
 Shire of Perenjori

AGENDA

Ordinary Council Meeting

 To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 16th October 2014, to commence at 1:30pm

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14101 PRELIMINARIES

14101.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

14101.2 OPENING PRAYER

14101.3 DISCLAIMER READING

14101.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

14101.5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

14101.6 PUBLIC QUESTION TIME

14101.7 NOTATIONS OF INTEREST

FINANCIAL INTEREST – LOCAL GOVERNMENT ACT S 5.60A

PROXIMITY INTEREST – LOCAL GOVERNMENT ACT S 5.60B

INTEREST AFFECTING IMPARTIALITY – LOCAL GOVERNMENT - CODE OF CONDUCT.

14101.8 APPLICATIONS FOR LEAVE OF ABSENCE

14101.9 CONFIRMATION OF MINUTES

Minutes of Ordinary Council Meeting held 18th September 2014 are attached.

14101.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

14101.11 PETITIONS / DEPUTATIONS / PRESENTATIONS

14102 CORPORATE AND DEVELOPMENT SERVICES**14102.1 FINANCIAL STATEMENTS –SEPTEMBER 2014**

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0081
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	DOMENICA CURTIN – FINANCE OFFICER
RESPONSIBLE OFFICER	PETER MONEY – MCDS
REPORT DATE:	14TH OCTOBER 2014
ATTACHMENTS	MONTHLY FINANCIAL REPORT

Executive Summary

This item recommends the acceptance of the Financial Activity Statement Report which is presented for the period ending 30 September 2014. The report complies with the requirements of Regulation 34 (Financial activity statement report) of the Local Government (Financial Management) Regulations 1996.

Background

Each month officers are required to prepare monthly financial reports, covering prescribed information, and present these to Council for acceptance.

Details

Presented is the Financial Activity Statement Report for the period ending 30th September 2014.

The following statements are presented to Council:

- Monthly Summary Information - Charts
- Statement of Financial Activity (Program and Nature& Type) - This provides the budget and actual income and expenditure for operating and non- recurrent as well and the closing surplus to date. (FM Reg 34(1))
- Statement of Capital Acquisitions and Capital Funding
- Net Current (Assets) Funding Position (Note 3.)-This provides the amount of assets over liabilities within the Balance Sheet. (FM Reg 34 (1)(e))
- Notes to the Financial Statements include:
 - Note 1.- Significant Accounting Policies
 - Note 2. - Explanation of Material Variances
 - Note 3. – Net Current Funding Position
 - Note 4. – Cash & Investments
 - Note 5. – Budget Amendments
 - Note 6. – Receivables
 - Note 7. – Cash Back Reserves

- Note 8. – Capital Disposals
- Note 9. – Rating Information
- Note 10. – Information on Borrowings
- Note 11. – Grant and Contributions
- Note 12.- Trust Fund
- Note 13.- Details of Capital Acquisition

Legal Compliance

Regulation 34 (Financial activity statement report) of the Local Government (Financial Management) Regulations 1996 states –

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –
 - (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing –
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) an explanation of each of the material variances referred to in subregulation (1) (d); and (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown –
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be –
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Section 6.8 of the Local Government Act 1995 (Expenditure from municipal fund not included in annual budget) states –

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- a. is incurred in a financial year before the adoption of the annual budget by the local government; or
- b. is authorised in advance by resolution*; or
- c. is authorised in advance by the mayor or president in an emergency.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Area 5: Investing in Councils Leadership

Goal: Strengthen the Shire’s position as an innovative, independent local Government providing excellence in all areas of governance, management and leadership.

Consultation

Liaison with CEO, MCDS, FO, ECDC, and MIS

Comment

It is recommended that the Financial Activity Statement Report for the period ending 30 September 2014 be accepted.

Voting Requirements – Simple Majority

Officers and Committees Recommendation – Item 14102.1
That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996, accepts the Financial Activity Statement Report for the period ending 30 September 2014.

14102.2 ACCOUNTS FOR PAYMENT – SEPTEMBER 2014

APPLICANT:	SHIRE OF PERENJORI
FILE:	1306P
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	DOMENICA CURTIN – FINANCE OFFICER
RESPONSIBLE OFFICER:	PETER MONEY - MCDS
REPORT DATE:	14TH OCTOBER 2014
ATTACHMENTS:	ACCOUNTS FOR PAYMENT

Executive Summary

This Item recommends that council confirms the accounts paid for the month ending 30th September 2014.

The Schedule of Accounts is presented pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996.

The report identifies payments made from the Municipal and Trust Fund.

Background

Council has delegated to the Chief Executive Officer the authority to make payments from the Municipal and Trust funds in accordance with the Local Government (Financial Management) Regulations 1996.

Under Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal fund or the Trust fund, each payment from the Municipal fund or the Trust fund is to be noted on a list compiled for each month showing:

- a) The payee's name;
- b) The amount of the payment
- c) The date of the payment; and
- d) Sufficient information to identify the transaction

That list should then be presented at the next Ordinary Meeting of the Council following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.

Legal Compliance

Section 6.10 (d) of the Local Government Act 1995 refers, i.e.-

6.10. financial management regulations

Regulations may provide for —

(d) the general management of, and the authorisation of payments out of —

(i) the municipal fund; and

(ii) the trust fund,

of a local government.

Regulation 13(1), (3) & (4) of the Local Government (Financial Management) Regulations 1996 refers, i.e. -

13. Lists of Accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

(a) the payee's name;

(b) the amount of the payment;

(c) the date of the payment; and

d) sufficient information to identify the transaction.

(3) A list prepared under subregulation (1) is to be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting.

Policy Implications

All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures.

Financial Implications

Ongoing management of Council funds by providing Council with sufficient information to monitor and review payments made

Strategic Implications

Area 5: Investing in Councils Leadership

Goal: Strengthen the Shire's position as an innovative, independent local Government providing excellence in all areas of governance, management and leadership

Consultation

MCDS

Comment

All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures and it is therefore recommended that the payments, as contained within the Appendices, be confirmed.

Voting Requirements – Simple Majority**Officer and Committee Recommendation – Item 14102.2**

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 30 September 2014 as attached to and forming part of this report.

Municipal Account	
EFT	\$628,721.86
Direct Debits	\$51,860.76
Cheques	\$29,962.63
Corporate MasterCard	\$2,700.33
Bank Fees	\$1,874.15
Total	\$715,119.73

Trust Account – Shire	
EFT	\$0
Cheques	\$100.00
Bank Fees	\$0
Total	\$100.00

Trust Account – Mt Gibson Public Benefit Funds	
EFT	\$0
Cheques	\$0
Bank Fees	\$0
Total	\$0.00

Totalling \$715,219.73 from Municipal and Trust Accounts for the month ending 30 September 2014

14102.3 NOTICE OF INTENT TO ADOPT STANDING ORDERS LOCAL LAW

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM0279
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	PETER MONEY – MCDS
RESPONSIBLE OFFICER:	PETER MONEY – MCDS
REPORT DATE:	16TH OCTOBER 2014
ATTACHMENTS:	DRAFT STANDING ORDERS

Executive Summary

This item recommends that the Council endorses the Draft Shire of Perenjori Standing Orders Local Law 2014.

The item further recommends that Council approve the advertising of the Draft Standing Orders Local Law 2014.

Background

The Shire of Perenjori current Standing Orders were gazetted in February 2001 and the Local Government Act requires that Local Laws be reviewed at least every 8 years (s3.16) to ensure they comply with current legislation, meet contemporary practices and are the best option for the local government.

The 8 year period has passed and though the Standings Orders may have been reviewed there is no evidence they have been updated to suit contemporary meeting procedures.

It is possible but impractical to amend the existing 1999 Standing Orders Local Law as there are numerous amendments that need to be made in both language, format and references and to attempt an amendment would be onerous and confusing to the readers.

The Shire of Carnamah recently adopted its Standing Orders and these are based on the DLG Model Local Laws which are written to reflect current meeting practices and related activities and as Carnamah is a similar sized local government it is likely the application of these local laws would be similar. Accordingly the proposed Standing Orders are almost identical to the Shire of Carnamah's Standing Orders and where there are differences these are highlighted.

The Local Government Act permits (and encourages) the use of already gazetted Local Laws as the process of review by the Legislative Council Review Panel is greatly reduced and the likelihood of approval is much greater provided the Shire complies fully with the advertising and adoption processes.

In accordance with s3.12(3) of the *Local Government Act 1995* and Regulation 3 of the *Local Government (Functions and General) Regulations 1996* the Presiding Member is to give notice to the Council Meeting of the purpose and effect of the proposed Standing Orders Local Law.

The purpose and effect of the proposed local law is to be included in the agenda and minutes of a meeting.

The Purpose and Effect are as follows

Shire of Perenjori Standing Orders Local Law 2014

Purpose: to provide for the orderly conduct of proceedings and business of the Council of the Shire of Perenjori

Effect: all Council Meetings, committee meetings and elector meetings shall be governed by these local laws unless otherwise provided for in the Local Government Act 1995, Regulations and other written law

Section 3.16 of the Act requires local governments to advertise their proposed local laws which includes repealing of local laws and ensuring the advertising meets the statutory period of not less than six weeks after the notice is given in which the public may lodge submissions. The notice is to be statewide and local inviting submissions which will then be presented to the Council for consideration.

Section 1.5 of the *Draft Standing Orders Local Law 2014* notifies the repealing of the current *Standing Orders Local Law 2000* that were gazetted in February of 2001

Statutory Environment

Section 3.5 (1) 3.12 & 3.16 of the *Local Government Act 1995*.

Regulation 3 of the *Local Government (Functions and General) Regulations 1996*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan

Area 5 – Investing in Council’s Capacity – Our Leadership

Strengthen the Shire’s position as an innovative, independent Local Government providing excellence in all areas of governance, management and leadership

Consultation

Shire of Carnamah

Comment

Nil

Voting Requirements – Simple Majority

Officers Recommendation – Item 14102.3
<p>That Council:</p> <ol style="list-style-type: none"> Endorses the Draft Standing Orders Local Law 2014; and Approves the advertising of the Draft Standing Orders Local Law in accordance with s3.12(3) of the Local Government Act 1995.

14103 INFRASTRUCTURE SERVICES

14103.1 ROAD MAINTENANCE SEPTEMBER 2014
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APPLICANT: SHIRE OF PERENJORI
FILE: ADM 0097
DISCLOSURE OF INTEREST: NIL
AUTHOR: ROB GREEN – WORKS SUPERVISOR
RESPONSIBLE OFFICER: KEN MARKHAM – MANAGER INFRASTRUCTURE SERVICES
REPORT DATE: 8TH OCTOBER 2014
ATTACHMENTS: MAP

Executive Summary

Listed are the roads graded for the month of September.

Malcom rd	Caffin rd
O’Dea rd	Reid rd
Bestry rd (east of Solomon)	Taylors rd
Keogh rd (east of Solomon)	North rd (MT Gibson private works)
Hill rd (from odea to back bowgada)	Lochada rd (MT Gibson private works)
Syson rd	
Spencer rd	
Bamford rd	
Summers rd	
Farrs rd	
Parnham rd (formally part of old well rd)	
Coorow/maya rd	
Maya south west rd	
Bryant rd	
Carmichael rd	

Background

NIL

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

As per road maintenance budget

Strategic Implications

Area 1: Infrastructure and Natural Assets – Our Natural and Built Environment

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

Consultation

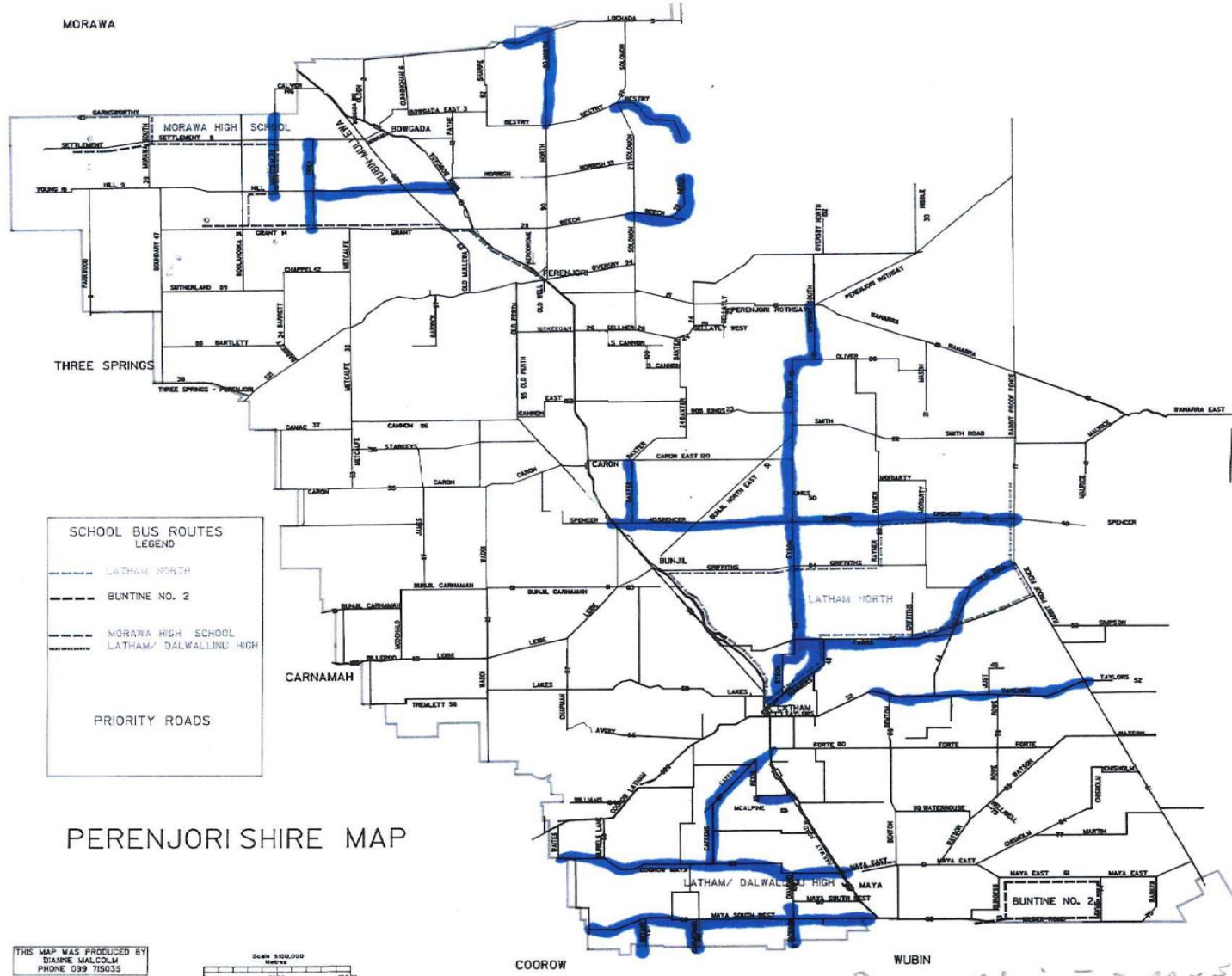
Nil

Comment

Council's maintenance grading in September has concentrated on main harvest routes in preparation for upcoming harvest and some requested works from ratepayers.

Voting Requirements – Simple Majority

Committees Recommendation – Item 14103.1
That the road maintenance report for September 2014 be accepted as presented.



ROAD MAINTENANCE SEPT 14

14103.2 CARON DAM – RE- ROOFING PROJECT
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APPLICANT: SHIRE OF PERENJORI
FILE: ADM 0409
DISCLOSURE OF INTEREST: NIL
AUTHOR: ROB GREEN – WORKS SUPERVISOR
RESPONSIBLE OFFICER: KEN MARKHAM – MANAGER INFRASTRUCTURE SERVICES
REPORT DATE: 8th OCTOBER 2014
ATTACHMENTS: PRE BUDGET QUOTES, ALTERNATIVE ROOF STRUCTURES

Executive Summary

This report seeks council endorsement of the preferred option to repair the Caron Dam roof.

Background

The Caron dam provides the Shire of Perenjori with a valuable resource; it has an existing roof structure which is corrugated iron/custom orb sheeting. Due to storms last summer it has sustained considerable damage, adding to that the ageing timber purlins are in a state of decay which compromise the effect of the tek screws that hold the sheets to the timber.

In June the Works Supervisor obtained two pre budget quotes

- 1) To replace all timber purlins and roof sheeting.
- 2) Replace all timber purlins and replace only damaged sheets.

With (2) being the preferred option.

The Works Supervisor also investigated alternative roof structure options to the existing structure. The following table provides a Pros & Cons on all options.

OPTION	PRO'S	CON'S
(1) Replace all timber purlins and damaged roof sheeting	Structure is already in place. No need to replace security fencing. Long life. Provides full cover protection	Initial cost
(2) Hexagonal shaped floating modules (Aqua Guardian Group)	Does reduce evaporation	Existing structure would need to be removed increasing costs. New security fence required. Not full coverage – as level of dam rises and falls coverage changes. Maximum coverage around 75%. Wind can cause

		modules to blow away. Expensive product.
(3) High density shade cloth cover. (Netpro Canopies)	Prevents bird and animal access. Saves between 55% & 90% evaporation. Reasonably priced. Approximately between \$70,000 and \$100,000/Ha	Need to remove existing structure, upgrade security fencing. Risk of vandalism. Ongoing maintenance and operating costs. Storage needs to be empty to install new infrastructure. Life span 15 years for shade cloth and 30 for cables
(4) Geomembrane Dam Cover (Fabteck)	Full coverage protection as it is a floating structure.	Need to remove existing structure, upgrade security fencing. Risk of vandalism. Preferable for dam to be empty to install new infrastructure

The Caron Dam provides the Shire of Perenjori with a valuable water resource which it uses generally for road construction when water binding and also when doing road maintenance in dry conditions. Due to storms last summer the roof of the dam sustained considerable damage and the timber purlins are in need of replacing as the purlins are in a state of decay. The roof structure has been identified as a Health & Safety issue by the Perenjori Shire's Risk Coordinator from LGIS. The roof also serves as a catchment and reduces evaporation.

Statutory Environment

Section 3.57 Local Government Act 1995 ("the act")

Part 4 Local Government (Functions and General) Regulations 1996 ("the Regulations")

Local Government (Functions and General) Amendment Regulations 2007 ("the Regulations")

Policy Implications

Shire of Perenjori Purchasing policy No 4008

Financial Implications

This project is included in the 2014/15 budget, with funds coming from a combination of a loan, a transfer from the water harvesting reserve and possibly a transfer from the Mt Gibson Infrastructure Reserve. Total cost of project is estimated at between \$212,766 and \$250,000.

Strategic Implications

Area 1: Infrastructure and Natural Assets – Our Natural and Built Environment

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

Consultation

Council

MIS

Jay Fox Prime Roofing

Comment

The Works Supervisor has investigated all options for the repair/replacement off the roof and believes that the option of replacing all timber purlins and only damaged sheets is the best for reasons as demonstrated in the table provided.

Voting Requirements – Simple Majority**Committee Recommendation – Item 14103.2**

That Council endorses the preferred option #1, which is to repair the existing Caron dam roof structure and tenders be called within Council's Purchasing Policy and Local Government tender regulations.

14103.3 CRACKSEAL APPLICATOR – UNBUDGETED EXPENDITURE

APPLICANT: Shire of Perenjori
FILE: ADM R200
DISCLOSURE OF INTEREST: NIL
AUTHOR: KEN MARKHAM –MANAGER INFRASTRUCTURE SERVICES
RESPONSIBLE OFFICER: KEN MARKHAM – MANAGER INFRASTRUCTURE SERVICES
REPORT DATE: 8th OCTOBER 2014
ATTACHMENTS: BROCHURE

Executive Summary

This report seeks Council's endorsement for the purchase of a Crackseal Applicator for bitumen road maintenance.

Background

A better process of repairing cracking in bitumen roads other than the old watering can method is needed to enable staff to maintain the sealed roads in the Shire of Perenjori.

Repairs to cracking of bitumen seals needs to be carried out to reduce the risk of water entering the pavement which lead to potholing and pavement failure.

Before resealing bitumen seals, cracks and potholes should be repaired as there is a tendency for mirroring.

The Emuseal Crackseal Applicator is a product that allows the operator to carry out crack repairs in a clean an efficient manner.

The emulsion or Emuseal is placed in the pot and then pressurised. The application is then concentrated directly at the crack, which gives a neater finish and better productivity with between 50 – 150 linear metres of cracks being repaired per 15 litres of product depending on the size of the crack.

The product offered by Fulton Hogan is \$2,500 ex GST. The funds could come from the General Roads Maintenance Budget, Account 12260,(645,000)

Statutory Environment

Local Government Act 1995, s6.8 (b)

6.8 Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution.

Policy Implications

Nil

Financial Implications

\$2,500 from General Bitumen roads Maintenance budget will go to the new account under capital expenditure for plant.

Strategic Implications

Area 1: Infrastructure and Natural Assets – Our Natural and Built Environment

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

Consultation

Nil

Comment

Having an applicator which is purpose built for applying emulsions to bitumen cracking would be more cost effective, give a neater/ cleaner job and enable the majority of the work to be carried out by one person.

Voting Requirements – Absolute Majority**Officers Recommendation – Item 14103.3****That Council:**

1. Support the purchase of the Crackseal Applicator through Fulton Hogan, and the funds come from the account titled General Roads Maintenance.
2. That a new capital account “Road Equipment” be established with an allocation of \$2,500.
3. That the General Roads Maintenance Account 12260 be reduced by \$2,500 to be transferred to the new account “Road Equipment”.

14103.4 PERENJORI PISTOL CLUB - DONATION

APPLICANT: SHIRE OF PERENJORI

FILE: ADM 0409

DISCLOSURE OF INTEREST: NIL

AUTHOR: KEN MARKHAM –MANAGER INFRASTRUCTURE SERVICE

RESPONSIBLE OFFICER: KEN MARKHAM – MANAGER INFRASTRUCTURE SERVICE

REPORT DATE: 8th OCTOBER 2014

ATTACHMENTS: LETTER

Executive Summary

This report seeks Council’s endorsement of a budget amendment to create a new account for the Purpose of Sporting Club’s Maintenance.

Background

A letter has been received from the Perenjori Pistol club seeking assistance from the Perenjori Shire with the following requests:

Grading and clearing of the front entrance to the facility, building up of the butts, which are at the rear of the ranges, behind the targets to capture expended rounds and a trench dug from the generator shed to the club house and toilet facilities.

The grading and clearing of the club entrance could be picked up whilst the Old Perth road is being graded under our road maintenance budget.

The works on the butts would take about 4 hours with a loader and the trenching would be about 4 hours also, allowing for transport etc. This would cost approximately \$1,500.

The request for the in-kind works from the Perenjori Pistol Club is covered by definition under the Perenjori Shire's Donations Policy as adopted 21st March 2013.

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

As per the Shire of Perenjori's Donations Policy.

Financial Implications

Estimation of \$1,500

Strategic Implications

Area 1: Infrastructure and Natural Assets – Our Natural and Built Environment

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

Consultation

Perenjori Pistol Club

CEO

Comment

By providing in-kind support to the Perenjori Pistol Club by carrying out the requested works is assisting the pistol club in meeting its requirements and improving the amenities for members and visitors to the club which in turn is providing a social and recreational facility to the community.

Voting Requirements – Absolute Majority

Committee Recommendation – Item 14103.4

That Council:

- 1. Supports the donation of labour and plant to the Perenjori Pistol Club up to the value of \$1,500.**
- 2. Endorses a budget amendment with the creation of a new account, "Donations" with a \$1,500 allocation.**
- 3. Consider the allocation of funds through the Budget Review process in February 2015 to cover this amount.**

14104	GOVERNANCE
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14104.1 APPOINTMENT OF FIRE OFFICERS AND RECEIVING OF BUSH FIRE ADVISORY COMMITTEE MINUTES

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0200
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	ALI MILLS – CEO
RESPONSIBLE OFFICER:	ALI MILLS – CEO
REPORT DATE:	16TH OCTOBER 2014
ATTACHMENTS:	UNCONFIRMED MINUTES

Executive Summary

The purpose of this report is to:

- (a) Appoint the Shire of Perenjori Bush Fire Control Officers, pursuant to Section 38 of the Bush Fires Act 1954;
- (b) Appoint the Chief Fire Control Officer and Deputy Chief Bush Fire Control Officer, pursuant to Section 38 of the Bush Fires Act 1954;
- (c) Appoint the Fire Weather Officer, pursuant to Section 38 of the Bush Fires Act 1954; and
- (d) to receive the minutes from the recent Bush Fire Advisory Committee meeting.

Background

The Shire of Perenjori Appoints Officers on an annual basis to ensure adequate resources are available throughout the year.

A Shire of Perenjori, Bush Fire Advisory Committee was held on the 18th September 2014 where nominations were called, received and accepted for the positions required.

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

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

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

Consultation

Bush Fire Advisory Committee

Comment

Nil

Voting Requirements – Simple Majority

Officers Recommendation – Item 14104.1

That Council;

1. Appoint the following Officers for the 2014/15 year:

POSITION	NAME
Chief Bush Fire Control Officer	John Bensdorp
Deputy Chief Bush Fire Control Officer	Ali Mills
Fire Control Officers	John Bensdorp
	Ali Mills
	Peter Waterhouse
	Phil Page
	Ken Markham
	Robbie Green
	Rick Ryan
	Brian Campbell (when trained)
Fire Weather Control Officers	John Bensdorp

	Peter Waterhouse	
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2. That Council accepts the Minutes of the Bush Fire Advisory Committee meeting of 18th September 2014

14104.2 SUPPORT FOR LOCAL GOVERNMENT ACT AMENDAMENT - WALGA

APPLICANT: WALGA
FILE: ADM
DISCLOSURE OF INTEREST: NIL
AUTHOR: CEO – ALI MILLS
RESPONSIBLE OFFICER: CEO – ALI MILLS
REPORT DATE: 16TH OCTOBER 2014
ATTACHMENTS INFOPAGE

Executive Summary

This item seeks Council's opinion on whether it supports the *Local Government Act 1995* being amended so that the community of a Local Government could demand a poll under any boundary change proposal or with a significant variation in population, or rateable properties or revenue.

Background

Input is sought to define WALGA's position regarding advocacy for amendments to the poll provisions contained in Schedule 2.1 of the *Local Government Act 1995* to enable electors of a Local Government that will be abolished or significantly affected by a boundary change proposal to demand a poll.

At the **2 July** State Council meeting, State Council resolved to adopt, and advocate for, a policy position that the poll provisions should be amended so that electors of a Local Government where one or more Local Governments will be abolished or significantly affected by a boundary change proposal are able to demand a poll on the proposal, with 'significantly affected' being specifically defined as causing a fifty percent variation in:

- i. Population; or,
- ii. Rateable properties; or,
- iii. Revenue.

At WALGA's Annual General Meeting, held on **6 August**, the meeting resolved:

That this Annual General Meeting, recognising the current approach by the State Government to the

manipulation of the principles of the 'Dadour' poll provisions:

a) endorse WALGA's position of providing community access to the poll provisions where 1 or more

districts are to be abolished rather than the 2 or more districts as currently provided for in the Local Government Act 1995;

b) endorse WALGA's proposed extension of the poll provisions to significant boundary adjustments

subject to any associated criteria and any percentages being agreed to by a majority of all local governments in Western Australia, and

c) reaffirm as policy, that WALGA is opposed to the removal or dilution of the 'Dadour' poll provisions including the temporary dilution or removal of those provisions.

State Council, at their **3 September** meeting, endorsed parts (a) and (c) of the AGM resolution above and resolved the following in relation to part (b):

4.7B Part (b) – endorse WALGA's proposed extension of the poll provisions to include significant boundary adjustments subject to further research and sector consultation being carried out on any associated criteria and for a report to be presented through the next Zone/State Council Meetings.

Local Governments are invited to provide feedback prior to Friday **31 October** to inform an agenda item to be prepared for the **3 December** State Council meeting.

Defining the criteria for whether a boundary change significantly affects a Local Government is difficult and there are divergent views in the Local Government sector. There is a general view that a minor boundary change, perhaps to fix an anomaly, should not be the subject of a potential poll of electors. There is also a general view that, where one or more Local Governments will be abolished or a Local Government's viability could be affected by a boundary change proposal, electors should have the right to demand a poll.

Criteria defining whether a Local Government would be 'significantly affected' could be defined in the Local Government Act. This was State Council's original approach where it was resolved that a 50 percent variation in population, or rateable properties or revenue would be the trigger for the community to have the option to call a poll. In addressing this matter it needs to be determined whether these are the appropriate criteria or whether there should be an alternative method to determine whether a Local Government would be 'significantly affected' by a boundary change proposal.

Options to address this issue are presented:

1. All boundary change proposals could be the subject of a poll. While there is a general view that minor boundary changes should not be subject to a poll of the community, it could be argued that a minor boundary change that only affects a small number of properties would be unlikely to attract enough interest from the community for a poll to be called or to ultimately be successful in overturning the proposal. This would remove the need for criteria to be established to define 'significantly affected'.

2. Criteria defining whether a Local Government would be 'significantly affected' could be defined in the Local Government Act. It is suggested that a percentage variation in population, or rateable properties, or revenue could be defined as the appropriate criteria to trigger the community's right to call a poll. Three percentages are presented as options to define these criteria in the Local Government Act:

a. 10 percent.

b. 25 percent

c. 50 percent

Statutory Environment

Local Government Act 1995,

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Area 5: Investing in Councils Capacity – Our Leadership

Goal: Strengthen the Shire's position as an innovative, independent local Government providing excellence in all areas of governance, management and leadership.

Consultation

Nil

Comment

Council has the opportunity to consider the implications and benefits of changes to the Local Government Act and to have a say and present this to WALGA.

Voting Requirements – Simple Majority

Officers Recommendation – Item 14104.2

That Council:

1. Supports the *Local Government Act 1995* being amended so that the community of a Local Government could demand a poll with which of the following conditions being met:

(a). Under any boundary change proposal YES / NO

OR

(b). With a significant variation in population, or rateable properties or revenue by:

(i). 10 percent

(ii) 25 percent

(iii) 50 percent

(Please indicate preferences – i.e. 1 for most preferred, then 2 then 3)

2. Provide general feedback to refine WALGA's advocacy position, including alternative criteria to define when a Local Government would be 'significantly affected' by a poll.

14104.3 PERENJORI BUSINESS INCUBATOR – ACCOMMODATION INCENTIVE

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0420
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	CEO – ALI MILLS
RESPONSIBLE OFFICER:	CEO – ALI MILLS
REPORT DATE:	16TH OCTOBER 2014
ATTACHMENTS	NIL

Executive Summary

This item seeks Council's consideration for the adoption of reduced fees and charges for accommodation at the caravan park, for businesses committed through agreement to establish within the Perenjori Business Incubator Project.

Background

The objective of the Perenjori Business Incubator project is to provide an environment for the development of entrepreneurs in the mid-west region to either commence or expand their business within the Shire of Perenjori.

AIMS

- 1) Development of up to 12 business units in a three (3) stage approach at the site of the old shire depot of different sizes to cater for the needs of multiple business types
- 2) Increase business services available to the community & industry located within the region
- 3) Increased employment opportunities
- 4) Increased business diversity
- 5) Increased confidence within our community through higher levels of service access and availability

Three units are currently under construction with one business committed to operating from a unit when completed. Council's CEO has been targeting particular businesses which have been identified as being in demand by mining, agriculture and the domestic markets. One of the more difficult challenges to address is housing for the workers of the businesses as there is a high demand across the community for rental properties and limited availability.

Short term options being explored and presented to potential business owners is the Caravan Park, with options including the renting of existing village unit/s or chalet/s, as well as the business bringing in their own caravans.

The recent downturn in the mining sector has raised the risk levels for new business contemplating the move or expansion to Perenjori. Whilst we have very little control over this there is opportunity for incentives to be considered which will assist in reducing initial costs providing a safer environment whilst the businesses have time to establish themselves and build their business to survive the ebbs and flows which can occur.

Councils housing stock are primarily to accommodate staff with opportunity to lease privately if properties are not required. We have very limited capacity here at the moment with a full workforce now on board so it is not expected any opportunities will be available here to support businesses.

Capital costs associated with buying land and building or buying an existing property are difficult for these businesses to accommodate in the short to medium term with all other costs and risks it would make the proposition potentially unviable.

Options

The Caravan Park presents options for a short to medium term as follows:

TIME PERIOD	ACCOMMODATION TYPE	CURRENT FEES P/N	PROPOSED FEES P/N
FIRST 6 MONTHS	VILLAGE ENSUITE UNIT	\$80	\$40
50 % DISCOUNT	PARK HOME	\$176	\$88
	CHALET	\$143	\$71.50
	ECO HOUSE 1	\$200	\$100
	ON SITE CARAVAN	\$25	\$12.50
		\$140 PER WEEK	\$70 PER WEEK
7MTHS TO 12 MTHS	VILLAGE ENSUITE UNIT	\$80	\$60
25% DISCOUNT	PARK HOME	\$176	\$140.50
	CHALET	\$143	\$107.25
	ECO HOUSE 1	\$200	\$150
	ON SITE CARAVAN	\$25	\$18.75
		\$140 PER WEEK	\$105
12 MONTHS PLUS	AS PER NORMAL FEES		

Statutory Environment

Local Government Act 1995, Part 6 Financial Management, Financing Local Government Activities

6.16. Imposition of fees and charges and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

Fees and charges are to be imposed when adopting the annual budget but may be –

- (a) imposed during the financial year; and

(b) amended from time to time during a financial year.

An Absolute Majority is required.

Policy Implications

Council has a Donations Policy

POLICY STATEMENT

Donations within Perenjori

Council donations will generally only be provided for individuals who reside in the Perenjori local government area, or to community organisations that operate within the Perenjori local government area and/or for the benefit of Perenjori residents.

ELIGIBILITY

- a) Any Not For Profit, Community service, groups or welfare or charitable organisations or groups providing programs or services to residents of Perenjori
- b) Any activity, event or program that is supported by Council's existing Strategic Plan and policies,
- c) Young people who are aged 10 to 20 years who have their Primary residence in Perenjori
- d) All Schools in the Shire of Perenjori
- e) Contractors who are conducting work on behalf of the Shire of Perenjori (applicable to waiving or reducing of fees only and in relation to accommodation)
- f) Agree to complete an acquittal and evaluation report where requested. Failure to do so may render the applicant ineligible for future funding.

Financial Implications

There is a potential loss of income in the instances where demand was high within the Caravan Park with the loss of full paying customers

Strategic Implications

Area 2: Industry and Business Development – Our Economy

Goal: Fostering and maximising growth across the economy, embracing opportunities for diversifying and strengthening our economic base.

Consultation

Business owners

MCDS

Comment

These incentives will assist in attracting business to our community. Offering the 50 % reductions in the first 6 months provides a very good opportunity for a business to establish itself without the burden of large additional costs. This is a very proactive approach, being in the short to medium term which will be very helpful and there will be a need to look at more longer term options to assist businesses to attract workers and their families to reside in Perenjori.

Voting Requirements – Absolute Majority**Officers Recommendation – Item 14104.3**

That Council acknowledge the need to offer incentives limited to committed new businesses of the Perenjori Business Incubator Project, and approves the following reductions in Caravan Park fees and charges to commence immediately for those new businesses, and applied at the discretion of the CEO, as follows:

TIME PERIOD	ACCOMMODATION TYPE	CURRENT FEES P/N	PROPOSED FEES P/N
FIRST 6 MONTHS	VILLAGE ENSUITE UNIT	\$80	\$40
50 % DISCOUNT	PARK HOME	\$176	\$88
	CHALET	\$143	\$71.50
	ECO HOUSE 1	\$200	\$100
	ON SITE CARAVAN	\$25	\$12.50
		\$140 PER WEEK	\$70 PER WEEK
7MTHS TO 12 MTHS	VILLAGE ENSUITE UNIT	\$80	\$60
25% DISCOUNT	PARK HOME	\$176	\$140.50
	CHALET	\$143	\$107.25
	ECO HOUSE 1	\$200	\$150
	ON SITE CARAVAN	\$25	\$18.75
		\$140 PER WEEK	\$105
12 MONTHS PLUS	AS PER NORMAL FEES		

14104.4 TERMS OF REFERENCE – AUDIT COMMITTEE

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM0081
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	ALI MILLS - CEO
RESPONSIBLE OFFICER	ALI MILLS - CEO
REPORT DATE:	16TH OCTOBER 2014
ATTACHMENTS	TERMS OF REFERENCE – AUDIT COMMITTEE

Executive Summary

This item seeks Council's consideration for the adoption of the Terms of Reference for the Audit Committee.

Background

The Local Government Act 1995 (the Act) requires that all local governments establish an audit committee. An audit committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the external and internal audit functions. To assist the audit committee in achieving its role, Terms of Reference for the audit committee have been drafted based on the Department of Local Governments model as presented in the Local Government Operational Guidelines, Number 09.

Statutory Environment

Local Government Act 1995 and the Local Government (Audit) Regulations 1996 states:

- a) the local government is to do everything in its power to –
- i. assist the auditor to conduct an audit and carry out his or her other duties under the Act; and
 - ii. ensure that audits are conducted successfully and expeditiously;
- b) a local government is to meet with its auditor at least once in every year;
- c) a local government is to examine the report of the auditor and is to –
- i. determine if any matters raised require action to be taken by the local government; and
 - ii. ensure that appropriate action is taken in respect of those matters;
- d) a local government is to –
- i. prepare a report on any actions taken in respect of any matters raised in the report of the auditor; and
 - ii. forward a copy of that report to the Minister by the end of the next financial year, or six months after the last report prepared by the auditor is received by the local government, whichever is the latest in time.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications**Area 5: Investing in Councils Capacity – Our Leadership**

Goal: Strengthen the Shire's position as an innovative, independent local Government providing excellence in all areas of governance, management and leadership.

Consultation

Department of Local Government

Comment

The Draft Terms of Reference provides very good information on the role and function of this committee which will be of benefit to existing and future members.

Voting Requirements – Simple Majority**Committee Recommendation – Item 14104.4**

That Council adopt the Draft Terms of Reference – Audit Committee 2014.

14104.5 RISK MANAGEMENT FRAMEWORK, POLICY AND REVIEW 2014

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM0081
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	ALI MILLS - CEO
RESPONSIBLE OFFICER	ALI MILLS - CEO
REPORT DATE:	16TH OCTOBER 2014
ATTACHMENTS	Risk Management Framework Risk Profile and Reporting HARD COPY

Executive Summary

This item seeks Council's consideration for the adoption of the Shire of Perenjori Risk Management Policy 2014 and to accept the review of risk management as presented.

Background

The Local Government Audit Regulations 1996 requires that all local governments establish a Risk Management Framework By December 2014. The Framework includes the establishment of a Risk Management Policy which meets the principles and standards of the AS/NZS ISO 31000:2009 Risk Management.

LGIS has assisted in this process with combining the approach with other local Governments across the North Midlands to develop a framework for each local government area. Funds from each LGIS account have been used to cover the costs of the human resources.

This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

It is essential that all areas of the Shire adopt these procedures to ensure:

- Strong corporate governance.
- Compliance with relevant legislation, regulations and internal policies.
- Integrated Planning and Reporting requirements are met.
- Uncertainty and its effects on objectives is understood.

Risk Management Objectives

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations

The Risk Framework includes:

- Risk Management Policy
- Risk Management Procedures
- Risk Register
- The sixte Misconduct
- External theft and fraud
- Business and community disruption,
- Errors, omissions and delays
- Failure of IT &/or communications systems and Infrastructure
- Failure to fulfil statutory, regulatory or compliance requirements
- Providing inaccurate advice / information
- Inadequate project/change management
- Inadequate document management processes

- Inadequate safety and security
- Inadequate engagement practices
- Inadequate sustainability practices
- Inadequate supplier / contract management
- Ineffective employment practices
- Ineffective management of facilities / venues / events
- Inadequate environmental management

Item 17 of the Local Government Audit Regulations place the responsibility of Risk Management on the CEO;

17. CEO to review certain systems and procedures

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
- (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*

Significant time has been spent with the LGIS representative to assess all risks identified, rating them and any action required to mitigate the risks. The document is organic and will require updating regularly. The following Risk Dashboard Report provides details of all theme areas, the level of risk and level of controls in place. There are four areas which have been identified as being inadequate with actions developed to ensure these areas are addressed.

<u>Ineffective management of facilities / venues / events</u>		Risk	Control
		High	Inadequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
<i>Implement a booking system including key issuance / return</i>	<i>Dec-14</i>	<i>MCDS</i>	
<i>Develop Casual Hirers agreements for use.</i>	<i>Nov-14</i>	<i>MCDS</i>	
<i>Complete a key audit</i>	<i>Dec-14</i>	<i>MCDS</i>	
<i>Implement the Event Guide</i>	<i>Aug-15</i>	<i>CDO</i>	

<u>Inadequate safety and security practices</u>		Risk	Control
		High	Inadequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
<i>Refer to OSH Tracker for regular updates</i>	<i>Quarterly</i>	<i>CEO</i>	
<i>Review Organisational</i>			

<u>Inadequate supplier / contract management</u>		Risk	Control
		Moderate	Inadequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
<i>Develop process of review for the Agreements Register (delegated task)</i>	<i>Nov-14</i>	<i>MCDS</i>	
<i>Develop monitoring process / feedback for provision of Medical services (in conjunction with Morawa)</i>	<i>Mar-15</i>	<i>CEO</i>	
<i>Develop monitoring process / feedback for provision of Waste services (in conjunction with Morawa)</i>	<i>Mar-15</i>	<i>CEO</i>	

<u>Failure of IT &/or communication systems and infrastructure</u>		Risk	Control
		Moderate	Inadequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
<i>Convert IT Framework to Databank (Geraldton)</i>	<i>Aug-15</i>	<i>CEO</i>	

Statutory Environment**Local Government Act 1995****Local Government Audit Regulations 1996****17. CEO to review certain systems and procedures**

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

Policy Implications

This is a new policy.

Financial Implications

Where possible actions will be included within the existing budget and considered in future budget processes.

Strategic Implications**Area 5: Investing in Councils Capacity – Our Leadership**

Goal: Strengthen the Shire's position as an innovative, independent local Government providing excellence in all areas of governance, management and leadership.

Consultation

Department of Local Government
LGIS

Comment

The Framework provides a sound document to ensure all areas of risk, control and compliance are attended to. It is a practical document which will be a useful tool to use by Senior staff to assess our performance in all of the theme areas.

Voting Requirements – Simple Majority

Committee Recommendation – Item 14104.5

That Council:

- 1. Endorse the Risk Management Framework 2014 for the Shire of Perenjori as presented;**
- 2. Adopt the Shire of Perenjori Risk Management Policy 2014 – Audit Committee 2014;**
- 3. Accept the review of risk management, internal control and legislative compliance systems and procedures for 2014 as presented.**

14105 PROJECT STATUS REPORT

APPLICANT:	SHIRE OF PERENJORI
FILE:	NIL
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	ALI MILLS – CEO
RESPONSIBLE OFFICER	ALI MILLS – CEO
REPORT DATE:	16TH OCTOBER 2014
ATTACHMENTS	PROJECT STATUS REPORT

SUMMARY

The project status report is provided to Council in order that actionable items are recorded and results reported to council. Although this is information only, the project status report is to be accepted by Council and recorded in the minutes to ensure councils are kept informed on the progress of the work undertaken by the Shire of Perenjori.

Officers Recommendation – Item 14105

Council accepts the October 2014 Project Status Report as presented.

14106 STATUS REPORT

APPLICANT:	SHIRE OF PERENJORI
FILE:	NIL
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	ALI MILLS – CEO
RESPONSIBLE OFFICER	ALI MILLS – CEO
REPORT DATE:	16th OCTOBER 2014
ATTACHMENTS	STATUS REPORT

SUMMARY

The status report is provided to Council in order that actionable items are recorded and results reported to council. Although this is information only, the status report is to be accepted by Council and recorded in the minutes to ensure councils are kept informed on the progress of the work undertaken by the Shire of Perenjori.

Officers Recommendation – Item 14106

Council accepts the October 2014 Status Report as presented.

14107 OTHER BUSINESS**14107.1 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN****14107.2 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN****14107.3 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION****14107.4 MATTERS BEHIND CLOSED DOORS****14107.5 DATE OF NEXT MEETING / MEETINGS**

The next Ordinary Council meeting will be held on the 20TH November 2014 at 1.30pm.

14107.6 CLOSURE