



Shire of
Perenjori
Embrace Opportunity

Shire of Perenjori – Special Meeting of Council

MINUTES

Wednesday 13th April 2022

Shire of Perenjori Council Chambers,
56 Fowler Street, Perenjori WA, 6620

Table of Contents

| | |
|---|---|
| COUNCIL ROLES..... | 3 |
| DISCLAIMER | 3 |
| 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS: | 4 |
| 2. OPENING PRAYER: | 4 |
| 3. DISCLAIMER READING: | 4 |
| 4. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE: | 4 |
| 5. PUBLIC QUESTION TIME:..... | 4 |
| 6. DECLARATION OF INTEREST:..... | 5 |
| 7. REPORTS | 5 |
| 7.1 ROUTE DETERMINATION- REQUEST FOR LGA SUPPORT..... | 6 |
| 8. CLOSURE OF MEETING..... | 6 |

Council Roles

Advocacy:

When Council advocates on its own behalf or on behalf of its community to another level of government /body /agency.

Executive/Strategic:

The substantial direction setting and oversight role of the Council e.g. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Legislative:

Includes adopting local laws, town planning schemes and policies.

Review:

When Council reviews decisions made by Officers.

Quasi-Judicial:

When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.

Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g.: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

Disclaimer

"Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request."

Shire of Perenjori

Minutes for the Shire of Perenjori Special Meeting of Council held on Wednesday 13th April 2022, at the Shire of Perenjori Council Chambers, 56 Fowler Street, Perenjori WA 6620, at 1.45pm.

1. Declaration of Opening/Announcement Of Visitors:

The Shire President declared the meeting open at 1.57 pm and welcomed those in attendance.

Welcome to Country: -

As per the Shire of Perenjori Policy (N^o 1021) we wish to acknowledge the traditional owners of the land upon which the Shire of Perenjori is situated and to demonstrate respect for the original custodians.

Therefore, I respectfully acknowledge the past and present custodians of the land on which we are meeting, the Badymia people.

I also acknowledge the pioneers who settled this country, developed the land and turned it into the productive country that we know today, allowing us to enjoy the lifestyle to which we have become accustomed.

2. Opening Prayer:

The Shire President read.

3. Disclaimer Reading:

As printed.

4. Record of Attendance/Apologies/Leave of Absence:

4.1 Attendance:

| | |
|-------------------------|---|
| Members: | Cr C King (Shire President) Cr J Sutherland (Deputy President) Cr D Bradford Cr C Bryant Cr A Fraser Cr D Sparkman |
| Staff: | Paul Anderson - CEO Nola Comerford-Smith - MCCS Ken Markham - MIS Hannah Roberts – EA |
| Distinguished Visitors: | Nil |
| Members of The Public: | Nil |
| Leave of Absence: | Nil |
| Apologies: | Cr L Hepworth |

5. Public Question Time:

5.1 Response to Questions Taken on Notice:

Nil

5.2 Questions Without Notice:

Nil

6. Declaration of Interest:

“Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.”

7. Reports:

COUNCIL DECISION

Council Resolution Number: 130422.4

Moved: Cr J Sutherland Seconded: Cr D Bradford

That Council suspend Standing Orders, Clause 9.5 Limitation on number of speeches to be suspended at 2.00 pm for open discussion on item 7.1 of these minutes.

Motion put and carried 6/0

COUNCIL DECISION

Council Resolution Number: 130422.5

Moved: Cr D Bradford Seconded: Cr D Sparkman

That Council reinstates Standing Orders at 2.06pm.

Motion put and carried 6/0

7.1 ROUTE DETERMINATION- REQUEST FOR LGA SUPPORT

| | |
|--------------------------------|---|
| Applicant: | Shire of Perenjori |
| File: | ADM |
| Date: | 7 th April 2022 |
| Disclosure of Interest: | Nil |
| Voting Requirements: | Simple Majority |
| Author: | Ken Markham - Manager Infrastructure Services |
| Responsible Officer: | Paul Anderson - Chief Executive Officer |
| Attachments: | Nil |

Summary

This item seeks Council’s decision on the request for support of a section of Perenjori Rothsay Road being added to the AMMS Level 3 Mass (23.5t for tri axle groups).

Background

The Shire of Perenjori has received a request from Main Roads on behalf of Saltbush Contracting for support/ comments on a section of Perenjori Rothsay Road SLK 0.00- 2.82 being added to the AMMS Level 3 Mass (23.5t for tri axle groups) network.

This would enable Saltbush Contracting to operate the combination of vehicle from the Rothsay Mine site through Perenjori to access their processing plant at Deflector, North of Morawa. The rest of Perenjori Rothsay Road is already under this network due to previous operations by Mt Gibson to the rail siding. Warriedar Coppermine Road and Boonerong Road are also under this network. These roads have the condition that written approval must be carried by operators from the road asset owner and that no operation when road is visibly wet without the road owners written approval. The Wubin Mullewa Road is currently PBSTD2B.3 so approval from Main Roads would also be needed to allow the requested combination to access the route.

The Shire of Morawa has also been approached regarding the AMMS Level 3 Mass (23.5t for tri axle group) and has indicated that they would not support the combination on their roads.

Statutory Environment

Nil

Policy Implications

Council Policy 3007- Application to Operate Restricted Access Vehicles (RAV) on Shire of Perenjori Roads

Consultation

CEO

Shire of Morawa

Main Roads WA

Saltbush

Financial Implications

Nil

Strategic Community Plan

Area 1 Infrastructure and Natural Assets- Our Natural and Built Environment.

Goal: A Community that develops and lives sustainably in a thriving natural quality- built environment, which meets and maintains current and future community needs.

Officer Comment

The original agreement between the Shire of Perenjori and Egan Street Rothsay Pty Ltd stipulates that the combination approved for the haulage is RAV 7 including concessional loading. If approval is being sought for a change of combination, then an amendment to agreement would need to be negotiated.

Other conditions should be added to the roads including but not limited to a speed restriction of 80km/hr.

If approval is given for the requested RAV combination to access the Shire's roads then we will be in a position where if the existing conditions which we have on a majority of our roads which is the CA07- Written approval from the road asset owner must be carried by operators is removed then the Shire would have no control over these vehicles using the roads.

COUNCIL DECISION

Council Resolution Number: 130422.6

Moved: Cr D Bradford

Seconded: Cr C Bryant

That Council:

- 1. Support the application from Saltbush Contracting and Egan Street Rothsay Pty Ltd (Silverlake Resources) for vehicles that meet the main roads criteria for Performance Based Standards (PBS) Level 3A 42m short triple to access the section of Perenjori Rothsay Road SLK 0.00- 2.82 with conditions attached that written approval from the road asset owner must be carried by operators at all times.**
- 2. If approval is granted, that Saltbush Contracting and Egan Street Rothsay Pty Ltd (Silverlake Resources) be contacted to discuss the variation/ amendment to the original agreement which had allowed for RAV 7 combinations only to use the routes for their operations and negotiate the changes to the agreement including a possible financial contribution as decided by Council.**

Motion put and carried 6/0

8. Closure of Meeting:

The Presiding member declared the meeting closed at 2.07 pm and thanked those in attendance.

I certify that this copy of the Minutes is a true and correct record of the meeting held on 13th April 2022.

Signed: _____

Cr Chris King – Presiding Officer

Date: _____