Shire of Perenjori

MINUTES

Ordinary Council Meeting

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

15th December 2011, commencing at 1.30pm

Table of Contents

11121 PRELIMINARIES ......................................................................................................................3
  11121.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS ..........3
  11121.2 OPENING PRAYER ........................................................................................................3
  11121.3 DISCLAIMER READING ...............................................................................................3
  11121.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE .........3
  11121.5 PUBLIC QUESTION TIME ...........................................................................................3
  11121.6 PETITIONS / DEPUTATIONS / PRESENTATIONS .....................................................3
  11121.7 NOTATIONS OF INTEREST ........................................................................................3
  11121.8 APPLICATIONS FOR LEAVE OF ABSENCE .............................................................4
  11121.9 CONFIRMATION OF MINUTES ....................................................................................4
  11121.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION ......4
  11121.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS .......4

11122 FINANCE ..............................................................................................................................5
  11122.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY ....................................................5

11123 HEALTH BUILDING & PLANNING .....................................................................................7

11124 PLANT & WORKS ...............................................................................................................8

11125 GOVERNANCE ....................................................................................................................9
  11125.1 AGROFORESTRY AND PLANTATIONS – LOCAL PLANNING POLICY ..........9
  11125.2 APPLICATION FOR PLANNING APPROVAL – AGROFORESTRY, TREE PLANTATION .................................................................17
  11125.3 DRILLING AT ROTHSAy ................................................................................................21
  11125.4 MIDWEST PLANNING FRAMEWORK .......................................................................24
  11125.5 DISTRIBUTION OF CLGF REGIONAL COMPONENT ................................................32
  11125.6 APPOINTMENT OF BUSHFIRE CONTROL OFFICERS ...........................................36
  11125.7 MISCONDUCT RISK RELATED TO GIFTS AND BENEFITS .................................39
  11125.8 CEO ANNUAL LEAVE AND RELIEF ARRANGEMENTS ......................................43
  11125.9 CEO’S REPORT .............................................................................................................45

11126 OTHER BUSINESS ..............................................................................................................48
  11126.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS ..........48
  11126.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN .....................................48
  11126.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN .48
  11126.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION 48
<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11126.4.1</td>
<td>CONFIDENTIAL LATE ITEM – OFFER TO PURCHASE LOT 23 RUSSELL St 49</td>
</tr>
<tr>
<td>11126.4.2</td>
<td>BOWLING GREEN CONTRACT</td>
</tr>
<tr>
<td>11126.4.3</td>
<td>TOWN PLANNING APPLICATION CHEMICAL STORAGE FACILITY</td>
</tr>
<tr>
<td>11126.4.4</td>
<td>GRADER QUOTES</td>
</tr>
<tr>
<td>11126.4.5</td>
<td>MOVING YEAR 7 TO HIGH SCHOOL</td>
</tr>
<tr>
<td>11126.5</td>
<td>MATTERS BEHIND CLOSED DOORS</td>
</tr>
<tr>
<td>11126.5.1</td>
<td>CONFIDENTIAL ITEM – SEE SEPARATE ATTACHMENT</td>
</tr>
<tr>
<td>11126.6</td>
<td>DATE OF NEXT MEETING / MEETINGS</td>
</tr>
<tr>
<td>11126.7</td>
<td>CLOSURE</td>
</tr>
</tbody>
</table>
Shire of Perenjori

Ordinary Meeting

MINUTES 15th December 2011

11121  PRELIMINARIES

11121.1  DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS
Cr Chris King officially opened the meeting at 1.35pm.

11121.2  OPENING PRAYER
Cr King led council in the opening prayer.

11121.3  DISCLAIMER READING

11121.4  RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

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

Leave of Absence:
Cr Robyn Benton

11121.5  PUBLIC QUESTION TIME
Nil

11121.6  PETITIONS / DEPUTATIONS / PRESENTATIONS
Nil

11121.7  NOTATIONS OF INTEREST
Financial Interest – Local Government Act s 5.60A
Proximity Interest – Local Government Act s 5.60B
Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.
APPLICATIONS FOR LEAVE OF ABSENCE

MOTION
Moved: Cr GK Reid  Seconded: Cr JH Hirsh
That Cr Robyn Benton be granted a Leave of Absence for the following Ordinary Council Meetings
- 18 December 2011
- 16 February 2012
- 15 March 2012

Carried: 8/0

CONFIRMATION OF MINUTES

Minutes of Ordinary Council meeting held 17th November 2011 are attached.

COUNCIL RESOLUTION
Moved: Cr LC Butler  Seconded: Cr JR Cunningham
That the minutes from Ordinary Council Meeting held on the 17th November 2011 are accepted as a true and accurate record.

Carried: 8/0

ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Cr King notified Councillors that the Local Government Conference (Northern Zone Conference) will be held on the last weekend of March 2012 and asked councillors to make note of this date.

Details of the event will be available in coming weeks.

MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS
Executive Summary:

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

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

Statutory Environment: N/A
Policy Implications: N/A
Financial Implications: N/A
Strategic Implications: N/A
Consultation: N/A

Officers Recommendation:

1. Statement of Financial Activity
   That the Statement of Financial Activity for the period ended 30th November 2011 including report on variances be accepted as presented.

2. Finance Report
   That the Finance Report for the period ended 30th November 2011 be accepted as presented.
3. Acquisition of Assets
That the Acquisition of Assets Report for the period ended 30th November 2011 with a balance of $724,338.00 as presented be received.

4. Reserves Report
That the Reserves Report for the period ended 30th November 2011 with a balance of $939,279.00 as presented be received.

5. Net Current Assets
That the Net Current Assets report for the period ended 30th November 2011 with a balance of $1,556,102.00 as presented be received.

6. Bank Reconciliation’s
That the balances of the Municipal Fund of $1,336,510.64 and the Trust Fund of $54,060.32 as at 30th November 2011 as presented be received.

7. Sundry Creditors Report
That the Sundry Creditors Report for the period ended 30th November 2011 with a balance of $82,870.83 as presented be received.

8. Sundry Debtors Report
That the Sundry Debtors Report for the period ended 30th November 2011 with a balance of $306,761.73 as presented be received.

9. Accounts for Payment
That the Accounts paid from the Municipal Account consisting of Cheque Numbers 18107 - 18135 and EFT Numbers 3185 - 3257 for $342,316.98 and that the accounts paid for the Trust Account consisting of Cheque Numbers 822 – 825 and EFT Numbers 3186 – 3230 for $861.50 for the period ended 30th November 2011 as presented be accepted.

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

COUNCIL RESOLUTION
Moved: Cr RP Desmond Seconded: Cr LC Butler
That items 1 to 10 of the Monthly Statement of Financial Activity Report be accepted as a true and accurate record.

Carried: 8/0
11123 HEALTH BUILDING & PLANNING
Executive Summary:
Council has considered two applications for timber plantations in the last two months, and requires a policy position to help guide consistent decision making.

Applicants Submission:
The planning Bulletin provides some useful guidance on the issues that need to be considered from a planning policy perspective. It says:

Regional and local planning strategies and schemes should make provision for farm forestry developments in appropriate locations in the context of:

- potential economic benefits, diversification of farming production and district employment opportunities, and potential to generate downstream processing industries;
- environmental benefits in protecting water and air quality and preventing land degradation, including soil erosion, salinisation and waterlogging; and
- role in assisting agricultural productivity.

In planning for farm forestry, consideration should be given to:

- the impact on high-value land and water resources in areas of State and regional agricultural significance;
- the environmental, social and economic effects of farm forestry developments;
- the capacity of the regional and local road network to service timber harvesting needs;
- the visual landscape, including the need to protect and enhance areas of high scenic quality; and
- the potential for downstream processing of timber products.
Background:
The Shire of Perenjori Local Planning Scheme Number 2 makes provision for farm forestry as follows:

The Zoning Table lists:

Agroforestry as an ‘A’ use – means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4 (that is advertising and considering submissions);

“agroforestry” means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.

Plantation is a ‘D’ use - means that the use is not permitted unless the local government has exercised its discretion by granting planning approval

“plantation” has the same meaning as in the Code of Practice for Timber Plantations in Western Australia (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers;

The Definition from the code of practice is: Plantation: a stand of trees of ten hectares, or larger, that has been established by sowing or planting of either native or exotic tree species selected and managed intensively for their commercial and/or environmental value. A plantation includes roads, tracks, firebreaks and small areas of native vegetation surrounded by plantations. Implicit in this definition is the recognition that plantations will be harvested.

Neither provision could be seen as encouraging farm forestry, but instead place different levels of discouragement.

Statutory Environment:
The Shire of Perenjori Local Planning Scheme Number 2, Sections 2.2 to 2.4 sets out the provisions for the adoption of Local Planning Policies.

In the Scheme 1 review report which predated the development of the Local Planning Scheme the consultant identified a range of policies that may be considered by Council following approval of the new scheme. These are:

1 Moveable Buildings
2 Homestead lots
3 Outline Development Plans
4 Delegated Authority for Development Applications
5 Bed and Breakfast Accommodation
6 Plantations
7 Rural Residential
8 John Street Design Control
9 Caretakers Dwellings in Industrial Areas

The remaining policies will be put forward for consideration by Council in February.
Policy Implications:
Council can make policies outside the provisions of the Town Planning and Development Act and by extension the Local Planning Scheme. Councils are obliged to consider policies adopted under the scheme when making planning decisions. Policies must be consistent with and cannot vary the intent of the scheme.

Financial Implications:
There are no financial implications.

Strategic Implications:
Farm forestry is a relatively new industry for this region and Council must weigh the benefits and the potential impacts of proposed developments.

Consultation:
Nil

Comment:
The proposed policy is based on one adopted by the Shire of Ravensthorpe. It provides more precise provisions than were contained in the draft policy arising from the scheme review.
In contrast to the Ravensthorpe policy on which it is based, the draft policy more explicitly recognises that high value agricultural land should not be unnecessarily lost to food production.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council endorse the Draft Local Planning Policy – Farm Forestry

COUNCIL RESOLUTION
Moved: Cr JH Hirsch Cr LC Butler

1. That Council endorse the Interim Draft Local Planning Policy – Farm Forestry as amended
   - In 5.1.1 amend clause to read as follows:
     Title details of the subject land including the nature of the soil, any impact of land degradation and the productive capacity of the land for food production

2. That the CEO investigate mapping of soil types for the purposes of determining agricultural value

Carried: 8/0
FARM FORESTRY POLICY

1. PRELIMINARY

Authority to prepare and adopt a Local Planning Policy Clause 2.2 of Shire of Perenjori Local Planning Scheme No.2 (the Scheme) allows Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Shire.

This policy will be made effective once Council has completed the process stipulated in clause 2.4 of the Scheme.

Relationship of this Policy to the Scheme If a provision of this Policy is inconsistent with the Scheme, the Scheme prevails.

This Local Planning Policy is not part of the Scheme and does not bind Council in respect of any application for planning approval. However, Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

2. APPLICATION OF THE POLICY

2.1 Definitions

For the purposes of this Policy, the following definitions apply:

Agroforestry
Land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.

Farm Forestry
Any commercial tree production on farmland.

Plantation
A stand of trees of 10 hectares, or larger, that has been established by sowing or planting of either native or exotic tree species selected and managed intensively for their commercial and environmental value. A plantation includes roads, tracks, firebreaks and small areas of native vegetation surrounded by plantations. Implicit in this definition is the recognition that plantations will be harvested.

Silviculture Plan
A plan that details the establishment and tending procedures for a plantation.

Timber Harvesting Plan
A plan developed prior to harvesting a plantation detailing the time of harvest, procedure for harvesting and the route by which the products will be transported to a processor.
Transport Strategy

A plan and/or agreement outlining the transport arrangements related to the subject property and the surrounding local and district road system for transporting harvested or processed product from the site of production.

2.2 Purpose

The purpose of this Local Planning Policy to manage the development of Farm Forestry within the Shire of Perenjori.

2.3 Application

This Policy applies to the development of Plantations on land zoned ‘Rural’ by the Scheme.

3. POLICY OBJECTIVE

The primary objectives of this Policy are:

- To facilitate a more consistent, efficient and effective planning process for farm forestry.
- To facilitate the establishment, management and harvesting of plantations consistent with the Code of Practice for Timber Plantations in Western Australia, as amended.
- To support and encourage the development of Agroforestry in the Shire for its combined economic, environmental and social benefits and its greater contribution to sustainability in rural areas.
- To ensure that prime agricultural land is not lost to food production.

4. APPROVAL REQUIREMENTS

4.1 Council Planning Approval

Farm Forestry and Agroforestry operations are defined as ‘Plantation’ by the Scheme. The Scheme requires discretionary Planning Approval to be granted by Council prior to the establishment of a plantation.

4.2 Assessment of Plantation Applications

In assessing an Application for Planning Approval that proposes a Plantation, Council is to have regard to the Development Control Provisions of this Policy and the following criteria as appropriate:

- potential economic benefits, diversification of farming production and district employment opportunities, and potential to generate downstream processing industries;
- environmental benefits in protecting water and air quality and preventing land degradation, including soil erosion, salinisation and waterlogging; and
- role in assisting agricultural productivity.

In planning for farm forestry, consideration should be given to:

- the impact on high-value land and water resources in areas of State and regional agricultural significance;
the environmental, social and economic effects of farm forestry developments;
the capacity of the regional and local road network to service timber harvesting needs;
the visual landscape, including the need to protect and enhance areas of high scenic quality; and
the potential for downstream processing of timber products.

5. DEVELOPMENT CONTROL

5.1 Silviculture Plan

Council will require the preparation and submission of a Silviculture Plan as part of the Application for Planning Approval. The Silviculture Plan is to include the following information:

5.1.1 Title details of the subject land, including the nature of the soil, any impact of salinity and land degradation, and the productive capacity of the land for food production;

5.1.2 Name of the landowner, plantation management company and plantation manager;

5.1.3 Area of land to be planted to trees and subsequently to be harvested;

5.1.4 Provision of a scaled plan showing the location of the tree plantation, including access roads, existing native vegetation, existing and future structures and buildings and emergency water supplies.

5.1.5 Details of the tree species to be planted and area of plantation.

5.1.6 Details of tending practices.

5.1.7 Details any clearing of Native Vegetation.

5.2 Transport Strategy

Council will require the preparation and submission of a Transport Strategy as part of the Application for Planning Approval. The Transport Strategy is to include the following information:

5.2.1 Title details of the subject land;

5.2.2 Name of the landowner, plantation management company and plantation manager;

5.2.3 Area of land to be planted to trees and subsequently to be harvested;

5.2.4 Anticipated season/s and year/s of harvest;

5.2.5 Anticipated tonnage of product at harvest;

5.2.6 Whether trucked product is likely to be in the form of logs or chips or other;

5.2.7 Anticipated haul routes on local and district roads;

5.2.8 Proposed destination of haulage; and
5.2.9 Proposals for upgrading/rehabilitation or making financial contribution towards the upgrading/rehabilitation of the local and district road system.

The Transport Strategy is to be updated and presented to Council for final approval a minimum of eighteen (18) months prior to harvesting commencing.

5.3 Fire Management Plan

Council will require the preparation and submission of a Fire Management Plan as part of the Application for Planning Approval. The Fire Management Plan is to be prepared in accordance with the Guidelines for Plantation Fire Protection, as amended.

The Fire Management Plan will be submitted to the Fire and Emergency Services Authority (FESA), or its successor, for comment by Council prior to determining the Application for Planning Approval. Any comments made by FESA are to be considered by Council in its determination of the Application.

5.4 Timber Harvesting Plan

Council will require as a condition of Planning Approval the preparation and submission of a Timber Harvesting Plan a minimum of eighteen (18) months prior to the commencement of harvest operations.

5.5 Referral to Department of Environment and Conservation

Where a property subject to an Application for the establishment of a Plantation adjoins land managed by the Department of Environment and Conservation as part of a designated Nature Reserve, Conservation Area or National Park, the Application is to be referred for comment to the Department. Any comments made by the Department are to be considered by Council in its determination of the Application.

5.6 Agency Referrals

Where an agency is referred the Application, a period of 21 days from the date of notice is to be provided for comments to be received by Council. Should no comments be received during this period, Council will construe that the referral agency has no comment or objection to the proposal.

5.7 Plantations Near Townsites and Rural-Residential Areas

In order to reduce the potential for conflict between farm forestry practices and areas of sensitive land uses, Council will not approve the development of Plantations within:

- 500m of the Townsites of Perenjori and Latham.
- 250m of areas zoned ‘Rural Residential’.

Notwithstanding the separation distances stated above, Council may consider reducing the separation distance where it can be demonstrated that the planting of trees closer to sensitive land uses will address pre-existing environmental damage, such as salinity. The proponent is to demonstrate in this case that the plantation can be operated without adverse impact on the amenity of residents in the adjoining areas.
5.8 Clearing of Existing Native Vegetation

Council will not grant Planning Approval to any development of a Plantation where the clearing of existing native vegetation is proposed until the Department of Environment and Conservation has advised that it is prepared to issue a Native Vegetation Clearing Permit.

An exception is made for the clearing of paddock trees, where this is required to allow the Plantation to be managed appropriately.
APPLICATION FOR PLANNING APPROVAL – AGROFORESTRY, TREE PLANTATION

APPLICANT: Carbon Conscious Ltd
FILE: Icr113625
DISCLOSURE OF INTEREST: Nil
AUTHOR: Trevor Brandy EHO/Building Officer
RESPONSIBLE OFFICER: Trevor Brandy EHO/Building Officer
REPORT DATE: 07.12.2011
ATTACHMENTS

Executive Summary:
Council is in receipt of an application from Carbon Conscious to plant 311ha of Mallee Plantation on Victoria Locations 6212 and 8607 Forte Road Latham. Carbon Conscious wishes to purchase the property (Lussick Property) and part of the conditions of purchase is for Council's approval to establish the plantation.

Applicants Submission:
Carbon Conscious Limited wishes to establish approximately 311ha of Mallee plantation in 2012 in the locality of 6212 and 8607 Forte Road, Latham.
The plantation area is predominantly fragile sandy soil.
Planting will commence in the winter of 2012 and be completed by spring 2012.
Rabbit baiting is completed in February/March using trails or bait stations, depending on deemed need.

Background
This is the second plantation proposal in as many weeks.

Statutory Environment:
Shire of Perenjori Local Planning Scheme No 2
Agroforestry as an ‘A’ use – means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4 (that is advertising and considering submissions);

“agroforestry” means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.

Plantation is a ‘D’ use - means that the use is not permitted unless the local government has exercised its discretion by granting planning approval

“plantation” has the same meaning as in the Code of Practice for Timber Plantations in Western Australia (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers;
The Definition from the code of practice is: Plantation: a stand of trees of ten hectares, or larger, that has been established by sowing or planting of either native or exotic tree species selected and managed intensively for their commercial and/or environmental value. A plantation includes roads, tracks,
The Planning Application refers to both Agroforestry and Tree Plantation, but from the description of the project it would fit the definition of a planation. Therefore it would be within Council’s discretion to approve.

**Policy Implications:**

The second application in as many months highlights the need for a Local Planning Policy.

**Financial Implications:**

Planning Fees are applicable in this case

**Strategic Implications:**

Agriculture and Agroforestry will be competing land uses. Plantations generally employ less people and can have an impact on the roads. They do however create a new industry and diversify the local economy.

**Consultation:** Nil

**Comment:**

The proponent indicates that it will abide by the Code of Practice for Timber Plantations in Western Australia. While the material provided does indicate that it would be compliant, much of the material is generic and refers to a planation in Mullewa. Compliance would require the following.

**Silviculture Plan**

If Council adopts the proposed Local Planning Policy it would require the preparation and submission of a Silviculture Plan as part of the Application for Planning Approval. The Silviculture Plan is to include the following information. Most has been provided except for the underlined portions.

1. Title details of the subject land;
2. Name of the landowner, plantation management company and plantation manager;
3. Area of land to be planted to trees and subsequently to be harvested;
4. Provision of a scaled plan showing the location of the tree plantation, including access roads, existing native vegetation, existing and future structures and buildings and emergency water supplies.
5. Details of the tree species to be planted and area of plantation.
6. Details of tending practices.
7. Details any clearing of Native Vegetation.

**Fire Management Plan**

Council requires the preparation and submission of a Fire Management Plan as part of the Application for Planning Approval. The Fire Management Plan is to be prepared in accordance with the Guidelines for Plantation Fire Protection, as amended.

The Fire Management Plan will be submitted to the Fire and Emergency Services Authority (FESA) for comment by Council prior to determining the Application for Planning Approval. Any comments made by FESA are to be considered by Council in its determination of the Application.
The plan submitted by the proponent relates to the Mullewa plantation.

*Harvest Plan and Transport Management Plan*

The proponent indicates that its intention is to develop the plantation for carbon capture not harvest. However implicit in the definition of plantation is the potential to harvest, and the proponent concedes that harvest is a possibility.

To comply with the code, and the proposed Local Planning Policy, before the proponent harvests the trees it will be required to submit a Harvest Management Plan and a Transport Management Plan. The Transport Management Plan must be negotiated with Council 18 months prior to the proposed harvest and will include details of routes, vehicle combinations, tonnages and any proposed contribution to road reinstatement or repair.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

1. That Council approve the application for a plantation from Carbon Conscious to plant Mallee trees on Locations 6212 and 86007 Forte Road, Latham subject to:

   - The submission of a revised Silviculture Plan that identifies existing and planned structures if any, emergency water supplies and details of any clearing of native vegetation;
   
   - The submission of a Fire Management Plan for approval by Council based on feedback from FESA.

2. That in the event harvesting becomes an option the proponent submits a Harvest Plan and negotiates a Transport Management Plan with Council.

Cr JH Hirsch declared a Proximity Interest in item 11125.2 Application for Planning Approval – Agroforestry tree plantation

1.56pm Cr JH Hirsch left the chambers

**COUNCIL RESOLUTION**

*Moved: Cr HC Wass  Seconded: Cr LC Butler*

1. That before Council will approve the application for a plantation from Carbon Conscious to plant Mallee trees on Locations 6212 and 8607 Forte Road, Latham subject to:

   - The submission of a revised Silviculture Plan that identifies existing and planned structures if any, emergency water supplies and details of any clearing of native vegetation;
   
   - The submission of a Fire Management Plan for approval by Council based on feedback from FESA.

   - The submission of an independent assessment of the productive capacity of the subject land
2. That in the event harvesting becomes an option the proponent submits a Harvest Plan and negotiates a Transport Management Plan with Council

3. That the proponent provide details of the intended use of the land not to be part of the plantation

Carried: 7/0

1.59pm Cr JH Hirsch returned to the Chambers
DRILLING AT ROTHSEAY

APPLICANT: AURICUP RESOURCES

FILE: 0

DISCLOSURE OF INTEREST: 0

AUTHOR: STAN SCOTT – CEO

RESPONSIBLE OFFICER STAN SCOTT – CEO

REPORT DATE: 8 DECEMBER 2011

ATTACHMENTS Proposed Drilling Program

Executive Summary:

Auricup Resources Ltd has acquired the mining lease for the Rothsay Mine and are seeking approval from DMP for a drilling program.

Applicants Submission:

The Rothsay Townsite is within the shire of Perenjori, and the Rothsay town common is vested in the Shire. The planned drilling program by Auricup is set out on the attached plan. The cemetery and the remnants of the town are marked in blue. These locations were identified and GPS coordinates recorded by Auricup.

The approval sought at this stage is just for the drilling program, and mining will require further discussion. While they will be seeking approval for the full drilling program, initially only 5 holes will be drilled. Auricup is likely to float an IPO early in 2012.

The mining lease acquired by Auricup carries the following condition:

Consent to mine on the Rothsay Townsite granted subject to:

Access to the surface of land within the Rothsay Townsite for mining purposes being subject to the approval of the local Authority or relevant reserve vestees, and mining activities within the first 100 metres below the surface of the land being limited to such mining activities as may be approved by the Director, Environment DMP.

The company needs Council’s permission before it can gain approval for its plan of works from DMP.

Background:

The Heritage Council website describes the Rothsay townsite as follows:

All that remains at the Rothsay townsite are some foundations, stone ruins and evidence of rock-lined garden beds. Some of the identifiable remains are the foundations of Shea’s Boarding House, including the Billiard Room, and the nearby bakehouse. The town was established in 1896 after gold was found 10 miles east of Damperwah Springs at Rothsay. A year later there were 300 people living in the town. When the mine closed in 1902 the town suffered however there was a resurgence when the mine was reopened in 1935 by Claude de Bernales. The town included numerous houses, a school, post office, stores, boarding houses, tennis courts and a recreation ground.
The mine closed again in 1939 and the population slowly declined with the buildings falling into ruin.

There is also a cemetery nearby with 5 graves.

The Shires of Morawa and Perenjori recently commissioned a trails master plan for tourist trails in this area. The plan includes a heritage trail that interprets historical sites and places of interest, including the Rothsay townsite and cemetery, but this trail has not yet been developed. There is an existing Rothsay Heritage trail that was developed as part of bicentennial celebrations in 1988, but this trail is now a little tired.

**Statutory Environment:**

The Mining Act 1978 S23(c) identifies townsite as a type of tenure requiring special arrangements. Section 24 says in part:

(5)(a) Mining on any land referred to in subsection (1)(c) may be carried out with the written consent of the Minister who may refuse his consent or who may give his consent subject to such terms and conditions as the Minister specifies in the consent.

(b) Before giving his consent whether conditionally or unconditionally the Minister shall first consult the responsible Minister and the local government, public body, or trustees or other persons in which the control and management of such land is vested with respect thereto, and obtain its or their recommendations thereon.

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Council has sought to encourage mining.

**Consultation:**

The CEO emailed Elected Members seeking their views. Those who responded had no objections to providing consent.

**Comment:**

Council has been supportive of mining activity within the Shire, the proposed drilling is well away from the cemetery, and only one hole is close to any of the ruins in the townsite. The activity at this stage is relatively modest, but may eventually result in a resumption of gold mining at Rothsay

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**

That Council approve the proposed drilling program provided that Auricup make all reasonable efforts not to unnecessarily disturb the ruins and remnants of the townsite.
COUNCIL RESOLUTION

Moved: Cr GK Reid
Seconded: Cr JH Hirsch

That Council approve the proposed drilling program provided that Auricup make all reasonable efforts not to unnecessarily disturb the ruins and remnants of the townsite

Carried: 8/0
Executive Summary:
The Midwest Planning Framework will guide state level planning for this region for the next decade and beyond.

Applicants Submission:
Council considered the Midwest Planning Framework at its November Meeting and resolved as follows:

*That Council consider a draft response to the Midwest Planning Framework at the December Ordinary Meeting of Council.*

A draft Response is set out on the following pages:

Background:
The Midwest Planning Framework is complimented by a Midwest Investment Strategy which will guide Royalties for Regions investments in the Midwest.
Following adoption of the Regional Plan sub regional plans will be developed for each of the three sub regions, these being:

- Batavia Coast – consisting of the Shires of Irwin, Greater Geraldton, Chapman Valley and Northampton;
- North Midlands – consisting of the Shires of Carnamah, Coorow, Mingenew, Morawa, Perenjori and Three Springs;
- Murchison – consisting of the Shires of Cue, Meekatharra, Mount Magnet, Murchison; Sandstone, Wiluna and Yalgoo.

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:

State investment in the Perenjori and the North Midlands will be guided by the planning framework.

Strategic Implications:

For the Shire to achieve its strategic goals, we will require engagement with state planning instruments and institutions.

Consultation:

The CEO continues to engage with the MWDC.

Comment:

The Midwest Planning Framework is open for public comment until Friday 20th January 2011. As Council does not meet in January, this meeting will be the last opportunity to endorse a Council submission.

The proposed response is set out on the pages that follow.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council endorse the draft response to the Midwest Planning Framework at the December Ordinary Meeting of Council.

**COUNCIL RESOLUTION**

Moved: Cr LJ Smith Seconded: Cr JR Cunningham

That Council endorse the draft response with the following amendments to the Midwest Planning Framework at the December Ordinary Meeting of Council.

Amendments include:

- Ensuring language indicates council not individual response
- Inclusion of the following issues and objectives
  - Resolution of mobile telephone black spots
Shire of Perenjori

Ordinary Meeting

MINUTES 15th December 2011

• Waste management infrastructure
• Extension of reticulates form water supplies
• Extension of deep sewerage to hinterland towns not presently serviced.

Carried: 8/0
Project Manager
Mid West Regional Planning and Infrastructure Framework
Department of Planning
Locked Bag 2506
Perth WA 6001

Mid West Regional Planning and Infrastructure Framework

Thank you for the opportunity to comment on the Mid West Regional Planning and Infrastructure Framework. This is a significant regional document and will have an impact for many years into the future.

Vision (page 1)
Firstly, the vision is appropriate and accurately reflects the state of the Region.

Planning Structure (page 2)
The Planning Structure is appropriate and it makes sense to plan on a subregional basis because the three subregions have different issues, cultures and opportunities. In the planning map Mullewa remains part of the North Midlands despite its amalgamation into the City of Greater Geraldton (CGG). While there is an interdependence between CGG and the hinterland shires, it may not be appropriate to for the city to be included in two sub-regions.

Key Drivers (page 5)
The key drivers is an accurate reflection of the economic drivers for the region. Energy generation, and renewable energy in particular are likely to be future regional exports and perhaps should be identified as a separate industry sector. The report quotes Australia’s Coral Coast Tourism Development Priorities. Presently the North Midlands sub-region is split between Coral Coast and Australia’s Golden Outback and all attempts to resolve this anomaly through Tourism WA have been fruitless. Perhaps the regional planning process provides an opportunity to bring Tourism WA into line.

Challenges (page 8)
The list of challenges is largely consistent with Council’s views except:

Encouraging Mid West and North West mine workers to reside in the region.

This point actually combines two different challenges with very different implications and solutions.

- Geraldton as a fly in fly out hub for workers residing in Geraldton and working elsewhere within the region and the state; and
- Encouraging workers to reside in the Mid West near mining projects rather than fly in and out.

The uncertainty of the impacts, scale, activity and population growth of proposed resource projects means that the demonstrated need for government investment is a contentious issue.

It seems most of the uncertainty is from State Planners. Infrastructure planning has been reactive (when they come we will build it), rather than proactive (build it and they will come). You cannot attract population with promises of considering future infrastructure.

Road Infrastructure (page 9)
The Report says - *The Mid West is well serviced by a network of major sealed roads that provide critical linkages within and beyond the region.*

This is nonsense. The Wubin Mullewa Road has seen massive increases in traffic driven by the mining projects at Karara, Koolanooka, Extension Hill and Tallering Peak. In addition to exponential increases in traffic servicing projects (though not moving iron ore) it will be subject to further pressure from grain displaced from rail by iron ore.

Other roads requiring investment include the Morawa Mingenew Road, the Geraldton Mount Magnet Road and sections of the Midlands Road. These are all roads that to varying degrees are not fit for purpose.

**Rail (Page 9)**

The Report Says - *Development of a strategic rail network in the Mid West would require reviews identifying existing and required rail infrastructure.*

An unintended consequence of rail upgrades to service the mining industry is that most of the grain on the eastern rail line will be displaced, not by a lack of rail capacity, but by a lack of rail loading facilities to meet tight rail pathways. This will have a dramatic impact on roads that are already not fit for purpose. This is further exacerbated by the planned closure of the rail line south of Perenjori.

**Energy (Page 10-11)**

The report observes that - *An additional proposed project, which is intended to build on the strong renewable energy push in the Mid West, is the large scale solar farm proposed by Verve Energy in partnership with BP Solar (Verve Energy, 2010). The Greenough River Solar Farm is to be located 50 kilometres southeast of Geraldton and will generate approximately 28 GWh of electricity per annum, which is equivalent to powering about 3000 homes.*

This project includes a substantial cash injection from the State Government to State owned generator. If the same contribution was made available to the market with submissions from proponents invited it would have produced substantially more than this project. We have been working on a very large scale solar energy project for many years, and it is included in the Mid West Investment Plan. That this project appeared outside regional planning processes raises serious questions about the value of regional consultation.

The Perenjori Solar Power Project should be recognised in the plan.

The Energy Section fails to recognise the degraded state of the distribution network, particularly in the North Midlands, and the capacity constraints to coastal communities north of Geraldton. The Perenjori Morawa feeder is now the least reliable in the entire Western Power network.

**Biodiversity (page 12)**

The report identifies a range of biodiversity issues including: *The Banded Iron Formations of the Murchison have significant value both in biodiversity and mineral deposits particularly iron ore.* This is actually not correct, the BIF in the Murchison have relatively modest biodiversity value. The high value BIF are those in the Yilgarn Craton – East of Perenjori and the Southern half of Yalgoo. This includes the areas where the Karara, Koolanooka and Extension Hill projects are operating.

**Challenges (page 14)**

Despite recognition of high biodiversity values the lack of (and the need for) a thriving environmental and eco-tourism industry has not been identified.

**Challenges (page 19)**

The third dot point does not make sense – an apparent typing error.
Shire of Perenjori
Ordinary Meeting
MINUTES
15th December 2011

Priority Mid West regional infrastructure projects (page 21 and 22)

New and upgraded railway lines from southern Mid West mines to Geraldton.

The report recognises the benefits for iron ore but does not acknowledge that this will displace grain from rail to road.

Table 2: Mid West Regional Infrastructure Projects (prioritised) (Page 23+)

Is there any point including projects that are all but complete such as the Tilley to Karara Rail line?

16 Wubin - Mullewa Road upgrade – widen seal and improve alignment (section Perenjori to Morawa)

This entry is listed as conditional on additional grain traffic. This is wrong! This road is already not fit for purpose and has seen exponential growth in traffic servicing mining projects. Investment in this road is critical, urgent and overdue, and there should not be another opportunity to defer investment built into the plan.

Further the section from Morawa to Mullewa should also be included. While the impact of mining on this section has been less, the change has still been substantial, and the road is narrow and dangerous and overdue for investment. This is not listed anywhere in the priorities – not even as a low priority project.

I would like to comment in detail on the other investments that impact on the hinterland, but with the exception of infrastructure funded by the mining industry the state investments do not exist.

Missing projects include:

- The Perenjori Solar Power Project (200 MW);
- The Morawa Solar Thermal Project (4 MW);
- Upgrade to distribution feeder to Morawa and Perenjori;
- Upgrade to distribution feeder to Carnamah, Coorow and Latham;
- Morawa Trade Training Centre;
- Upgrade to Morawa to Mingenew and Bunjil Carnamah Roads to accommodate additional grain freight traffic;
- Perenjori Environment Centre.

The plan identifies massive investments in Geraldton and Oakajee, but very little else.

Future scenarios (page 27)

Scenario planning should include an assessment of the impact of state investment (or a lack thereof). Perenjori for example will have 1200 permanent mining jobs within 80 km and probably an equivalent number of positions with contractors. If we cannot attract at least a portion of these jobs as new residents the key factor will be the level of investment in infrastructure such as key worker housing.

Activity Centres (Pages 28 – 31)

This provides a reasonable accurate description of the current functions of hinterland towns, but as a planning approach I am not sure of its value. Morawa is identified as a sub-regional centre but each of the other sub-regional towns would have claims to being more than a place to pump fuel and fix cars. Carnamah and Mingenew are now both substantial grain receival hubs, Three Springs has a hospital, Carnamah has a high school, both have a variety of retail outlets.
Perenjori is the closest town to the two magnetite projects in the southern half of the Midwest, and already boasts several large civil construction contractors and is likely to see several new contractors delivering services to the mining industry in the next 2 to 5 years. The proposed solar power project could create another 100 jobs.

The plan states - It is important to note that the role a centre plays in the future may vary dramatically from the function it serves now, however it is anticipated that this will not significantly change without planning intervention and/or considerable investment.

The activity centres discussion does not identify any of this planning intervention or investment.

North Midlands (Page 33)

The Plan says - There are a number of iron ore projects within close proximity to towns such as Morawa and Perenjori that in the next few years are expected to proceed to construction and operation phases. Careful consideration of the infrastructure requirements, including provision of water, power and social services, will be required to ensure these towns can service and benefit from the economic growth expected to be generated from the nearby iron ore projects. With Morawa also being identified as a SuperTown this will enable long term planning to capitalise on these opportunities.

The main projects that impact on Morawa and Perenjori are:

- The Karara Iron Ore Project – construction is well advanced and it will be operational within a year;
- Extension Hill Haematite – is already operational
- Extension Hill Magnetite – ground breaking ceremony held last week. Construction to commence in 2012 and operations by the end of 2014.
- Koolanooka Blue Hills Haematite – has been operational for 3 years.

We are past the “in the next few years” timeframe. The State must seriously plan now and start investing. The Morawa Supertown planning will plan for the growth of Morawa, and to the extent that expanding services in a neighbouring town are beneficial, will benefit Perenjori. There is nothing in the Supertown planning process that will directly contribute to Perenjori’s planning or growth.

Implementation Actions (Pages 37 – 41)

The plan should include the development of the revised Wildflower Country Tourism Strategy which involves all of the North Midlands Shires and the Shire of Dalwallinu and Moora.

Economy and Employment Map (page 48)

There are significant shortcomings in this map:

- The key index to study area in the top LH corner does not match the map
- Not all mining projects are identified (and perhaps they could be identified by mineral)
- 2,000 square kilometres of the Shire of Perenjori is identified as cropping and is in fact former pastoral land now unallocated crown land managed by DEC for conservation purposes. Of the area identified as pastoral, half is owned by Bush Heritage Australia and has been renamed the Charles Darwin Reserve.
- The Extension Hill haematite and magnetite projects are 5 km outside the Perenjori Shires eastern boundary. Even though not in the subregion these projects are a significant economic and employment driver for activating in the subregion including an 80 km bitumen road, rail siding in Perenjori, 52 person camp in Perenjori, proposed slurry pipeline to Geraldton, water pipeline from Three Springs, 330 kV power line from Three Springs etc.
**Conclusion**

The Midwest Planning Framework is a substantial document and does a very good job of identifying the challenges facing Geraldton, Oakajee and immediate surrounds. Ultimately this will benefit all of the communities for which Geraldton is the primary centre.

The work on the hinterland is far less impressive. Again it refers to the need for planning for prospective projects and future demand without any direct commitment to when and how. The when should be now.

The biggest risk to hinterland communities is that they will miss out on the opportunities presented by mining developments because of a lack of buy in from the State Government. The lukewarm and conditional commitment to work on the Wubin Mullewa Road is a metaphor for the entire approach. The State Government still fails to recognise that the boom is here and now. A 1000 square kilometre arc north and east of Perenjori will within 3 years be producing $100 million per year in state mining royalties, and this could double or triple within 10 years.

There is a symbiotic relationship between Geraldton and the region. We need a strong regional centre and Geraldton needs a strong region. It is the latter where the State’s commitment and planning seems to be lacking.
Executive Summary:
A regional teleconference has agreed on the distribution of the regional component of CLGF which now requires endorsement by member councils.

Applicants Submission:
For 2011/12 and 2012/13 50% of the Country Local Government Fund is allocated to regional projects. Perenjori’s agreed regional grouping is with Mingenew, Morawa and Three Springs.

A Teleconference was hosted by the MWDC on 29 November 2011 to determine allocations to projects. The outcomes of the meeting were as follows:

2011/12 Allocation
The allocation available across the 4 shires was $1,333,111
CBH had not taken up the proposed allocation to rail loading in Perenjori;
The next highest priorities was the Perenjori Early Childhood Development Centre which was allocated $400,000. This allocation was predicated on the allocation of $1.5 million to that project in the Midwest Investment Plan;
The balance of the pool ($933,111) was allocated to one house in each of Mingenew, Three Springs and Perenjori.

2012/13 Allocation
The entire allocation for 2012/13 was put to the Solar Thermal power station planned for Morawa. This has been subsequently reduced to $1 million.
The CEO has bid for the balance of the pool for the ECDC if the full $1.5 million is not forthcoming from the investment plan.

Background:
Local Governments are required to agree on the regional projects to be funded.

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
### CLGF REGIONAL ALLOCATIONS 2011/12

**NORTH MIDLANDS**

**2011-2012 CLGF REGIONAL GROUPINGS PROJECT PRIORITIES**

<table>
<thead>
<tr>
<th>TS</th>
<th>MI</th>
<th>MO</th>
<th>PJ</th>
<th>CA</th>
<th>CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chris Jackson (CEO)</td>
<td>Ian Fitzgerald (CEO)</td>
<td>Gavin Treasure (CEO)</td>
<td>Stan Scott (CEO)</td>
<td>Bill Atkinson (CEO)</td>
<td>Mark Hook/Stuart Billingham (CEO)</td>
</tr>
<tr>
<td>$312,939</td>
<td>$283,823</td>
<td>$358,578</td>
<td>$377,771</td>
<td>$331,493</td>
<td>$353,642</td>
</tr>
</tbody>
</table>

$1,333,111 (CA/CO - $685,135)

- **Housing @ Three Springs, Perenjori & Mingenew - $933,111**
  - Perenjori early childhood development centre - $400,000
  - Total - $1,333,111

- **Housing @ Carnamah - $343,367**
  - Ocean View Drive upgrade - $341,768
  - Total - $685,135

- **Ocean View Drive upgrade - Coorow**
  - Total - $685,135

- **Carnamah & Coorow have partnered for these projects**

- **Housing @ Three Springs, Perenjori & Mingenew – Mingenew (supported by Three Springs)**
  - Perenjori early childhood development centre - Perenjori

- **Morawa, Perenjori, Three Springs & Mingenew have partnered for these projects**

- **Housing @ Three Springs, Perenjori & Mingenew – Mingenew to obtain 3 quotes & supply best quote to MWDC, Mingenew to invoice the MWDC, Perenjori early childhood development centre – Perenjori to complete business plan for this project**

- **Housing @ Carnamah - Carnamah to obtain 3 quotes @ supply best quote to MWDC, Carnamah to invoice the MWDC, Ocean View Drive upgrade – Coorow to complete business plan for this project**
### NORTH MIDLANDS

<table>
<thead>
<tr>
<th>TS</th>
<th>MI</th>
<th>MO</th>
<th>PJ</th>
<th>CA</th>
<th>CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chris Jackson (CEO)</td>
<td>Ian Fitzgerald (CEO)</td>
<td>Gavin Treasure (CEO)</td>
<td>Stan Scott (CEO)</td>
<td>Bill Atkinson (CEO)</td>
<td>Mark Hook/StuartBillingham (CEO)</td>
</tr>
<tr>
<td>$312,939</td>
<td>$283,823</td>
<td>$358,578</td>
<td>$377,771</td>
<td>$331,493</td>
<td>$353,642</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rob McEachern</th>
<th>Rob McEachern</th>
<th>Rob McEachern</th>
<th>Rob McEachern</th>
<th>Rob McEachern</th>
<th>Rob McEachern</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

- **North Midlands Solar Thermal Power project**
- **Total - $1,000,000**
- **Leeman boat ramp (Dee St)**

- **North Midlands Solar Thermal Power project - $1,333,111**
- **Total - $685,135**
- **Leeman boat ramp (Dee St) - $685,135**

- **North Midlands Solar Thermal Power project – Morawa**
- **Total - $1,000,000**
- **Leeman boat ramp (Dee St) – Coorow**
- **Total - $685,135**

- **Morawa, Perenjori, Three Springs & Mingenew have partnered for this project – subject to confirmation by the Shire of Three Springs**
- **Carnamah & Coorow have partnered for this project**

- **North Midlands Solar Thermal Power project – Morawa to prepare business case**
- **Leeman boat ramp (Dee St) – Coorow to obtain 3 quotes & supply best quote to MWDC, Coorow to invoice the MWDC**
Financial Implications:
The pool of funding for the Early Childhood Development Centre is getting closer to complete.

Strategic Implications:
The fund allows shires to address regional priorities.

Consultation:
Each of the Local Governments was represented at the meeting. Coorow and Carnamah have formed a separate group.

Comment:
The allocation of funds was agreed between the member Councils with a good spirit of cooperation.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council endorse the CLGF Regional Allocations for 2011/12 and 2012/13

COUNCIL RESOLUTION
Moved: Cr LC Butler                  Seconded: Cr RP Desmond

1. That Council endorse the CLGF Regional Allocations for 2011/12 as follows:
   - Shire of Perenjori (Early Childhood Development Centre) - $400,000
   - Housing for the Shires of Mingenew, Perenjori and Three Springs for $933,111.
   - If necessary, the Shire of Perenjori is prepared to forego its house in favour of a further contribution to the Early Childhood Development Centre.

2. The following Country Local Government Fund regional projects be approved for 2012/13 financial year:
   - Shire of Morowa (North Midlands Solar Thermal Power Project) - $1m
   - Shire of Perenjori (Early Childhood Development Centre) - $333,111 if required, or:
   - If further contribution to the ECDC is not necessary, Shires of Three Springs and Mingenew (Exploring Wildflower Country – Midlands Route Project) - $333,111 subject to appropriate CLGF commitments from other Local Government Groups.

Carried: 7/0
Executive Summary:

Council is requested to confirm appointment of Fire Control Officer Positions.

Applicants Submission:

Council will recall that the original intent when we jointly employed a Community Emergency Services Manager, that the incumbent would become the Chief Bush Fire Control Officer for each of the four Councils. The other 3 Councils did in fact make that appointment, so the proposed appointments will bring us into line with the Other Councils.

The proposed appointments are:

**Chief Bush Fire Control Officer (CBFCO) and Deputy CBFCO**

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.

Both Rick Ryan and Ken Markham are to be appointed as Fire Control Officers.

There will be a period over December and January where neither the John Bensdorp nor Stan Scott will be available, and appointed FCOs will be required to carry out these duties.

Of Particular importance is our obligation through our agreement with FESA to declare a harvest and vehicle movement ban when the Grassland Fire Danger Index reaches 35.

**Fire Weather Officer**

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.

**Background:**

These appointments will supersede those made by Council at the October Meeting.

**Statutory Environment:**

*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.

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.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

CESM and neighbouring shires.

Comment:

The proposed appointments will ensure that we can adequately discharge our responsibilities.

Voting Requirements:

Simple Majority

Officers Recommendation:

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

Mr John Bensdorp (CBFCO)

Mr Stan Scott (Deputy CBFCO)
That Council appoint the following persons as Fire Weather Officer and Deputy Fire Weather Officer respectively.

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

COUNCIL RESOLUTION

Moved: Cr JR Cunningham Seconded: Cr LJ Smith

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

Mr John Bensdorp (CBFCO)
Mr Stan Scott (Deputy CBFCO)
Mr Rick Ryan – Community Emergency Services Manager (Fire Control Officer)
Mr Ken Markham (Fire Control Officer)

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

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

Carried: 8/0
Executive Summary:
The Corruption and Crime Commission has released its report following an investigation relating to the Purchase or Toner and Printer Cartridges, and the provision of gifts by suppliers. As a result the Commission has recommended adoption of a stringent gift policy.

Applicants Submission:
The CCC is proposing that the following points form the basis of the policy:

- As a general rule, gifts are to be declined.
- All gifts offered to public officers who exercise discretionary authority in relation to the gift-offerer/gift-giver are to be declined.
- All gifts offered to public officers who influence or are likely to influence discretionary authority exercised by others in relation to the gift, are to be declined.
- Promote other means to demonstrate appreciation, such as a letter of thanks.
- Although gifts may be accepted by officers who do not exercise discretionary authority in relation to the gift-offerer/gift-giver, unless otherwise declared, such gifts become the property of the public authority.

The CCC has also recommended that the Department of Local Government Review the Act and Regulations in light of the findings of the investigation.

Background:
In the particular circumstances of the toner / printer investigation the companies involved used a number of techniques included:

- Hard sell and high pressure tactics on purchasing officers;
- Misrepresentation of public sector purchasing contracts; and
- Sending unsolicited gifts to purchasing agents.
This has the effect of making purchasing officers feel committed or obliged to use a particular supplier.

The CCC has taken the view that gift giving in other circumstances public officers who have a role in decision making could result is misconduct or undue influence on decisions. In Local Government this would affect Elected Members and Staff.

**Statutory Environment:**

*Local Government (Rules of Conduct) Regulations 2007* govern behaviour by Elected Members. Reg

1. In this regulation —
   
   "**activity involving a local government discretion**" means an activity —
   
   (a) that cannot be undertaken without an authorisation from the local government; or
   
   (b) by way of a commercial dealing with the local government;

   "**gift**" has the meaning given to that term in section 5.82(4) of the Act except that it does not include —

   (a) a gift from a relative as defined in section 5.74(1) of the Act; or
   
   (b) a gift that must be disclosed under regulation 30B of the Local Government (Elections) Regulations 1997; or
   
   (c) a gift from a statutory authority, government instrumentality or non profit association for professional training;

   "**notifiable gift**, in relation to a person who is a council member, means —

   (a) a gift worth between $50 and $300; or
   
   (b) a gift that is one of 2 or more gifts given to the council member by the same person within a period of 6 months that are in total worth between $50 and $300;

   "**prohibited gift**, in relation to a person who is a council member, means —

   (a) a gift worth $300 or more; or
   
   (b) a gift that is one of 2 or more gifts given to the council member by the same person within a period of 6 months that are in total worth $300 or more.

2. A person who is a council member must not accept a prohibited gift from a person —

   (a) who is undertaking or seeking to undertake; or
   
   (b) who it is reasonable to believe is intending to undertake, an activity involving a local government discretion.

3. A person who is a council member and who accepts a notifiable gift from a person —

   (a) who is undertaking or seeking to undertake; or
   
   (b) who it is reasonable to believe is intending to undertake, an activity involving a local government discretion must, within 10 days of accepting the gift, notify the CEO of the acceptance in accordance with subregulation (4).
Notification of the acceptance of a notifiable gift is to be in writing and is to include —

(a) the name of the person who gave the gift; and
(b) the date on which the gift was accepted; and
(c) a description, and the estimated value, of the gift; and
(d) the nature of the relationship between the person who is a council member and the person who gave the gift; and
(e) if the gift is a notifiable gift under paragraph (b) of the definition of "notifiable gift" (whether or not it is also a notifiable gift under paragraph (a) of that definition) —
   (i) a description; and
   (ii) the estimated value; and
   (iii) the date of acceptance, of each other gift accepted within the 6 month period.

The CEO must maintain a register of gifts in which details of notices received under subregulation (4) are recorded.

Policy Implications:
The CCC has provided the elements of a Gift Policy for consideration.

Financial Implications:
Nil

Strategic Implications:
Nil

Consultation:
One of the CCC recommendations is that the Department of Local Government review the Act and Regulations to bring them into line with the other recommendations in the report.

Comment:
The CCC has taken the step of writing to every Local Government while at the same time writing to the Department to seek changes to the regulatory framework for the industry.

The behaviours in the report were widespread, but would have been detected if existing policies had been effectively applied. Under existing Local Government Rules any gift over $300 in value must be declined, and gift between $50 and $300 must be declared — this includes the cumulative value of gifts over a 6 month period.

In Perenjori’s case the most likely circumstances when this could arise are where suppliers or stakeholders such as mining companies provide a token gift such as a bottle of wine to the CEO and / or president at Christmas. There is no prospect of gifts of this nature affecting Council decision making.

It is likely over the next few months that WALGA and the Department will collectively be considering and industry wide response to this issue. Council has the option of making immediate policy changes or await further developments for an industry response. The CEO recommends the latter.
Voting Requirements:
Simple Majority

Officer's Recommendation:

1. That Council notes the advice from the CCC in relation to its investigation into the purchase of toner cartridges and associated gifts; and
2. That Council await the development of an industry response before instigating policy changes.

COUNCIL RESOLUTION

Moved: Cr JH Hirsch  Seconded: Cr JR Cunningham

1. That Council notes the advice from the CCC in relation to its investigation into the purchase of toner cartridges and associated gifts; and
2. That Council await the development of an industry response before instigating policy changes.

Carried: 8/0
Executive Summary:
The CEO has scheduled annual leave for late December and January. Council must appoint a relief CEO in his absence.

Applicants Submission:
The CEO is proposing to take annual leave as follows:
Leave to Commence: Tuesday 20 December 2011
Return to Work Monday 30th January 2012
It is proposed that Doug Stead be appointed as Acting CEO for the above period, and be paid a higher duties allowance equivalent to the difference between his present salary and the CEO’s salary.

Background:
The CEO did not take annual leave in January 2011 because of work required developing the Main Roads Project.

Statutory Environment:
*Local Government Act 1995* S5.36 requires that Council appoint a CEO, and be satisfied with the provisions of the contract.

Policy Implications:
Nil

Financial Implications:
Nil, part of annual salaries budget.

Strategic Implications:
Nil

Consultation:
Council has been informally advised of the proposed arrangements.
Mr Stead’s contract includes provision for him to act in the CEO’s place should Council so decide. While the CEO is on leave he will be available to be contacted for most of the period of leave.

**Voting Requirements:**

Absolute Majority

**Officers Recommendation:**

1. That Council approve the CEO’s leave from 20th December 2011 to 27th January 2012 inclusive.

2. That Doug Stead be appointed as Acting CEO for the above period, and be paid a higher duties allowance equivalent to the difference between his present salary and the CEO’s salary.

**COUNCIL RESOLUTION**

Moved: Cr GK Reid  
Seconded: Cr JH Hirsch

1. That Council approve the CEO’s leave from 20th December 2011 to 27th January 2012 inclusive.

2. That Doug Stead be appointed as Acting CEO for the above period, and be paid a higher duties allowance equivalent to the difference between his present salary and the CEO’s salary.

Carried: 8/0
2.20pm Cr RP Desmond left the chambers

11125.9 CEO’S REPORT

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

RESPONSIBLE OFFICER STAN SCOTT – CEO

REPORT DATE: 8 DECEMBER 2011
ATTACHMENTS NIL

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.

Early Childhood Development Centre

The CEO participated in a teleconference to discuss the division of the Regional Component of the CLGF. The review allocated $400,000 to the Perenjori Early Childhood Development Centre.

The CEO lodged an Expression of Interest under the Midwest Investment Plan for $1.5 Million. This is the amount earmarked in the plan for child care in the North Midlands but it is not yet clear whether the MWDC will contribute 75% of the cost of an individual project.

Cr Hirsch is pursuing copies of plans for similar facilities in remote communities which may help with the planning. The Department for Communities has offered the assistance of its Midwest Regional Officer to assist with planning for the project.

Institute of Public Works Engineering – Asset Management for Small Rural and Remote Communities

The CEO attended a two day training program on this issue on 22 to 23 November. The program has been developed by the Centre for Excellence in Local Government and is specifically targeted at communities with less than 5,000 residents.

Midwest Energy Strategy

As a participant in the consultation processes the CEO has been provided a confidential draft of the consultant’s report and has provided further feedback.

Northern Country Zone Meeting and Review of CLGF

The CEO attended the Northern Country Zone Meeting in Mingenew. Cr Chappel, president of Morawa Shire has been elected as Zone President and State Council Delegate.
Mr Andrew Murray, Chair of the Regional Development Trust attended the meeting and fielded questions and comments from elected members.

Mount Gibson Mining
The CEO and Works Supervisor met with Mount Gibson representatives to discuss the installation of parking bays and stopping points along the road. Presently anyone needing to pull over for any reason must remain in the roadway which will create safety issues. The intent of the meeting is to identify suitable locations for stopping bays. The proposed work will be completed by the Shire and financed by Mount Gibson. Several potential sites have been identified and we will quote on undertaking the works. The scope will include construction of the lay by areas, including bitumen seal.

Asia Iron Extension Hill Project
The CEO attended a ground breaking ceremony at Extension Hill for the Magnetite project. It was attended by a significant Chinese delegation including the Deputy Mayor of the City of Chongqing. Chongqing is a major city in Southwest China and one of the five national central cities of China. Administratively, it is one of the China’s four direct-controlled municipalities (the other three are Beijing, Shanghai and Tianjin), and the only such municipality in inland China. In other words it is a city state that reports directly to the national government. Chongqing has a population of over 30 million.

Regional Development Australia
The CEO has lodged an expression of interest for the second round of the RDA Fund for the Solar Park project. The RDA committee for Midwest Gascoyne will determine whether it is one of the projects referred for further consideration. Each committee can only refer 3 projects.

Asset Management Plan
The Asset Management Plan is getting close to completion. The CEO met with the consultant and a range of changes were identified to be included in the final plan. The Consultant has also been asked to prepare an Asset Management Policy and Strategy for adoption by Council. The Asset Management Plan will be a significant tool for the Shire ot demonstrate its sustainability.

Strategic Community Plan
The CEO has requested a proposal from Brennan Rural Group (Sue Middleton) for the development of a Strategic Community Plan. It is proposed that work on this plan and community consultation will take place in February March 2012. The proposal may be available for perusal by Council at today’s meeting.

Wildflower Country Tourism Strategy
The CEO met with other stakeholders to consider developments in relation to Wildflower Country committee. Development include:

- Work has commenced on stage two of Exploring Wildflower Country – the Midlands Route.
- A new constitution has been drafted for the group; and
- A new strategic tourist plan is under development.

Regional Water Needs
The Water Corporation has engaged SKM to develop a water strategy for the potable water needs of communities on the Arrowsmith Scheme. This has been driven by the super towns project.

**Kidsport**

The Department of Sport and Recreation has appointed Perenjori as the Regional hub for the Kidsport Project. Kidsport will distribute funds to needy children to allow them to participate in sporting activities. The funding takes the form of a voucher which is given to sporting clubs for membership and essential participation costs to allow disadvantaged kids to participate. The Shire of Perenjori will pay the invoices from the sporting clubs and recreation organisations. Likely local recipients are the youth club, Auskick and netball.

**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 JR Cunningham  Seconded: Cr HC Wass

That Council note the CEO's report.

Carried: 7/0
11126 OTHER BUSINESS

11126.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

- PSC Correspondence – Premiers awards for excellence in public sector management
- Brookfield Rail Correspondence – Construction of transportable communications equipment rooms, masts and towers
- Australian Environmental management

11126.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

11126.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

11126.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Moved: Cr LC Butler          Seconded: Cr JR Cunningham

That the following items be accepted as Urgent Business

- 11126.4.1 Offer to Purchase Lot 23 Russell St
- 11126.4.2 Bowling Green Contract
- 11126.4.3 Town Planning Application Chemical Storage Facility
- 11126.4.4 Grader Quotes
- 11126.4.5 Moving year 7 to high school

Carried: 7/0

2.22pm Cr RP Desmond returned to the chambers.
At its November 2011 meeting Council resolved to invite public tenders for the sale of Lot 36 Russell Street Perenjori. The only offer received is the original offer from D & S Beagley.

Applicants Submission:

The Beagleys have made an offer subject to finance for the purchase of Lot 36 Russell Street Perenjori. Lot 36 Russel Street is Located at the southern end of Russell Street between Smith St and Oversby Road (see diagram below).
Council resolved to invited tenders. The tender was advertised and closed on 13 December 2011. There were no other offers received.

Background:
The Beagley’s were initially considering the John Street subdivision, but may have been concerned at the building conditions. In particular they may be considering a second hand dwelling.

Statutory Environment:
Local Government Act 1995 S3.58 sets out the requirements for disposal of Local Government Property. In particular, if Council was to consider accepting the offer it would first have to give a Local Public Notice of the proposed disposition including the details of the offer and the value of the property. Council cannot accept the offer until it considers any submissions in relation to the proposed sale.

S5.23 (2) (e) (ii) allows an item to be considered behind closed doors if it discloses information that has a commercial value to a person.

Policy Implications:
Nil

Financial Implications:
D & S Beagley have offered $36,500 inclusive of GST, subject to finance.

Strategic Implications:
Council is keen for new housing development to take place.

Consultation:
The CEO wrote to D & S Beagley explaining Council’s decision and the process.

Comment:
The offer for the land was the only offer received, and in all the circumstances seems reasonable. The land was advertised with a requirement that it be developed within 30 months, and this condition should be attached to the contract.

Voting Requirements:
Simple Majority

Officers Recommendation:
That Council accept an offer to purchase Lot 36 Russell Street, Perenjori subject to:

- D & S Beagley obtaining finance within 60 days of the days of signing the Offer and Acceptance; and
- That the contract is subject to the requirement that an approved residence be constructed within 30 months of the settlement date; and
- That in the event the purchaser cannot build a residence in the stipulated time that Council may repurchase the land for the purchase price;

COUNCIL RESOLUTION
Moved: Cr HC Wass Seconded: Cr JR Cunningham
That Council accept an offer to purchase Lot 36 Russell Street, Perenjori subject to D & S Beagley obtaining finance within 60 days of the days of signing the Offer and Acceptance

Carried: 8/0
18 November 2011

Drew & Stephanie Beagley
PO Box 121
Perenjori WA 6620

Dear Drew and Stephanie

Lot 36 Russell Street Perenjori

Thank you for your letter of 16 November 2011 in which you made an offer for the Purchase of Lot 36 Russell Street, Perenjori.

The Local Government Act 1995 S3.58 sets out the requirements for disposal of Local Government Property. In particular, if Council was to consider accepting your offer it would first have to give a Local Public Notice of the proposed disposition, including the details of the offer and the value of the property. The value of the property would be determined by a licensed valuer. Council would not be able to accept the offer until it had considered any submissions in relation to the proposed sale.

Council meets on 15 December 2011, but does not meet again after that until February 2012. Council has decided to call for public tenders for the sale of Lot 36 Russell Street, Perenjori, with a closing date before the December meeting. This is a far simpler process and will allow Council to make a decision at that meeting.

Your offer can be considered as part of the tender process, or you can make a different offer if you choose. The intent of this process is to achieve the quickest possible resolution and obtain a firm decision before the end of the year. While inviting tenders may generate other offers, advertising our intention to sell would have produced the same result, but would likely have taken longer. To ensure that you were not disadvantaged in any way the amount of your offer has been kept confidential and was not disclosed to Council, nor was it included in the Agenda papers.

The invitation to tender will be advertised in the Bush Telegraph dated 29 November 2011, and tender will close at 4 pm on 12 December 2011. Please advise whether you would like your present offer to be included as an offer to purchase under the tender process. Please call me if you wish to discuss any of the foregoing.

Your faithfully

Stan Scott
Chief Executive Officer
LAND FOR SALE
By Public Tender

The Shire of Perenjori is inviting offers for the purchase of Lot 36 Russell Street, Perenjori. This single residential lot has a 20.12 metre street frontage and is a full quarter acre (1012 M²).

The successful purchaser will be required to develop the block with an approved residence within 30 months of settlement. The tender offer should include details of the proposed purchase price including GST and any conditions attached to the offer (eg Subject to Finance).

The Shire of Perenjori is not obliged to accept the highest offer or any offer.

Offers should be signed and enclosed in a sealed envelope addressed as follows:

Tender 4/2011
Shire of Perenjori
44 Fowler Street
Perenjori WA 6620

Tenders close at 4 pm sharp on 13 December 2011. Faxed or emailed tenders WILL be accepted.
11126.4.2 BOWLING GREEN CONTRACT

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

RESPONSIBLE OFFICER STAN SCOTT – CEO

REPORT DATE: 13 DECEMBER 2011
ATTACHMENTS CORRESPONDENCE FROM SMARTGRASS

Executive Summary:
The preferred supplier for the replacement of the bowling green has declined to enter into the contract without a substantial increase in the price.

Applicants Submission:
Lawn Technologies (Trading as Smartgrass) has advised that it has new management both nationally and in Perth. The national office has advised that quotations provided by its Perth Office were unsustainable, and despite having made a tender proposal they are not prepared to enter into a contract at that price. Two letter from Smartgrass are attached.

Smartgrass is proposing that, to proceed with the job, they would need to charge $210,000 compared to a tender price of $189,500.

Background:
The tender proposals received were as follows:

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Surface</th>
<th>Price</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Smart Grass</td>
<td>Greengauge Carpet</td>
<td>$189,500</td>
<td>Preferred</td>
</tr>
<tr>
<td>2 Australian Bowls Co.</td>
<td>Greengauge Carpet</td>
<td>$214,200</td>
<td>Suitable - not preferred - price</td>
</tr>
<tr>
<td>3 Berry Bowling Systems</td>
<td>Prowaeave</td>
<td>$235,792</td>
<td>Suitable - not preferred - price</td>
</tr>
<tr>
<td>4 Tiger Turf</td>
<td>Bowlsweave</td>
<td>$240,900</td>
<td>Suitable - not preferred - price</td>
</tr>
<tr>
<td>5 Surface Solutions</td>
<td>Dry Max Pro</td>
<td>$250,000</td>
<td>Not Suitable - Turf NOT carpet</td>
</tr>
<tr>
<td>6 Evergreen Synthetic Grass</td>
<td>Dry max Pro</td>
<td>$217,946</td>
<td>Not Suitable - Turf NOT carpet</td>
</tr>
</tbody>
</table>

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

Policy Implications: Nil
Financial Implications:
The proposed changes increase the cost of the project by $20,500.
The project involves funding from the Community Sport and Recreation Facilities Fund ($67,000) and Country Local Government Fund ($80,000).
Given the inevitable delay in completing the project, the cost of maintaining the grass green will be higher than budgeted. This will be reflected in the budget review early in 2012.

Strategic Implications: Nil

Consultation:
The CEO has discussed the issue at length with the supplier.

Comment:
When the original Smartgrass price is compared with other tenderers it was the lowest by a margin of over $25,000. Even the revised price is still $4,000 cheaper than the next cheapest of comparable tenders.
The options available to Council are:
- To accept that Smartgrass made an error, and proceed with the contract based on the revised pricing; or
- Repeat the tendering process.
Given the proposals received in the original tendering process it appears unlikely that we would achieve a better price by repeating the tender process. The real question is whether such a fundamental pricing error calls into question their capacity to deliver the contract. Smartgrass has a long history and many successful projects so this does not appear a substantial risk.

Voting Requirements:
Absolute Majority

Officers Recommendation:
1. That Council proceed with the installation of the bowling green by Smartgrass at the revised price;
2. That Council increase its allocation for “Sporting Facilities Renewal – Bowling Green” from $202,000 to $222,500.

COUNCIL RESOLUTION
Moved: Cr JR Cunningham Seconded: Cr LC Butler
1. That the CEO:
   - Contact Australian Bowls and Smart Grass to represent quotes for the provision of the service and:
   - That the lowest quote be allocated to work

2. That Council increase its allocation for “Sporting Facilities Renewal – Bowling Green” from $202,000 to $222,500.

Carried: 8/0
13th December, 2011

Stan Scott
Chief Executive Officer
44 Fowler Street
Perenjori WA 6620

Dear Stan,

Re: Perenjori Bowling Green

Thank you for contacting me regarding your Perenjori Bowling Green Tender.

I apologise for including Part 2 of the Tender in our previous letter, I was not aware it had been excluded from our potential contract.

We have again re-priced this quote, and found a similar result for the same reasons as outlined in our previous letter dated 21st November 2011.

Our revised price for Section 1 of the tender, the bowling green only, would be $210,000.00 + GST

As briefly discussed, I recognise that your organisation may be required to go back to tender on this project. You will understand it would be financially irresponsible of me to move forward with this contract, under the current conditions.

SmartGrass provide a quality product, and we would be very excited by the opportunity to complete this project for the Shire of Perenjori. I also acknowledge that they may be potential for further works with the Shire during next year on another bowling green.

I have also reconfirmed the current lead time for Greengage as of today, being 12 – 14 weeks from payment of deposit. Earlier if it can be arranged, with no guarantee.

If the Shire of Perenjori can accept this price adjustment, and agree to an amended Practical Completion Date, SmartGrass would certainly execute the contract.

Please contact me directly to discuss any questions you may have, or the possibility of this project moving forward with SmartGrass.

Yours Sincerely,

Colin Holmes
22nd November, 2011

Kim Wheeler
44 Fowler Street
Perenjori WA 6620

Dear Kim,

Re: Perenjori Bowling Green

Thank you for the contract offering the Perenjori Bowling Green Construction to SmartGrass.

Unfortunately, after carefully considering the contract and reviewing our costing and project timelines, we cannot agree to the current terms.

We do this for two reasons:

1. Since our original submission dated 1 June 2011, we have experienced significant increases in operating expenses; the two most relevant to this project are wages in WA and the cost of the Bowling Green surface from Greengage. As of today, we could complete this contract for no less than $265,000 plus GST for Parts 1 and 2 of our quotation.

2. The Greengage surface has a current lead time of 14 weeks from order placement, making it operationally impossible to commit to your Practical Completion date of 10 February 2012.

If the Shire of Perenjori can accept this price adjustment, and agree to an amended Practical Completion Date, SmartGrass would certainly execute the contract.

Please contact Lee Bramley, in our Perth office, 08 9303 2900, to discuss the possibility of this project moving forward with SmartGrass.

If you have any further questions, please do not hesitate to contact me.

Yours Sincerely,

Colin Holmes
General Manager
SmartGrass
**Shire of Perenjori**  
Ordinary Meeting  
MINUTES  
15th December 2011

Cr RP Desmond declared an Interest Affecting Impartiality in item 11126.4.3 Town Planning Application Chemical Storage Facility

3.01pm Cr RP Desmond left the chambers

<table>
<thead>
<tr>
<th>11126.4.3 TOWN PLANNING APPLICATION CHEMICAL STORAGE FACILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>APPLICANT:</strong> Ms S Sauvarin</td>
</tr>
<tr>
<td><strong>FILE:</strong> 0</td>
</tr>
<tr>
<td><strong>DISCLOSURE OF INTEREST:</strong> Nil</td>
</tr>
<tr>
<td><strong>AUTHOR:</strong> Trevor Brandy EHO/Building Officer</td>
</tr>
<tr>
<td><strong>RESPONSIBLE OFFICER:</strong> Trevor Brandy EHO/Building Officer</td>
</tr>
<tr>
<td><strong>REPORT DATE:</strong> 14.12.2011</td>
</tr>
<tr>
<td><strong>ATTACHMENTS</strong></td>
</tr>
</tbody>
</table>

**Executive Summary:**
Council received an application from Ms S Sauvarin to store Agricultural Chemicals on Lot 98 Wubin/Mullewa Road Perenjori. The applicant intends to upgrade the existing shed at this stage to an acceptable level to store the chemicals. The application was advertised for a period of 21 days as per the requirements of the Scheme with no submissions being received.

**Applicants Submission:**
The applicant wishes to virtually transfer the operation from the United farmers building in Smith Street to the new site. Ms Sauvarin has also indicted she wishes to operate in the future a horse riding school on the same site. The existing or new storage shed will be bunded internally to comply with spillage requirements.

**Statutory Environment:**
Shire of Perenjori Town Planning Scheme No 2

**Policy Implications:**
Nil

**Financial Implications:**
Nil

**Strategic Implications:**
Lot 98 Wubin/Mullewa Road is zoned Long Term Urban under Councils new Town Planning Scheme. The lot borders on the Rural/Residential area with a Road house and a Mechanical workshop within the near vicinity. The proposed operation should not affect the amenity of the area.

**Consultation:**
Shire of Perenjori Town Planning Scheme No 2
Voting Requirements:
Simple Majority

Officers Recommendation:
That Ms N+S Sauvarin be permitted to operate an Agricultural Chemical Storage facility on lot 98 Wubin/Mullewa Road Perenjori providing all permits and storage requirements are met.

COUNCIL RESOLUTION

Moved: Cr LC Butler               Seconded: Cr JR Cunningham

That Ms N+S Sauvarin be permitted to operate an Agricultural Chemical Storage facility on lot 98 Wubin/Mullewa Road Perenjori providing all permits and storage requirements are met.

Carried: 7/0

3.03pm Cr RP Desmond returned to the Chambers
### Executive Summary:

Quotes were sought from several vendors for a grader through WALGA’s E Quote online system, which allows Council’s to obtain quotes without going to tender.

### Applicants Submission:

Quotes from several vendors have been received for a new grader.

- **Westrac** supplied 2 quotes – 12M Grader & 120M Grader.
- **Hitachi** supplied 1 quote – John Deere 670G grader.
- **CJD** supplied 1 quote – Volvo G930 grader
- **Komatsu** supplied 1 quote – Komatsu GD555_5 grader

The 12M grader from Westrac was quoted at $333,600 plus gst with trade of $66,000 plus gst.

The 120M grader from Westrac was quoted at $299,900 plus gst with trade at $66,000 plus gst.

The John Deere 670G grader from Hitachi was quoted at $312,000 plus gst and the trade at $78,000 plus gst.

The Volvo G930 grader from CJD was quoted at $331,000 plus gst and the trade at $125,000 plus gst.

The Komatsu GD555_5 grader from Komatsu was quoted at $309,050 and the trade at $70,000 plus gst.

If Council was purchasing a grader outright and using a trade figure the grader from CJD is the obvious choice, followed by the 120M from Westrac, John Deere grader from Hitachi, the Komatsu grader then the 12M from Westrac.

All graders meet our specification requirements.

CJD’s purchase price for the trade grader makes it more attractive, though the trade price is not taken into account for leasing purposes.
Background:
The Shire of Perenjori’s Plant replacement program budgets for the replacement of Council’s Volvo G710B grader. The grader is to be leased through a leasing company.
The budgeted trade/purchase price for Council’s existing grader is $80,000.
Council fleet of graders are currently Volvo.

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

Policy Implications: Nil
Financial Implications:
Strategic Implications: Nil
Consultation: Nil
Comment: Nil
Voting Requirements: Simple Majority

Officers Recommendation:
That Council accept the quote from CJD for the Volvo G903 grader for $331,000 with an outright purchase price of $125,000 plus gst for Council’s grader.

COUNCIL RESOLUTION
Moved: Cr LC Butler Seconded: Cr GK Reid
That Council accept the quote from CJD for the Volvo G903 grader for $331,000 with an outright purchase price of $125,000 plus gst for Council’s grader.
Carried: 8/0
Cr CR King adjourned the meeting at 3.07pm
Cr King reopened the meeting at 3.56pm

Cr JR Cunningham did not return to the meeting
Works Supervisor Kin Markham did not return to the meeting

Item 11125.5 Distribution of CLGF Regional Component resolved

11126.4.5 MOVING YEAR 7 TO HIGH SCHOOL

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO
RESPONSIBLE OFFICER STAN SCOTT – CEO
REPORT DATE: 15 December 2011
ATTACHMENTS Nil

Executive Summary:
The State Government has announced that from 2015 that year 7 would become the first year of high school rather than the last year of primary school.

Applicants Submission:
The Premier and Minister for Education jointly announced on 8 December 2011 that Year 7 will become the first year of secondary school from 2015. The move coincides with the implementation of the National Curriculum which places greater demands on Year 7 Students, particularly in Maths and Science learning areas.

They pointed out that:

- Catholic and independent and Catholic schools made the change from 2008, and have been in place in other states for many years;
- High schools are better equipped with specialist science labs;
- Year 7 students are, on average, six months older than in the years before the school starting age was raised. Approximately half are celebrating their 13th birthdays while still in primary school.
- Families moving to Western Australia from interstate are currently confronted by the possibility that their year 7 student might have to go back to a primary school setting after being in high school.
- Secondary schools can offer the specialist pastoral care for year 7s, who nowadays are young adolescents facing different issues to those primary school students contended with in the past.”

Dr Constable said the State Government was aware that some families living in country areas could experience greater challenges in preparing themselves for the move by 2015.
On a case by case basis, some of these families will be offered special consideration, and the option of taking a further three years to make the move, if that is what suits them best," she said.

Background:
The change is to help implement the national curriculum and bring WA into line with other States. The State also announced that from 2013 pre-primary would become compulsory.

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 year 7 changes could have an impact on local primary schools. It may also result in some families leaving the district rather than send their year 7’s to boarding school.

Consultation:
Nil

Comment:
Presently many families choose to send their secondary school students to boarding school. This is always a difficult choice, but having to make that choice effectively a year earlier will be even more difficult. Some families will choose to leave the district to live closer to Perth or Geraldton so that student do not have to board.

Part of the issue for many families is the perception that local secondary school options will not deliver a top quality education to their children. Recently enrolments at Morawa District High School have picked up substantially, which does increase the range of options they are able to deliver.

There are a range of possible options that may be worth considering:

- Perenjori, Coorow and Three Springs Primary Schools are Independent Public Schools and operate as a cluster with support from Beaumaris Primary School. These schools may collectively be able offer a compliant year 7 program from within the schools. They already have specialist teaching staff available.

- The schools and communities feeding into Morawa DHS could work with them to help improve the offering and the perception or reputation of the school;

- Morawa could offer a “middle” school option where years 7, 8 and 9 are separated from 10, 11 and 12.

- Students could be bussed to Morawa once per week for Science lab;

The plan has only just been announced and there is a 4 year implementation period. Council must gauge the communities views and the potential impact of the change, and if necessary lobby for a local solution that works for our community.
Voting Requirements:
Simple Majority

Officers Recommendation:
That the Council work with the local community to determine the impact of the proposed changes, and if necessary, lobby for appropriate changes to the policy.

COUNCIL RESOLUTION
Moved: Cr LC Butler  Seconded: Cr HC Wass
That Council work with the local community to determine the impact of the proposed changes, and if necessary, lobby for appropriate changes to the policy, and
That the CEO write to the minister expressing concern and address at the Northern Country Zone Conference.

Carried: 7/0
1126.5  MATTERS BEHIND CLOSED DOORS

1126.5.1 CONFIDENTIAL ITEM – SEE SEPARATE ATTACHMENT

1126.5.1 CONFIDENTIAL ITEM

APPLICANT: DEPARTMENT OF LOCAL GOVERNMENT
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: STAN SCOTT – CEO

RESPONSIBLE OFFICER: STAN SCOTT – CEO

REPORT DATE: 8 DECEMBER 2011
ATTACHMENTS: Correspondence from the Department

*This item is confidential as its contents are commercially sensitive until the matter come before the SAT.*

Officers Recommendation:
That Council notes the correspondence from the Department and the expected outcomes.

COUNCIL RESOLUTION

Moved: Cr JR Cunningham  Seconded: Cr LC butler
That Council notes the correspondence from the Department and the expected outcomes.

Carried: 8/0
Shire of Perenjori

Ordinary Meeting

MINUTES

15th December 2011

11126.6 DATE OF NEXT MEETING / MEETINGS

The next Ordinary Council Meeting will be held on the 16th February 2012

11126.7 CLOSURE

With no further business the Ordinary Council Meeting was closed by President Chris King at 4.05pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held 15th December 2011

Signed: __________________

Presiding Elected Member

Date: ___________________