTEES

**APPLICANT:** SHIRE OF PERENJORI

**FILE:** 0

**DISCLOSURE OF INTEREST:** 0

**AUTHOR:** STAN SCOTT – CEO

**RESPONSIBLE OFFICER** STAN SCOTT – CEO

**REPORT DATE:** 10 OCTOBER 2011

**ATTACHMENTS** Nil

**Executive Summary:**
Following each Ordinary Election Council is required to determine membership of all committees.

**Applicants Submission:** Nil

**Background:** Nil

**Statutory Environment:**
*Local Government Act 1995:*

Sections 5.8 – 5.11 sets out the provisions for forming committees and appointing members.

Elected Members should note that:

- Council may appoint Deputy Members to act when a committee member is absent. Council is to determine the order of seniority of Deputies if more than one is appointed. (Shire of Perenjori Local Law Standing Orders 2000)
- When staff members or non-elected members are appointed to committees they are entitled (and required) to exercise a vote. They are also included in any determination of whether a quorum exists.
- A Council Committee consists of a minimum of 3 members
- Tenure of all committee membership ceases at an Ordinary Election

The President and CEO have particular rights under S5.10 in relation to Council committees:

(4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*

(5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*
(a) to be a member of the committee; or
(b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

The proposed process for the election for these positions is that Council and individual members agree by consensus, and that all appointments are moved as a single resolution at the end of discussion of this item.

Policy Implications:
Nil

Financial Implications:
Nil

Strategic Implications:
Nil

Consultation:
Nil

Comment:

STANDING COMMITTEES

Finance Committee.
The only standing committee of Council is the Finance Committee:
Previous members were;
  Cr C King
  Cr J Hirsch
  Cr R Desmond
  Cr C Johnston

Officer Recommendation:
That Council appoint the CEO, Deputy CEO, Senior Finance Officer and the following four elected member to the Finance Committee:
  Cr _______________
  Cr _______________
  Cr _______________
  Cr _______________
The following are appointed as Deputy members in order of seniority.
  Cr _______________
  Cr _______________
OCCASIONAL COMMITTEES

Plant & Works Committee
Previous members were CEO, Works Supervisor, Plant Mechanic,

Cr L Butler
Cr G Reid
Cr J Cunningham
Cr R Desmond

Officer Recommendation:
That Council appoint the CEO, Works Supervisor, Plant Mechanic and the following four elected member to the Plant & Works Committee:

Cr _______________
Cr _______________
Cr _______________
Cr _______________

The following are appointed as Deputy members in order of seniority.

Cr _______________
Cr _______________
Deputy CEO

Health, Building & Planning Committee
Previous members were Manager Community Services,

Cr R Benton
Cr G Reid
Cr R Desmond
Cr J Cunningham

Officer Recommendation:
That Council appoint CEO, the Environmental Health & Building Officer and the following four elected member to the Health Building & Planning Committee:

Cr _______________
Cr _______________
Cr _______________
Cr _______________
Cr _______________
The following are appointed as Deputy members in order of seniority.
- Cr _______________
- Cr _______________
- Deputy CEO

Audit Committee

Previous members were:
- Cr J Hirsch
- Cr L Butler
- Cr R Desmond

Staff members, including the CEO, are not permitted to be members of the Audit Committee. It is also recommended, but not mandatory, that the President NOT be on the Audit Committee.

**Officer Recommendation:**

That Council appoint the following four elected members to the Audit Committee:
- Cr _______________
- Cr _______________
- Cr _______________
- Cr _______________

The following are appointed as Deputy members in order of seniority.
- Cr _______________
- Cr _______________

Economic Development Committee

The Economic Development Committee has not met in recent times and Council may determine to no longer maintain this committee.

**REGIONAL COUNCILS OF WHICH THE SHIRE OF PERENJORI IS A MEMBER**

**Midwest Regional Council**

Previous delegate was Cr King, and deputy delegate was Cr Butler. It has been usual practice for delegates to the MWRC to be the President and Deputy President.
Officer Recommendation:
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Wildflower Country Regional Council.
Cr C King (Delegate)
Cr L Butler (Deputy Delegate)

Yarra Yarra Catchment Regional Council

Previous delegate was Cr Butler., and Deputy Delegate was Cr Reid

Officer Recommendation:
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Yarra Yarra Catchment Regional Council.
Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

COUNCIL DELEGATES TO EXTERNAL COMMITTEES

Northern Zone

The Northern Country Zone of WALGA is the representative structure for the association. Member Councils are Carnamah, Chapman Valley, Coorow, Geraldton Greenough, Irwin, Mingenew, Morawa, Mullewa, Northampton, Perenjori and Three Springs. Cr King and Cr Butler were previous Delegates with Cr Hirsch as Deputy delegate.

Officer Recommendation:
That Council appoint the following three elected members as Delegate and Deputy Delegate respectively to the external Northern Zone Committee.
Cr ___________________ (Delegate)
Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)
Yarra Yarra Catchment Management Group

This group manages NRM issues for the Yarra Yarra Catchment. Role may eventually be taken over entirely by the Regional Council. Previous delegate was Cr Butler, and deputy delegate was Cr King.

**Officer Recommendation:**

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Yarra Yarra Catchment Management Group.

Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

Moore Catchment Council

This group manages NRM issues for the Moore River Catchment. Ideally delegate should have some association with the Moore catchment, which covers the south west of the Shire of Perenjori. Prior to 2007 the delegate was the CEO, but the CEO did not have sufficient time for this task. Council resolved that the CEO seek the Moore Catchment Council’s assistance in sourcing a representative for Council. This approach was unsuccessful and no delegate has been representing the Shire.

**Officer Recommendation:**

That Council seek a volunteer from the South West of the Shire to take on this task.

*Mr Peter Waterhouse has been nominated as the Shire’s delegate and this appointment was reaffirmed recently.*

North Midlands Sub-regional Road Group

This group helps develop regional roads policy and oversees the distribution of State road funds to priority local roads within the region. Previous delegate was Cr Reid, with Cr Butler as Deputy.

**Officer Recommendation:**

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the North Midlands sub-Regional Road Group.

Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)
Northern Barrier Fence Committee

The Northern Barrier fence runs from Kalbarri to Ravensthorpe and is an integral strategy to protect the South West Land division from the influx of vermin ie emus, kangaroos, goats and dogs especially in times of drought when these animals move into farm areas in search of water and food. This group meets twice per year and previous delegate was Cr Cunningham and Cr Butler as Deputy.

**Officer Recommendation:**

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Northern Barrier Fence Committee.

Cr ___________________  (Delegate)
Cr ___________________  (Deputy Delegate)

COUNCIL DELEGATES TO COMMUNITY COMMITTEES

The committees below do not meet the requirements to be committees of Council constituted under the Local Government Act. They are however important forums on which Council should be represented.

Tourism Committees

The Perenjori Tourist Bureau and Museum Committee meets twice per year, and the regional Wildflower Country Tourism Committee meets several times per year. Cr Desmond is Council’s Delegate and the CEO also attends these meetings when available.

**Officer Recommendation:**

That Council appoint the CEO and the following elected members as Delegates to the external tourism committees.

Cr ___________________  (Delegate)
CEO  (Delegate)

Home and Community Care (HACC) Committee

The HACC Committee was formed to oversee the delivery of services to the aged and people with disabilities through the HACC program. This service has been subsumed by the Morawa Perenjori Multi Purpose Service (MPS) operated from Morawa Hospital. The committee continues to meet as an advisory and advocacy service with Cr Johnston as Delegate and Cr Benton as Deputy Delegate.

**Officer Recommendation:**

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external HACC Committee.

Cr ___________________  (Delegate)
Cr ___________________  (Deputy Delegate)
Perenjori School Bus Committee

This committee is to facilitate the collection of school children from throughout the Shire and for the Committee to make recommendation to the Department of Transport for the provision of an appropriate School Children Bus Service. Previous appointments were Cr Butler (Delegate) and Cr Desmond (Deputy Delegate).

Officer Recommendation:

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external Perenjori School Bus Committee.

Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

Latham School Bus Committee

This committee is to facilitate the collection of school children from throughout the Shire and for the Committee to make recommendation to the Department of Transport for the provision of an appropriate School Children Bus Service. Previous appointments were Cr G Reid (Delegate) and Cr Benton (Deputy Delegate).

Officer Recommendation:

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external Latham School Bus Committee.

Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

Perenjori Townscape Committee

This committee is to overview and make recommendation to Council on the appeal of the Main Street and street infrastructure of the township of Perenjori. Previous appointments were CEO (Delegate), Cr Hirsch (Delegate) and Cr Despond (Delegate).

Officer Recommendation:

That Council appoint the CEO and the following two elected members as Delegate and Deputy Delegate respectively to the Perenjori Townscape Committee.

CEO (Delegate)
Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)
Perenjori Road Wise Committee

This committee works with the community, the school, the police and mining company representatives to develop plans and strategies to support road safety. This to overview and make recommendation to Council on the appeal of the Main

Officer Recommendation:

That Council appoint the CEO and the following two elected members as Delegate and Deputy Delegate respectively to the Perenjori Road Wise Committee.

CEO (Delegate)
Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

Perenjori Centenary Committee

This committee has been formed to plan for the centenary celebrations in 2012. The committee is chaired by Mrs Julie King, but would benefit from Council representation.

Officer Recommendation:

That Council appoint the CEO and the following two elected members as Delegate and Deputy Delegate respectively to the Perenjori Centenary Committee.

CEO (Delegate)
Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

APPOINTMENTS UNDER THE BUSH FIRES ACT 1954

Chief Bush Fire Control Officer (CBFCO) and Deputy CBFCO

Section 38 (1) of the Bush Fires Act 1954 states as follows

A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

These roles are very responsible positions and carry significant powers under the Act. Generally appointees should have completed the Fire Control Officers course and have a keen interest in the role. These
positions are not required to be elected members or officers and can be volunteers.

If elected members are not interested in taking up these roles the CEO can discuss the positions with volunteers and bring recommendations to a future meeting.

**Officer Recommendation:**

That Council appoint the following persons as CBFCO and Deputy CBFCO respectively.

Mr Rick Ryan – Community Emergency Services Manager (CBFCO)

Mr John Bensdorp (Deputy CBFCO)

**Fire Weather Officer**

*Section 38 (1) of the Bush Fires Act 1954* states as follows

(c) An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.

(h) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is “extreme” or “very high”, and upon the authority being given the person, if he has otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.

(i) This subsection does not authorise the burning of bush during the prohibited burning times or within the defined area during a bush fire emergency period.

Similar to the CBFCO a person appointed to this role should have a good understanding of the role of FCO and fire behaviour in this district.

If elected members are not interested in taking up these roles the CEO can discuss the positions with volunteers and bring recommendations to a future meeting.

**Officer Recommendation:**

That Council appoint the following persons as Fire Weather Officer and Deputy Fire Weather Officer respectively.

Mr Rick Ryan – Community Emergency Services Manager (Fire Weather Officer)

Mr John Bensdorp (Deputy Fire Weather Officer)

**Voting Requirements:**

Absolute Majority for Committee Membership, Simple Majority otherwise.
Officers Recommendation:
Council endorses the election of nominees and representatives as detailed above.

COUNCIL RESOLUTION
Moved: Cr GK Reid  
Seconded: Cr LC Butler
Council endorses the election of nominees and representatives as detailed below.

Finance Committee
That Council appoint the CEO, Deputy CEO, Senior Finance Officer and the following four elected member to the Finance Committee:
Cr King
Cr Hirsch
Cr Desmond
Cr Smith
The following are appointed as Deputy members in order of seniority.
Cr Wass
Cr Butler

Plant and Works Committee
That Council appoint the CEO, Works Supervisor, Plant Mechanic and the following four elected member to the Plant & Works Committee:
Cr Reid
Cr Cunningham
Cr Butler
Cr Desmond
The following are appointed as Deputy members in order of seniority.
Cr Wass
Deputy CEO
Health Building and Planning Committee

That Council appoint CEO, the Environmental Health & Building Officer and the following four elected member to the Health Building & Planning Committee:

Cr Benton
Cr Reid
Cr Wass
Cr Smith

The following are appointed as Deputy members in order of seniority.

Cr Desmond
Cr Hirsch

Deputy CEO

Audit Committee

That Council appoint the following four elected member to the Audit Committee:

Cr Butler
Cr Hirsch
Cr Wass
Cr Desmond

The following are appointed as Deputy members in order of seniority.

Cr Cunningham
Cr Smith

Midwest Regional Council

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Wildflower Country Regional Council.

Cr C King (Delegate)
Cr L Butler (Deputy Delegate)

Yarra Yarra Catchment Regional Council

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Yarra Yarra Catchment Regional Council.

Cr Butler (Delegate)
Cr Reid (Deputy Delegate)
Northern Zone
That Council appoint the following three elected members as Delegate and Deputy Delegate respectively to the external Northern Zone Committee.
Cr King (Delegate)
Cr Butler (Delegate)
Cr Hirsch (Deputy Delegate)

Yarra Yarra Catchment Management Group
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Yarra Yarra Catchment Management Group.
Cr Butler (Delegate)
Cr Wass (Deputy Delegate)

Moore Catchment Council
Mr Peter Waterhouse has been nominated as the Shire’s delegate and this appointment was reaffirmed recently.

North Midland Sub-regional Road Group
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the North Midlands sub-Regional Road Group.
Cr Reid (Delegate)
Cr Butler (Deputy Delegate)

Northern Barrier Fence Committee
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Northern Barrier Fence Committee.
Cr Cunningham (Delegate)
Cr Wass (Deputy Delegate)

Tourism Committees
That Council appoint the CEO and the following elected members as Delegates to the external tourism committees.
Cr Smith (Delegate)
CEO (Delegate)
1.57pm Cr Hirsch left the chambers

Home and Community Care (HACC) Committee
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external HACC Committee.
Cr Butler (Delegate)
Cr Benton (Deputy Delegate)

Perenjori School Bus Committee
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external Perenjori School Bus Committee.
Cr Butler (Delegate)
Cr Desmond (Deputy Delegate)

Latham School Bus Committee
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external Latham School Bus Committee.
Cr Reid (Delegate)
Cr Benton (Deputy Delegate)

1.59pm Cr Hirsch returned to the Chambers

Perenjori Townscape Committee
That Council appoint the CEO and the following two elected members as Delegate and Deputy Delegate respectively to the Perenjori Townscape Committee.
CEO (Delegate)
Cr Smith (Delegate)
Cr Desmond (Deputy Delegate)

Perenjori Road Wise Committee
That Council appoint the CEO and the following two elected members as Delegate and Deputy Delegate respectively to the Perenjori Road Wise Committee.
CEO (Delegate)
Cr King (Delegate)
Cr Cunningham (Deputy Delegate)
Perenjori Centenary Committee

That Council appoint the CEO and the following two elected members as Delegate and Deputy Delegate respectively to the Perenjori Centenary Committee.

CEO (Delegate)
Cr King (Delegate)
Cr Butler (Deputy Delegate)

Chief bush Fire Control Officer (CBFCO) and Deputy CBFCO

That Council appoint the following persons as CBFCO and Deputy CBFCO respectively.

Mr Rick Ryan – Community Emergency Services Manager (CBFCO)
Mr John Bensdorp (Deputy CBFCO)

Fire Weather Officer

That Council appoint the following persons as Fire Weather Officer and Deputy Fire Weather Officer respectively.

Mr Rick Ryan – Community Emergency Services Manager (Fire Weather Officer)
Mr John Bensdorp (Deputy Fire Weather Officer)
Mr Peter Waterhouse (Deputy Fire Weather Officer for the southern half of the Shire) – subject to the agreement of Mr Waterhouse

Carried: 8/0
Cr Chris King, Cr Lisa Smith and Cr Rodney Desmond declared an interest in item 11105.3 Proposed Changes to Environmental Conditions – Karara iron Ore Projects

Moved: Cr H Wass
Seconded: Cr J Hirsch

That Cr King, Cr Smith and Cr Desmond be allowed to stay in the chambers but are not to vote.

Carried: 5/0

Cr Laurie Butler took the position of Chair.

11105.3 PROPOSED CHANGES TO ENVIRONMENTAL CONDITIONS – KARARA IRON ORE PROJECTS

| APPLICANT: | EPA |
| FILE: | 0 |
| DISCLOSURE OF INTEREST: | 0 |
| AUTHOR: | STAN SCOTT – CEO |
| RESPONSIBLE OFFICER | STAN SCOTT – CEO |
| REPORT DATE: | 10 OCTOBER 2011 |
| ATTACHMENTS | EPA LETTER |

Executive Summary:

Karara Mining has requested the removal of one of the conditions included in the Ministerial statements issued when their Magnetite and Haematite projects were approved.

Applicants Submission:

The EPA has advised that it will consult with decision making authorities in considering the requested change. The EPA would like the Shire to advise whether it wishes to be consulted on this decision.

The Ministerial Statement is relation to each of the Karara Magnetite Project, and the Mungada Haematite Project (collectively the Karara Iron Ore Project) included the following condition:

**7 Groundwater dependant vegetation**

7-1 The proponent shall ensure that groundwater abstraction does not adversely affect the groundwater regime which supports vegetation on the gilgai formation.

7-2 The proponent shall develop groundwater trigger levels for management and contingency actions prior to implementation of the proposal.

7-3 The proponent shall monitor groundwater levels within and near to the gilgai formation against the groundwater trigger levels referred to in condition
7-2 and implement management and contingency actions in the event that groundwater trigger levels are met. This monitoring is to be carried out to the satisfaction of the CEO.

7-4 The proponent shall monitor the health and condition of vegetation in the gilgai formation to demonstrate the requirements of condition 7-1 are being met. This monitoring is to be carried out to the satisfaction of the CEO.

7-5 In the event that the requirements of condition 7-1 are not being met or are not likely to be met, the proponent shall immediately provide and implement proposed management measures to the satisfaction of the CEO.

Karara is arguing that the formation in question is not in fact a gilgai formation, the vegetation in question is not groundwater dependent and therefore the condition is irrelevant and should be deleted.

Background:
The Shire of Perenjori made substantial submissions to the Public Environment Review that resulted in the Ministerial Statements that are the subject of Karara’s request.

The EPA will make a recommendation to the Minister, who will consult with Decision Making Authorities. It is not clear whether the shire would be one of the agencies consulted in this instance.

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.

The Environmental Protection Act 1986 guides the operations of the EPA.

Policy Implications:
Nil

Financial Implications:
Nil

Strategic Implications:
The Shire’s continued role as the community’s representative remains important.

Consultation:
The Minster will consult with other agencies when the EPA’s report is completed.

Comment:
The nature of the formation and hence the ground water dependence of the vegetation is a matter of scientific fact and the Shire has little to contribute to that determination.

The matter for consideration at this point is whether the Shire wishes to be one of the decision making authorities consulted by the Minister.

Voting Requirements:
Simple Majority
Officers Recommendation:
That the CEO advise the EPA that the Shire of Perenjori would prefer to remain as one of the agencies consulted as part of the Ministerial consultation process for this proposal.

COUNCIL RESOLUTION
Moved: Cr GK Reid  
Seconded: JH Hirsch
That the CEO advise the EPA that the Shire of Perenjori would prefer to remain as one of the agencies consulted as part of the Ministerial consultation process for this proposal.
Carried: 5/0

Cr Chris King resumed the position of Chair
Dear Sir/Madam

PROPOSAL: Karara and Mungada Iron Ore Projects - S46 request to remove Condition 7

PROPOsENT: Karara Mining Ltd

MINISTERIAL STATEMENT NOS: 805 and 806

The Minister for Environment has requested that the Environmental Protection Authority (EPA) inquires into and reports on the implementation conditions relating to the above proposal under the provisions of section 46 of the Environmental Protection Act 1986 (EP Act).

The EPA will report to the Minister on the proposed changes to the implementation conditions. A copy of the EPA’s report will be sent to you when released. The Minister will consult decision-making authorities on the proposed changes before making a final decision.

The Assessment Officer for this proposal is Amy Oud whose direct telephone number is 6467 5423. Should you wish to seek further information, please contact the Assessment Officer in the first instance.

Yours faithfully

Anthony Sutton
Director
Assessment and Compliance Division

3 October 2011
11105.4 ADVICE OF WITHDRAWAL OF PARTICIPANTS

APPLICANT: YARRA YARRA CATCHMENT REGIONAL COUNCIL
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER STAN SCOTT – CEO
REPORT DATE: 10 OCTOBER 2011
ATTACHMENTS YYCRC LETTER

Executive Summary:
Three of the six participants in the Yarra Yarra Catchment Regional Council have withdrawn.

Applicants Submission:
Three of the six participants in the Yarra Yarra Catchment Regional Council have withdrawn. The Shires that will no longer participate are the Shires of Koorda, Dalwallinu and Wongan Ballidu.

The Shires that remain in the YYCRC are Perenjori, Morawa and Three Springs. The total contributions for 2011/12 will be $24,000. This is divided between the Shires based on the proportion of the catchment within Shire Boundaries. Perenjori’s share is $10,968 or 45.7%.

The YYCRC has reviewed its operations to reduce costs. Despite a smaller number of councils our contribution is less than last year.

The Council of the YYCRC is seeking views from the remaining members on what requirements would be required for these Councils to re-join at some stage in the future.

Background:
The MWRC has recently readmitted two member Councils after they had formally withdrawn.

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

Policy Implications:
Nil

Financial Implications:
The remaining Councils will bear the cost of maintaining the YYCRC, but if the funding landscape improves other councils could seek to join. This is despite not having borne the cost of maintaining the organisation during lean times.
Strategic Implications:
The imperative for having a regional council to maintain drainage and NRM infrastructure remains despite the current lack of state and federal funding support.

Consultation:
Cr Butler is chair of the YYCRC and will have some insight into the views of other members.

Comment:
There needs to be some contribution by returning members to the costs of the organisation, but they should not be so high so as to be prohibitive. Ultimately having all councils in the catchment represented would be the preferred outcome.

While the officer recommendation suggests that the YYCRC prepares a preferred model, matters of membership will ultimately revert to the members rather than the YYCRC.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council:
1. Notes the withdrawal of some members of the YYCRC;
2. Reiterates its ongoing support for the YYCRC;
3. Supports the application of a re-entry fee for Councils wishing to re-join the YYCRC, and
4. Requests that the YYCRC prepares a preferred model for endorsement.

COUNCIL RESOLUTION
Moved: Cr LC Butler Seconded: Cr JR Cunningham
That Council:
1. Notes the withdrawal of some members of the YYCRC;
2. Reiterates its ongoing support for the YYCRC;
3. Supports the application of a re-entry fee for Councils wishing to re-join the YYCRC, and
4. Requests that the YYCRC prepares a preferred model for endorsement.
Carried: 8/0
YARRA YARRA CATCHMENT REGIONAL COUNCIL

Chief Executive Officer
Shire of Perenjori
PO Box 22
PERENJORI WA 6620

Dear Stan,

The Council of the Yarra Yarra Catchment Regional Council formally advise that as at the 1st July 2011 the Shires of Dalwallinu, Koorda and Wongan-Ballidu are no longer participating members within the YYCRC, having complied with Section 9 (Withdrawal of a Participant) of the Establishment Agreement. As the Shires of Morawa, Perenjori and Three Springs have indicated their desire to see the Regional Council continue in the interests of providing a creditable regional organisation representing the area in NRM, the costs to maintain the operations as a Regional Council now rest with the remaining participants. These costs have been reduced to a total of $24,000.00 as local government contribution and the distribution has been calculated as follows utilising the percentage of landholding within the Yarra Yarra catchment basin excluding the exiting participants:-

<table>
<thead>
<tr>
<th>Shire</th>
<th>Percentage</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three Springs</td>
<td>14%</td>
<td>$3,360.00</td>
</tr>
<tr>
<td>Morawa</td>
<td>40.3%</td>
<td>$9,672.00</td>
</tr>
<tr>
<td>Perenjori</td>
<td>45.7%</td>
<td>$10,968.00</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$24,000.00</td>
</tr>
</tbody>
</table>

The YYCRC is the premium NRM organisation in the Yarra Yarra basin and it is anticipated as the Caring for Our Country federal program matures, greater recognition will occur in relation to “engineering solutions” to combat the spread of dryland salinity as opposed to the “passive” programs of isolating saline areas currently espoused. The YYCRC is in an ideal position as a regional body to embrace that change in ideology and reap the rewards of increased grants as they become available.

The Council of YYCRC recognises that there may be future approaches from previous Participants and possibly other local governments to join the Regional Council to gain access to revised “engineering” grant possibilities for their respective local governments. If that occurs Council is seeking the requirements/qualification by the remaining Participants for entry to the Regional Council by applicants in the future. This could take the form of an entry fee or other qualification as demanded by the Regional body but certainly Council considers it shouldn’t be as a matter of course. The Establishment Agreement is silent on such a situation. It would be appreciated if your Council could give consideration to the question posed and respond to the above.

Yours sincerely,

BR Thompson
Chief Executive Officer
14th September 2011
11105.5 PROGRESS ON TENNIS, NETBALL AND BOWLING PROJECTS

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 11 October 2011
ATTACHMENTS Letter to RDL re CLGF
Letter from RDL re CLGF

Executive Summary:
The CEO has obtained permission from the Department of Regional Development and Lands to move projects between funding years to allows the Tennis Netball and Bowling Green projects to proceed immediately.

Applicants Submission:
As council is aware some work had commenced on the tennis courts but work could not proceed as some of the funding was to come from the 2011/12 round of Country Local Government Fund. The guidelines for this year’s CLGF will be very much simpler but have not yet been finalised.

The 10/11 funding round for CLGF was distributed in May 2011. One of the projects included in that allocation was the business incubator – that is – redevelopment of the park up shed in the old depot.

The department has agreed to defer the business incubator project to 2011/12 and bring forward the sports projects to 2010/11. This will allow us to proceed immediately to complete these projects.

Background:
The upgrades to the tennis, netball and bowling green surfaces were not originally included in the 2010/11 round of CLGF as they were reliant on funds from the Community Sport and Recreation Facilities Fund that only became available on 1 July 2011.

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

Policy Implications:
Nil

Financial Implications:
There is no financial impact – the only change is in the timing of expenditure on individual projects.
Strategic Implications:
Nil

Consultation:
There has been regular discussion with the sporting clubs about the progress of their projects.

Comment:
The Business Incubator Project is not shovel ready and would not be able to commence until later this year. The Sports Projects on the other hand can be progressed immediately.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council note the change in project allocations for Country Local Government Fund between 2010/11 and 2011/12.

COUNCIL RESOLUTION
Moved: Cr JH Hirsch  Seconded: Cr LC Butler
That Council note the change in project allocations for Country Local Government Fund between 2010/11 and 2011/12
Carried: 8/0
29 September 2011

Department for Regional Development & Lands
Reporting and Evaluation
PO Box 1143,
WEST PERTH WA 6872

Attention: Lisa Cinanni

Dear Lisa

Request to change CLGF Allocations to individual projects

The Financial Assistance Agreement for the Shire of Perenjori for the Country Local Government Fund for 2010/11 includes the following projects:

<table>
<thead>
<tr>
<th>Project</th>
<th>CLGF</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Housing</td>
<td>$232,000</td>
<td>$318,000</td>
<td>$550,000</td>
</tr>
<tr>
<td>Business Incubator</td>
<td>$150,000</td>
<td></td>
<td>$150,000</td>
</tr>
<tr>
<td>Caravan Park Ablutions</td>
<td>$47,749</td>
<td>$102,251</td>
<td>$150,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$429,749</td>
<td>$420,251</td>
<td>$850,000</td>
</tr>
</tbody>
</table>

Proposed Projects for 2011/12 under CLGF are as follows:

<table>
<thead>
<tr>
<th>Project</th>
<th>CLGF</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perenjori Tennis Netball Courts</td>
<td>$70,000</td>
<td>$132,000</td>
<td>$302,000</td>
</tr>
<tr>
<td>Perenjori Bowling Green</td>
<td>$80,000</td>
<td>$120,000</td>
<td>$200,000</td>
</tr>
<tr>
<td>Latham Sports Club</td>
<td>$100,000</td>
<td></td>
<td>$100,000</td>
</tr>
<tr>
<td>Early Childhood development Centre</td>
<td>$105,000</td>
<td>$1,895,000</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Regional Trails Plan</td>
<td>$22,771</td>
<td>$73,239</td>
<td>$96,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$377,771</td>
<td>$2,220,239</td>
<td>$2,698,000</td>
</tr>
</tbody>
</table>
Council is very keen to get work completed on the sporting facility upgrades as soon as possible. The projects are partly funded by the Community Sport and Recreation Facility Fund, and that funding is available now. If we can move quickly the facilities will be available for this summer's sports season.

On the other hand the business incubators project is still under development and it is likely to be some months before we have a completed design for stage 1. The architect who was working on the project retired recently due to poor health which has caused some delays.

As a result I am proposing that the Financial Assistance Agreement for 2010-11 be modified as follows:

- That the Business Incubator Project be removed; and
- The following projects be included instead.

<table>
<thead>
<tr>
<th>Project</th>
<th>CLGF</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perenjori Tennis Nethall Courts</td>
<td>$70,000</td>
<td>$132,000</td>
<td>$202,000</td>
</tr>
<tr>
<td>Perenjori Bowling Green</td>
<td>$80,000</td>
<td>$120,000</td>
<td>$200,000</td>
</tr>
</tbody>
</table>

It is anticipated that the Business Incubator would form part of the 2011-12 allocation.

I have also attached a copy of Council's revised Forward capital Works Plan adopted by Council at its August Ordinary Meeting.

Your early advice would be appreciated. Please do not hesitate to contact me if you wish to clarify any of the foregoing.

Yours faithfully

Stan Scott
Chief Executive Officer
Dear Mr Scott

ROYALTIES FOR REGIONS – 2010-2011 COUNTRY LOCAL GOVERNMENT FUND FINANCIAL ASSISTANCE AGREEMENT VARIATION REQUEST, SHIRE OF PERENJORI


After review, the Department of Regional Development and Lands (RDL) approves the reallocation of the Shire’s 2010-11 Business Incubator project to 2011-12 and the reallocation of the Shire’s 2011-12 Perenjori Tennis Netball Courts and Perenjori Bowling Club projects to 2010-11.

The Shire’s final 2010-11 CLGF allocation of $429,749 will now be expended as follows:

<table>
<thead>
<tr>
<th>Project</th>
<th>Variation</th>
<th>Opening Allocation</th>
<th>Closing Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Housing</td>
<td>No change</td>
<td>$232,000</td>
<td>$232,000</td>
</tr>
<tr>
<td>Business Incubator</td>
<td>Deleted project</td>
<td>$150,000</td>
<td>$0</td>
</tr>
<tr>
<td>Caravan Ablutions</td>
<td>No change</td>
<td>$47,749</td>
<td>$47,749</td>
</tr>
<tr>
<td>Perenjori Tennis Netball Courts</td>
<td>New Project</td>
<td>$0</td>
<td>$70,000</td>
</tr>
<tr>
<td>Perenjori Bowling Green</td>
<td>New Project</td>
<td>$0</td>
<td>$80,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$429,749</strong></td>
<td><strong>$429,749</strong></td>
</tr>
</tbody>
</table>
The Shires 2011-12 CLGF allocation of $377,771 is intended to be expended as follows:

<table>
<thead>
<tr>
<th>Project</th>
<th>Variation</th>
<th>Opening Allocation</th>
<th>Closing Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latham Sports Club</td>
<td>No change</td>
<td>$100,000</td>
<td>$100,000</td>
</tr>
<tr>
<td>Early Childhood Development Centre</td>
<td>No change</td>
<td>$105,000</td>
<td>$105,000</td>
</tr>
<tr>
<td>Regional Trails Plan</td>
<td>No change</td>
<td>$22,771</td>
<td>$22,771</td>
</tr>
<tr>
<td>Perenjori Tennis Netball Courts</td>
<td>Deleted project</td>
<td>$70,000</td>
<td>0</td>
</tr>
<tr>
<td>Perenjori Bowling Green</td>
<td>Deleted project</td>
<td>$80,000</td>
<td>$0</td>
</tr>
<tr>
<td>Business Incubator</td>
<td>New project</td>
<td>$0</td>
<td>$150,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$377,771</strong></td>
<td><strong>$377,771</strong></td>
</tr>
</tbody>
</table>

RDL will attach the Shire’s variation request to the original FAA. Can the Shire please ensure the variation request is also attached to its FAA, for the Shire’s records.

For further enquiries relating to the above please contact Ms Lisa Cinanni on 6552 4484 or Freecall 1800 735 784 or email clgf@rdl.wa.gov.au.

Yours sincerely

[Signature]

Linda Leonard
MANAGER, REPORTING AND EVALUATION

October 2011
1105.6 REVIEW OF COUNTRY LOCAL GOVERNMENT FUND

APPLICANT: WA REGIONAL DEVELOPMENT TRUST

FILE: 0

DISCLOSURE OF INTEREST: 0

AUTHOR: STAN SCOTT – CEO

RESPONSIBLE OFFICER: STAN SCOTT – CEO

REPORT DATE: 13 OCTOBER 2011

ATTACHMENTS
Issues paper – CLGF Review
Draft Response

Executive Summary:
The Regional Development Trust has been charged with conducting a review of the Country Local Government Fund. WALGA is preparing a submission to the review and is also seeking feedback from Councils.

Applicants Submission:
Andrew Murray, Chair of the WA Regional Development Trust wrote to Local Governments in the following terms:

The Minister for Regional Development; Lands has referred a review of the Country Local Government Fund (CLGF) to the Western Australian Regional Development Trust (Trust) pursuant to section 12(b) of the Royalties for Regions Act 2009 (Act).

The Trust is an independent statutory body established under the Act that provides advice and recommendations on the allocation and management of funds from the Fund.

The CLGF is in its fourth year of operation and the Trust will conduct an independent, evidence-based review.

The CLGF is one of three subsidiary accounts of the Royalties for Regions Fund (Fund) established under the Act. The CLGF was originally a four-year budget program. Section 5(1)(a) of the Act went beyond this timeframe, as it gave the CLGF permanence by entrenching it as a subsidiary account of the Fund.

The Trust’s own consultation over the past year has led it to believe that overall to date, the CLGF expenditure has been welcomed and valued by regional local government and regional communities, and that there has been a need for an individual local government component to the Fund, for small community grants, and for sub-regional pooled grants.

There has been debate and commentary on the CLGF policy and performance to date, including matters of quantum, design, process, governance, allocation, timelines and execution.
The purpose of the Review is to determine whether there is a continuing need for the CLGF, and if so, in what form, with what budget parameters, and with what purpose.

In undertaking this Review, the Trust will seek the views of and consult with relevant stakeholders. Submissions are particularly sought from those with a direct interest in the CLGF, but written submissions are welcome from any source.

Submissions are due by 31 October 2011, and consultation will occur thereafter. The Review report will be presented to the Minister by the end of January 2012.

I encourage you to take the time to make a submission to the Review. Your views and experiences will be important to the Trust in forming its conclusions.

Background:

The Terms of Reference for the review are as follows:

“Overall, whether there is a continuing need for the CLGF, and if so, in what form, with what budget parameters, and with what purpose.

1. The extent to which the stated aims of the CLGF are being met, in particular, have the objectives of the CLGF been materially achieved:
   - how the CLGF is addressing local governments’ infrastructure backlogs and enhancing local governments’ capacity building
   - how the financial sustainability of country local governments is being improved through improved asset management
   - the effectiveness of funds directed to voluntary amalgamation
   - how CLGF is assisting groups of country local governments to fund larger scale infrastructure projects
   - the effect or impact of funds allocated under the CLGF

2. Whether country local government or the Department of Regional Development and Lands has experienced difficulties in applications and approvals, executing, acquitting, reporting, or managing projects under the CLGF.

3. The efficacy of the current formula in allocating funds to individual and groups of local governments, including whether this approach should be retained reformed or replaced

4. The appropriate proportional allocation of funding between individual, group and regional components over time

5. The scope of initiatives that should be funded and in particular, whether the existing focus on infrastructure and capacity building should be retained, narrowed, broadened or otherwise changed

6. Matters that would improve the efficiency and effectiveness of the Fund’s implementation including the existing processes for forward capital works development, and business plan development.

7. Any other relevant matters.
Statutory Environment:
The CLGF is one of three subsidiary accounts of the Royalties for Regions Fund (Fund) established under the Royalties for Regions Act 2009. The CLGF was originally a four-year budget program. Section 5(1)(a) of the Act went beyond this timeframe, as it gave the CLGF permanence by entrenching it as a subsidiary account of the Fund.

Policy Implications:
Nil

Financial Implications:
Perenjori’s annual allocation is almost $378,000 in local component and a further $378,000 contribution to the Regional Component

Strategic Implications:
CLGF has been a substantial contribution to the asset renewal task faced by Local Government, and we need to encourage the government’s ongoing commitment to it.

Consultation:
Nil

Comment:
A draft response to the RDC is attached.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council endorse the draft response to the review of the Country Local Government Fund.

COUNCIL RESOLUTION
Moved: Cr GK Reid  Seconded: Cr RP Desmond
That Council endorse the draft response to the review of the Country Local Government Fund.

Carried: 8/0
11105.7 REVIEW OF WATER ALLOCATION PROCESSES

| APPLICANT: | DEPARTMENT OF WATER / WALGA |
| FILE:      | 0                             |
| DISCLOSURE OF INTEREST: | 0 |
| AUTHOR:    | STAN SCOTT – CEO |
| RESPONSIBLE OFFICER | STAN SCOTT – CEO |
| REPORT DATE: | 11 OCTOBER 2011 |
| ATTACHMENTS | WALGA INFOPAGE |

**Executive Summary:**

The State Government is reviewing the allocation process for water and is seeking to modify the present first come first served process for water allocation.

**Applicants Submission:**

Detailed below is the summary from the Discussion Paper.

*The Minister for Water requested the Department of Water to review its policies for managing and allocating entitlements to unallocated water. In particular, the review was to focus on how the department prioritises access to water entitlements.*

*The department currently uses a first-in first-served approach to prioritising applications (this means that applications for water entitlements are assessed in the order they are received). This approach works well in most circumstances, but may not produce the best outcomes as a water resource approaches full allocation. This is because it does not call for and evaluate multiple applications, nor does it direct water to the highest value use. There are a number of alternative means of prioritising how applications are assessed including auctions, merit selection, direct sale and random ballots.*

*A closely related issue is whether water should be reserved for specific future water uses (such as public water supply) through the water allocation planning process. This is an important mechanism if water is to be directed to certain sectors of the economy. The department is preparing a separate discussion paper on water reserving.*

*The department currently reserves water for future public water supply, to meet the state’s obligations under State Agreement Acts and to acknowledge unlicensed (legal) water use. There have also been suggestions that water should be reserved for irrigated agriculture, public open space, state development projects and future commercial use for Indigenous groups.*

*Policies on water allocation are becoming significant in Western Australia as more water resources become fully-allocated. Increased competition for these limited water resources is inevitable and policies to guide water management must be carefully designed to allow Western Australia to gain the greatest benefit possible.*
To achieve the best outcome for the community, the following principles guide our consideration of water allocation:

- **Efficient allocation of scarce resources**
  Water resources should be allocated to the highest value uses in order to maximise the benefits of their use to Western Australia.

- **Efficient use of water**
  Water resources should be used efficiently. This should be achieved by incentives and innovation rather than via regulation.

- **The process of releasing water should be fair and equitable**
  Fairness and equity are important considerations that require high levels of transparency. This principle refers to the process (i.e. all people should be treated equitably) rather than the outcome (i.e. all people would receive an equal volume of water).

- **Support the operation of a market**
  Market mechanisms are broadly accepted as the best mechanism available to efficiently distribute scarce resources.

- **Cost of implementation**
  The costs (to government and water users) for releasing water should be minimised.

  The state’s legislation requires that all applications for water entitlements be assessed to determine whether issuing a water licence is appropriate. There are a number of options to prioritise the order of assessment (that determine which applications are more likely to be approved). Each option has benefits and drawbacks.

  The first-in first-served approach is appropriate at lower levels of allocation as it is cost effective and historically has broad community acceptance. As the allocation limit is reached, the deficiencies of the FIFS approach become more significant.

  It is therefore recommended that market based allocation mechanisms are used once allocation levels exceed 70 per cent of the identified allocation limit. Auctions are the preferred mechanism as they directly address water scarcity by allowing competing water users to bid for the limited resources. This mechanism also addresses the issue of the value potential water users will place on water. It is also recognised that other mechanisms could be preferable in specific situations.

  It is important to note that any process has to be consistent with the Rights in Water and Irrigation Act 1914. Therefore, allocations can only be made to those water users who can meet the conditions of the licence allocation process. It does not allow, for example, a speculator to buy and hold water without a legitimate purpose for that water.

  The department is seeking comments on this discussion paper before 28 October 2011. The comments will be considered in the preparation and finalisation of the policy on managing unallocated water in Western Australia.

  The paper contemplates the use of a tender process when an auction is not deemed to be suitable.
Background:

The allocation to Karara of a water license for the balance of available water from the Parmelia aquifer seems to have been a significant factor in the policy review. The discussion paper notes as follows:

There are often significant community concerns as the allocation limit is reached and water entitlements are no longer freely available. These include concerns that:

• the FIFS mechanism of allocating water creates unfair and/or undesirable outcomes:
  - applications are assessed in the order received, so water may be allocated to a lower value proposal just because of the timing of application
  - there is no mechanism to:
    ▪ notify stakeholders that a water resource is approaching full allocation
    ▪ call for stakeholders to apply for the remaining water entitlements
    ▪ allow comparison and evaluation of those applications to direct water entitlements towards the highest value uses

• the local community's future has not been adequately considered
• allocating the water will result in environmental degradation
• existing water users’ entitlements will be compromised.

Such concerns are magnified where much of the water is allocated to a single entity, particularly if that entity is not local.

Statutory Environment:
The Rights in Water and Irrigation Act 1914, provides the legislation for the management and allocation of all terrestrial water resources in Western Australia.

Policy Implications:
Nil

Financial Implications:
Nil

Strategic Implications:
The FIFS policy is a significant issue for the competing interests of mining and intensive agriculture.

Consultation:
There has been significant discussion of this issue in regional forums.

Comment:
The CEO’s comments against the specific principles are set out below.

• Efficient allocation of scarce resources
Water resources should be allocated to the highest value uses in order to maximise the benefits of their use to Western Australia.

As always the issue becomes one of definition. Is it value for the State (taxation revenue), the economy (contributions to state product), jobs (and do you apply a multiplier), the environment and sustainability or the community (local as opposed to State or Regional benefits)?

There needs to be a clear set of criteria that allows proponents to make the case for the value of their proposal.

The State Government plays a substantial role in developing regional plans. When regional plans are adopted the water implications of these plans should be considered and appropriate allocations reserved for those purposes. For example if an area is identified as a future intensive horticulture zone, water should be reserved for that purpose.

• **Efficient use of water**

  Water resources should be used efficiently. This should be achieved by incentives and innovation rather than via regulation.

  Agreed. It is too easy for proponents to seek entitlements well in excess of their actual need.

• **The process of releasing water should be fair and equitable**

  Fairness and equity are important considerations that require high levels of transparency. This principle refers to the process (i.e. all people should be treated equitably) rather than the outcome (i.e. all people would receive an equal volume of water).

  Fairness can be achieved through a clear set of criteria and transparent procedures and decision making processes. Equity is more difficult as it adds value judgements that will vary from person to person.

• **Support the operation of a market**

  Market mechanisms are broadly accepted as the best mechanism available to efficiently distribute scarce resources.

  Water is a commodity and has a value. A bidding system will not always produce the best result. The mining industry has greater capacity to pay compared to other industries and through an auction system would almost always be able to bid higher than competing industries. A tender system would be preferable where it would be possible to consider qualitative as well as quantitative criteria.

• **Cost of implementation**

  The costs (to government and water users) for releasing water should be minimised.

  There should be systemic cost recovery in the system – that is funds from water allocation should cover the cost of the allocation system.

**Other Comments**

There is a suggestion in the discussion paper that the FIFS system should remain until a particular resource is 70% allocated. Unfortunately, given the very large volumes that can be required for some ventures such as magnetite mining and almond growing, the proportion of allocation can very quickly change.
When any resource is more than 50% allocated DoW should assess any reservation requirements for activities identified in State planning documents. Any further allocations should be via a public tender process.

**Voting Requirements:**
Simple Majority

**Officers Recommendation:**
That the CEO provide feedback on the water allocation system based on the comments above.

**COUNCIL RESOLUTION**

Moved: Cr RP Desmond  
Seconded: Cr JR Cunningham

That the CEO provide feedback on the water allocation system based on the comments above.

Carried: 8/0
Shire of Perenjori
Ordinary Meeting
MINUTES
20th October 2011

To: Chief Executive Officer
From: Mark Batty, Executive Manager, Environment and Waste
Organisation: All Councils
Reference: 05-906-01-0006
Subject: Water access entitlements - Review of the 'first-in-first served' Policy

Priority: Medium

IN BRIEF

Operational Area: Planning, economic development
Key Issues:
- The Department of Water is reviewing its policy on how it allocates water entitlements
- A Discussion Paper has been released for public comment
- The paper discusses a greater use of market-based instruments
- Submissions on the paper are due COB Friday 28th October 2011
Action Required: Review implications for land use planning and economic development

On Monday 19th September 2011, Water Minister Bill Marmion released for public comment a discussion paper to inform his review into the Department of Water ‘first in, first served’ policy of allocating water entitlements for consumptive use from unallocated water resources across the state.

With more groundwater and surface water areas coming closer to full allocation, and as competition for water resources increases, the ‘first-in-first-served’ policy is becoming less effective for ensuring the best value from the State’s water resources.

The review is part of the State Government water reform agenda and examines alternatives to the current policy where water is licensed and allocated up to the full volume available on a ‘first in, first served’ basis. In particular, the review focuses on what are the appropriate mechanisms for the Government in prioritising access to water.

The Department of Water has released the Discussion Paper Review of first-in-first-served policy for public comment. The paper examines how the priority order for assessing applications under the Rights in Water and Irrigation Act 1914 for unallocated water should be established, and discusses several alternatives and options to the current decision-making approach, including greater use of market-based mechanisms once allocations reach a certain percentage threshold of a consumptive pool.


To assist the Association to coordinate a sector wide response to the Department of Water, the Association would appreciate feedback on the discussion paper by COB Friday 21st October 2011. Please forward your comments to Mark Batty, Executive Manager Environment and Waste at mbatty@walga.asn.au or for discussion phone on 9213 2078.

Submissions direct to the Department of Water are due by COB Friday 28th October 2011.

For Further information please contact
Mark Batty, Executive Manager Environment and Waste
9213 2078 or mbatty@walga.asn.au

The Voice of Local Government
11105.8 CARDBOARD RECYCLING

APPLICANT: MWRC
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER: STAN SCOTT – CEO
REPORT DATE: 11 OCTOBER 2011
ATTACHMENTS: NIL

Executive Summary:
The MWRC has been successful in obtaining a grant for $120,000 for a mobile baler and recycling sheds for members councils.

Applicants Submission:
The original proposal was for a shed and baler for each shire, but the funding body (the Australian Packaging Covenant) has suggested we consider the alternative of a mobile baler.

The baler would be used to compress and bind cardboard ready for transport and recycling. The baler could also be used for PET bottles or aluminium cans.

We will need to identify a suitable location for the recycling shed.

Background:
MWRC member councils have prepared a regional Zero Waste Management Plan and cardboard recycling was one of the possibilities flagged in that plan.

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

Policy Implications:
Nil

Financial Implications:
The APC grant is for $120,000 and each member Council has budgeted $10,000 for a waste management project this year.

Strategic Implications:
Recycling is an issue that the community is passionate about and the opportunity to do some recycling will be welcome.

Consultation:
Mark Wong from the City of Greater Geraldton has provided advice and support.
Shire of Perenjori

Ordinary Meeting

MINUTES

20th October 2011

Comment:

We still have some issues to work through, and in particular whether we operate the baler or whether we make it available to a contractor. This will be a matter for the MWRC.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council notes the $120,000 grant from the Australian Packaging Covenant and agrees to participate in the project; and

That the CEO identify a suitable location for a recycling shed for consideration by Council.

COUNCIL RESOLUTION

Moved: Cr HC Wass
Seconded: Cr LJ Smith

That Council notes the $120,000 grant from the Australian Packaging Covenant and agrees to participate in the project; and

That the CEO identify a suitable location for a recycling shed for consideration by Council.

That the CEO liaise with the townscape committee to identify a suitable location for consideration.

Carried: 8/0

Amendment, "That the CEO liaise with the townscape committee to identify a suitable location for consideration" added due to council deciding that committee guidance should be sought.
11105.9 OFFICE CLOSURE – CHRISTMAS / NEW YEAR PERIOD

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: Doug Stead – D CEO

RESPONSIBLE OFFICER STAN SCOTT – CEO

REPORT DATE: 12 October 2011
ATTACHMENTS Nil

Executive Summary: Nil
Text

Applicants Submission:
It is proposed that the Shire Administration Office be closed between Christmas and New Year.

The Public Holidays fall on Sunday 25th Monday 26th and Tuesday 27th December 2011.

Background:
The Administration Office has closed over Christmas and New Year for the last 5 years. Members of the public have received sufficient notice of the closure with no negative feedback having been 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: Nil
Financial Implications: Nil
Strategic Implications: Nil
Consultation: Nil

Comment:
In order to provide adequate travelling time for staff wishing to spend Christmas Day with family it is proposed that the office be closed from 5 pm on Thursday 22nd December and re-open at 8am on Thursday 5th January 2012. The closure will again be well advertised to minimise inconvenience to residents.

Voting Requirements:
Simple Majority
Officers Recommendation:
That the Shire of Perenjori Offices be closed from 5pm on Thursday 22 December 2011 until 8am on Thursday 5th January 2012.

COUNCIL RECOMMENDATION
Moved: Cr JH Hirsch  Seconded: Cr JR Cunningham
That the Shire of Perenjori Offices be closed from 5pm on Thursday 22 December 2011 until 8am on Wednesday the 28th December.
Carried: 8/0

Amendment to opening date due to council deciding that there is a need to keep the Shire office open as much as possible over the Christmas break.
11105.10 UPCOMING CONFERENCE EVENTS

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO

RESPONSIBLE OFFICER STAN SCOTT – CEO

REPORT DATE: 13 OCTOBER 2011
ATTACHMENTS Nil

Executive Summary:
There are two conference events in November that may be of interest to Council.

Applicants Submission:
There are two conference events in November that may be of interest to Council:

LGMA WA Annual State Conference 2 – 4 November 2011 – Frematle Esplanade Hotel

This is the premium annual event for Local Government executives, but is also well supported by Elected members. Perenjori is a corporate member of LGMA WA which entitles elected members to attend at the discounted members rate.

The theme for the Annual State Conference this year is “Innovate, Inspire and Energise”

The Opening Keynote Presenter Dominic Thurbon will address conference delegates on how to create and unleash collaborative potential in your organization using simple tools.

Other key Speakers include –

• Holly Ransom – Director Level Up Leadership – How to grab the attention of the Generation of short attention spans

• Professor Tim Mazzarol – University Western Australia Business School and Director of the Centre for Entrepreneurial Management and Innovation

• Duncan Bremner – Stakeholder Relations NBN Co Limited – NBN Roll out in WA

• Robyn Moore – Multi-skilled Communicator and Owner of the ‘The Power of the Word’ – changing people’s perspective ‘The Power of the Word’

• Glen Capelli - Respected Educator and Author – ‘Think Smarter in a Crazy World’

• Brett Dowsing – Captain RAN – Discussing Professional Failures

• Dr Caroline West – Respected Media Doctor - Healthy lifestyles
• Naomi Simson – Founding Director and CEO of RedBalloon – ‘Employees are the New Customer’

Discounts are also available for groups of 4 full conference registrations or more. Please contact Viola at the LGMA office for further information.

Costs: Conference $1065, Dinner $115.

Community Power Conference – 14 – 15 November 2011 – Bendigo Victoria

The Community Power Conference: Australian Communities Taking Charge, aims to showcase how regional Australian communities:

• are developing innovative energy projects, helping to reduce local economic shocks
• can take practical action to hedge against rising energy prices.

The Centre for Sustainable Regional Communities, in its third biennial conference on renewable energy, is partnering with the Central Victoria Solar City project, part of the Australian Government’s Solar Cities program, and the City of Greater Bendigo, to deliver an exciting exploration of current energy efficiency and renewable energy strategies and actions being taken by Australian communities. This conference will show your community what it can do with regard to:

• more efficient use of energy in homes and businesses
• more effective demand management to smooth peak energy loads, and
• developing local, renewable energy generators embedded within the national distribution network.

The conference will bring together leaders in the renewable energy industry including government, industry associations and communities which have adopted sustainable strategies built on innovative, renewable energy business models. Speakers will engage with community and municipality leaders:

• Outlining and developing comprehensive strategies for local and regional energy sustainability (identifying appropriate business models, overcoming policy barriers, engaging your community, knowing your technology options);
• Showcasing examples of regional communities that have already, or are in the process of putting such strategies in place; and,
• Reviewing and developing communities’ local and regional energy sustainability policy and programs.

Costs: Conference $595, Dinner $110.

Background:
The CEO attends the LGMA State Conference each year. The Community Power Conference is relevant to our local power issues and strategies.

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

Policy Implications: Nil
Financial Implications:
Council allocates funds each year for conferences and seminars.

Strategic Implications:
Networking and professional development are important strategic investments.

Consultation:
Nil

Comment:
For a variety of reasons very few elected members attended the Local Government Convention this year. This creates the possibility of attendance at other relevant events.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council determine whether to send representatives to either of these events.

No resolution required
Executive Summary:
Council has requested that the CEO provide a report of activities that have not resulted in Agenda Items for consideration of Council.

Applicants Submission:
Detailed below are developments of possible interest to Council.

Visit to Lake Cargelligo
Lake Cargelligo is an inland community in NSW 130 km East of Griffith. It is home to a Research and Development facility seeking to commercialise solar thermal power generation using synthetic graphite as a storage medium. This is the technology that is proposed for the small scale solar thermal project on the Morawa Perenjori feeder. The tour group included the CEO and President of the Shire of Morawa, Mia Davies MLC and representatives of the project proponents and the office of Energy. The technology offers the prospect of renewable energy virtually on demand.

Meetings with Solar Power proponents
The CEO continues to maintain contact with Mid West Energy, the company that was partnering with the Shire for the solar park project. Publicity through Radio National and more recently 7.30 WA on ABC Television has raised the profile of Perenjori as a solar site. To date we have no less than 5 different solar power companies considering Perenjori’s potential for solar power generation.

ABC Television 7.30 WA
Each Friday the ABC produces a State version of its 7.30 Report. The 1 October Edition featured Perenjori as an example of a fringe of the grid community that experiences unreliable power supplies. The show also featured the possibilities for a solar power solution. The CEO, the Shire President, the Western Power regional manager and several community members were featured. The show is available on line at the link below.


Perenjori Environment Centre
The CEO and Mr Brian Baxter met with DEC in Geraldton to discuss the proposed Perenjori Environment Centre. DEC made some constructive suggestions and offered assistance with mapping. The CEO is scheduled to make a presentation to the board of the Conservation Commission in November. The WA Conservation Commission is the body in which the State’s conservation estate is formally vested.

The CEO and Shire president attended a meeting hosted by Extension Hill and Mount Gibson to discuss the formation of a Regional Environmental Association.

Main Roads WA

Work is progressing well on the Main Roads service agreement is progressing well, and Perenjori has a full time crew working on the Main Roads agreement. The CEO continues to chair the Joint Process Management Team which manages the operational aspects of the agreement. The CEO obtained permission to repair a dangerous rocky outcrop on Wubin Mullewa Road.

Regional Road Group

The Technical Working Group recommended that a proposed project on Latham Coorow Road not be funded because of the quality of the previous winding. The CEO made a submission for consideration by the full RRG and it appears the recommendation of the TWG may be overturned.

Regional Development Australia

Perenjori’s application for funding for a Solar park was unsuccessful. The CEO has requested feedback from RDA, and will resubmit in a future round if the issues can be overcome. It appears co-funding is a critical issue and could depend on applications for support from R4R.

Housing

The CEO met with the Department of Housing and will be working with them to develop a proposal for 20 houses, with a second round of 20 to follow with a Landcorp sub-division. The project is dependent on the preparation of a compelling business case. Expressions of Interest from local businesses have helped make the proposal look quite attractive.

Early Childhood Development Centre

The CEO will be accompanying representatives of the Perenjori Primary School on a tour of similar facilities at metropolitan schools next week. The Director General of Education has provided a letter of support together with a commitment to excise the necessary land from the school reserve for the purpose. A funding application is pending the Regional Development Council and through the MWDC Investment Plan. An application will be submitted for the second round of RDA funding.

Meeting with CBH

The CEO and Shire president met with representatives of CBH to discuss the future development of grain handling facilities at Perenjori including the possibility of a rapid rail loader or other similar improvements to maximise the amount of grain on rail. The proposal was predicated on in-principle support by other local governments to provide support through CLGF Regional Component.

Development of a new Workplace Agreement

The CEO has been working with staff to develop a new workplace agreement to better reflect the cash value of allowances and benefits paid by the Shire.
Background:
Council has requested that the CEO provide a report of activities that have not resulted in Agenda Items for consideration of Council.

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

Policy Implications:
Nil

Financial Implications:
Nil

Strategic Implications:
The CEO’s report helps Council to track progress against key priorities.

Consultation:
Nil

Comment:
The Shire of Perenjori has several significant projects underway, each of which will have significant lasting benefits for the Perenjori community.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council note the CEO’s report.

COUNCIL RESOLUTION
Moved: Cr LC Butler
Seconded: Cr RP Desmond
That Council note the CEO’s report.

Carried: 8/0
11106 OTHER BUSINESS

11106.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

- WALGA – Local Government News Update, Issue No 35.11, 36.11, 37.11
- WALGA Info Page – Total Fire Ban Review 2011
- WALGA Info Page – Roads with Steep Grades
- WALGA Info Page – A Caravan and camping Strategy for Western Australia
- WALGA – The Local Government State Council Agenda, October 2011
- Brookfield Rail Information
- NACC Annual Report 2010-2011
- National Awards for Local Government – 2011 Winners
- WA Food Regulation: Report on the Food Act 2008 (Food Act)
- Gazette 5th October 2011
- Gazette 27th September 2011
- Gazette 30th September 2011
- Western Australia Police Annual Report 2011
- 2011 Electoral Distribution – Western Australia’s New Electoral Boundaries
- Local Government Recognising our role

11106.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

11106.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

11106.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

11106.5 MATTERS BEHIND CLOSED DOORS
11106.6 DATE OF NEXT MEETING / MEETINGS
The next Ordinary Council Meeting will be held on the 17th November 2011

11106.7 CLOSURE

With no further business the Ordinary Council Meeting was closed by President Chris King at 3.50pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held 20th October 2011

Signed: ________________
Presiding Elected Member
Date: _________________