Shire of Perenjori

MINUTES

Ordinary Council Meeting

18th February 2016

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on the 18th February 2016, commenced at 3.00 pm.

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Shire of Perenjori

Ordinary Council Meeting

MINUTES 18th February 2016

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16021 PRELIMINARIES

16021.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

President L Butler declared the meeting open at 3.07 pm.

16021.2 OPENING PRAYER

President L Butler led the opening prayer.

16021.3 DISCLAIMER READING

16021.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

President L Butler
Cr L Smith
Cr K Pohl
Cr R Spencer
Cr R Desmond
Cr J Hirsch
Cr P Waterhouse
Cr G Reid
Ali Mills - CEO
Ken Markham – MIS
Peter Money – MCDS

Apologies;
Cr J Cunningham

16021.5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

16021.6 PUBLIC QUESTION TIME

Nil
16021.7 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.
- Councillor R Spencer declared an interest affecting impartiality on the late confidential item 16028.4.1

16021.8 APPLICATIONS FOR LEAVE OF ABSENCE

Cr L Smith requested leave of absence for the ordinary council meeting on the 17th March 2016.

16021.9 CONFIRMATION OF MINUTES

Minutes from the Ordinary Council Meeting held on the 17th December 2015 are attached.

<table>
<thead>
<tr>
<th>Council Resolution – Item 16021.9</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council accepts the Minutes from the Ordinary Meeting of the 17th December 2015 as a true and correct record of that Meeting.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Council Resolution – Item 16021.9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved: Cr J Hirsch</td>
</tr>
<tr>
<td>That Council accepts the Minutes from the Ordinary Meeting of the 17th December 2015 as a true and correct record of that Meeting.</td>
</tr>
<tr>
<td>Carried: 7/0</td>
</tr>
</tbody>
</table>

16021.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

<table>
<thead>
<tr>
<th>Motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved: Cr L Smith</td>
</tr>
<tr>
<td>That Council allows Councillor Graeme Reid to join the ordinary council meeting via phone.</td>
</tr>
<tr>
<td>Carried: 7/0</td>
</tr>
</tbody>
</table>

16021.11 PETITIONS / DEPUTATIONS / PRESENTATIONS

16022 CORPORATE AND DEVELOPMENT SERVICES

16022.1 FINANCIAL STATEMENTS – DECEMBER 2015

<table>
<thead>
<tr>
<th>APPLICANT:</th>
<th>SHIRE OF PERENJORI</th>
</tr>
</thead>
<tbody>
<tr>
<td>FILE:</td>
<td>ADM 0081</td>
</tr>
</tbody>
</table>
Executive Summary
This item recommends that Council accepts the Financial Activity Statement for the period ending 31st December 2015.

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

Details
Presented is the Financial Activity Statement Report for the period ending 31st December 2015.

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 34 (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 MCDS, FO, & MIS.
Committee Recommendation – Item 16022.1


Council Resolution – Item 16022.1

Moved: Cr L Smith
Seconded: Cr J Hirsch

Carried: 8/0

16022.2 ACCOUNTS FOR PAYMENT – DECEMBER 2015

APPLICANT: SHIRE OF PERENJORI
FILE: 1306P
DISCLOSURE OF INTEREST: NIL
AUTHOR: DEBBY BARNDON – SENIOR FINANCE OFFICER
RESPONSIBLE OFFICER: PETER MONEY – MCDS
REPORT DATE: 18TH February 2016
ATTACHMENTS: ACCOUNTS FOR PAYMENT

Executive Summary

This item recommends that the schedule of accounts for payment for the month ending 31st December 2015 be confirmed.

Background

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.

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**
Nil

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

**Voting Requirements – Simple Majority**
Committee Recommendation – Item 16022.2

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 31st December 2015 as attached to and forming part of this report.

<table>
<thead>
<tr>
<th>Municipal Account</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$ 545,150.52</td>
</tr>
<tr>
<td>Direct Debits</td>
<td>$ 112,168.34</td>
</tr>
<tr>
<td>Cheques</td>
<td>$ 47,686.37</td>
</tr>
<tr>
<td>Corporate MasterCard</td>
<td>$ 6,396.03</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$ 311.80</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 711,713.06</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trust Account - Shire</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$ 4,000.00</td>
</tr>
<tr>
<td>Cheques</td>
<td>$ 3,040.00</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$ 0.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 7,040.00</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trust Account – Mt Gibson Public Benefit Funds</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Cheques</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Bank Fees</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 0.00</strong></td>
</tr>
</tbody>
</table>

*Totalling $718,753.06 from Municipal and Trust Accounts for the month ending 31st December 2015.*
Council Resolution – Item 16022.2

Moved: Cr L Smith  
Seconded: Cr K Pohl  
That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 31st December 2015 as attached to and forming part of this report.

Carried: 8/0

### Municipal Account

<table>
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### Trust Account - Shire

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<th>Description</th>
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</table>

### Trust Account – Mt Gibson Public Benefit Funds

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<tr>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>EFT</td>
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</tr>
<tr>
<td>Cheques</td>
<td>$0.00</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
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</tr>
</tbody>
</table>

**Totalling $718,753.06 from Municipal and Trust Accounts for** the month ending 31st December 2015.
Executive Summary
This item recommends that Council accepts the Financial Activity Statement for the period ending 31st January 2016.

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

Details

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Legal Compliance
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(7) 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.

(8) 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.

(9) A statement of financial activity, and the accompanying documents referred to in subregulation 34 (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.

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(2) 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 Council's 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 MCDS, FO, & MIS.

Voting Requirements - Simple Majority

<table>
<thead>
<tr>
<th>Committee Recommendation – Item 16022.3</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Council Resolution – Item 16022.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved: Cr L Smith</td>
</tr>
<tr>
<td>Carried: 8/0</td>
</tr>
</tbody>
</table>

16022.4 ACCOUNTS FOR PAYMENT – JANUARY 2016

<table>
<thead>
<tr>
<th>APPLICATION:</th>
<th>SHIRE OF PERENJORI</th>
</tr>
</thead>
<tbody>
<tr>
<td>FILE:</td>
<td>1306P</td>
</tr>
<tr>
<td>DISCLOSURE OF INTEREST:</td>
<td>NIL</td>
</tr>
<tr>
<td>AUTHOR:</td>
<td>DEBBY BARNDON – SENIOR FINANCE OFFICER</td>
</tr>
<tr>
<td>RESPONSIBLE OFFICER:</td>
<td>PETER MONEY – MCDS</td>
</tr>
<tr>
<td>REPORT DATE:</td>
<td>18th February 2016</td>
</tr>
<tr>
<td>ATTACHMENTS:</td>
<td>ACCOUNTS FOR PAYMENT</td>
</tr>
</tbody>
</table>

Executive Summary
This item recommends that the schedule of accounts for payment for the month ending 31st January 2016 be confirmed.

Background
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. 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
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a) The payee’s name;
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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 —
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   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
Nil
**Comment**
All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures.

**Voting Requirements – Simple Majority**

**Committee Recommendation – Item 16022.4**

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 31st January 2016 as attached to and forming part of this report.

<table>
<thead>
<tr>
<th>Municipal Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$1,172,384.81</td>
</tr>
<tr>
<td>Direct Debits</td>
<td>$74,690.35</td>
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<tr>
<td>Cheques</td>
<td>$17,911.08</td>
</tr>
<tr>
<td>Corporate MasterCard</td>
<td>$4,675.04</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$388.85</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,270,050.13</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trust Account - Shire</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$4,745.86</td>
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<tr>
<td>Cheques</td>
<td>$3,400.00</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$0.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$8,145.86</strong></td>
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<table>
<thead>
<tr>
<th>Trust Account – Mt Gibson Public Benefit Funds</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$5,932.30</td>
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<td>Cheques</td>
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</tr>
<tr>
<td>Bank Fees</td>
<td>$0.00</td>
</tr>
</tbody>
</table>
Shire of Perenjori
Ordinary Council Meeting
MINUTES
18th February 2016

Total $ 5,932.30

*Totalling $1,284,128.29 from Municipal and Trust Accounts for the month ending 31st January 2016.*

### Council Resolution – Item 16022.4

Moved: Cr Desmond  
Seconded: Cr Spencer

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 31st January 2016 as attached to and forming part of this report.

Carried: 8/0

<table>
<thead>
<tr>
<th>Municipal Account</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
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<tr>
<td>Direct Debits</td>
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<td>Cheques</td>
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<tr>
<td>Bank Fees</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,270,050.13</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Trust Account - Shire</th>
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<tbody>
<tr>
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<td>Cheques</td>
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<td>Bank Fees</td>
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<td><strong>Total</strong></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trust Account – Mt Gibson Public Benefit Funds</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT</td>
<td>$5,932.30</td>
</tr>
<tr>
<td>Cheques</td>
<td>$0.00</td>
</tr>
</tbody>
</table>
Shire of Perenjori

Ordinary Council Meeting

MINUTES 18th February 2016

<table>
<thead>
<tr>
<th>Bank Fees</th>
<th>$0.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$5,932.30</td>
</tr>
</tbody>
</table>

Totalling $1,284,128.29 from Municipal and Trust Accounts for the month ending 31st January 2016.

16022.5 OFFER TO RELINQUISH LAND TO THE COUNCIL

APPLICANT: MR C. L. Slatter

FILE: A498

DISCLOSURE OF INTEREST: NIL

AUTHOR: PETER MONEY – MCDS

RESPONSIBLE OFFICER: PETER MONEY – MCDS

REPORT DATE: 18TH FEBRUARY 2016

ATTACHMENTS LETTER FROM MR C L SLATTER

Executive Summary

This item provides two options for the Council to either

a) decline the offer of acquiring at administrative cost three lots of land in the township of Maya; or

b) the Council may choose to acquire the land as the applicant no longer wants the land, although there appears to be no tangible benefit to the Council in acquiring the land.

Background

The applicant has written to the Council asking that the Shire takes possession of three lots of land in Maya being Lots 48, 49 & 50 Olden Road Maya. (See Landgate map below).

The applicant inherited the land from his mother and recently enquired about amalgamating the lots to reduce the cost of land rates on the three lots. However he decided the cost of surveying and amalgamation was not justified by the value of the land and its saleability.

As a result the applicant has offered the land to the Shire on condition that the Shire pays the land transfer costs and does not enforce the payment of rates on the land for this financial year.

While it would be a benefit to the applicant for the Council accept the land there is no value in owning the land from the Shire’s view as there is no foreseeable purpose for the land.

The cost to the Council to acquire the land would be $1,769 based on a minimum land value and if the Council paid the Sellers cost of $642. The current year’s rates have already been paid and the Council could agree to refund a portion of the rates based on the disposal date, or, as the Council is paying the buyer and seller fees, not refund any rates.

If the Council chooses to not accept the land the applicant has the option of offering the land to the Crown.

Statutory Environment

Nil
Policy Implications
Nil

Financial Implications
On going maintenance may be required to ensure firebreaks etc

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.

Risk Management
There is not a substantial cost to the Council if it acquired the land offered by the applicant but this could set a precedent if the Council acquires land it does not need or want. It is possible other landowners who have properties they don’t want could offer their land to the Council and expect the same consideration.

Alternatively if the applicant relinquishes the land to the Crown and at some time in the future the Council or a private buyer wanted land in that area the process of acquiring land from the Crown is onerous.

Consultation
Sanford Settlements – Geraldton
Mr. C. L. Slatter

Comment
Nil

Voting Requirements – Simple Majority

Officers Recommendation – Item 16022.5

| Option 1 | The Council declines to accept the offer to acquire Lots 48, 49 & 50 Olden Road Maya. OR | Option 2 | The Council accepts the offer to acquire Lots 48, 49 & 50 and pay the associated transfer and acquisition costs but does not agree to refund a pro rata sum of rates paid. |

Council Resolution – Item 16022.5

<table>
<thead>
<tr>
<th>Moved: Cr L Smith</th>
<th>Seconded: Cr P Waterhouse</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council declines to accept the offer to acquire Lots 48, 49 &amp; 50 Olden Road Maya but agrees to offer support to the applicant to dispose of the land to the Crown.</td>
<td></td>
</tr>
<tr>
<td>Carried: 8/0</td>
<td></td>
</tr>
</tbody>
</table>
16023 INFRASTRUCTURE SERVICES

16023.1 ROAD MAINTENANCE – DECEMBER 2015 / JANUARY 2016

APPLICANT: SHIRE OF PERENJORI
FILE: R999
DISCLOSURE OF INTEREST: NIL
AUTHOR: KEN MARKHAM-MANAGER INFRASTRUCTURE SERVICES
RESPONSIBLE OFFICER: KEN MARKHAM-MANAGER INFRASTRUCTURE SERVICES
REPORT DATE: 18TH FEBRUARY 2016
ATTACHMENTS MAP

Executive Summary
This item seeks Council’s acceptance of the road maintenance report for the months of December 2015 and January 2016.

**Background**

Listed are the roads graded for the month of November.

<table>
<thead>
<tr>
<th>North Road</th>
<th>Keogh Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rabbit Proof Road</td>
<td>Bunjil North East Road</td>
</tr>
<tr>
<td>Syson Road</td>
<td>Griffiths Road</td>
</tr>
<tr>
<td>Taylors Road</td>
<td>I Just Road</td>
</tr>
<tr>
<td>Forte Road</td>
<td>Rowe Road</td>
</tr>
<tr>
<td>Caffin Road</td>
<td></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**

**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.

**Risk Management**

The risk of not undertaking road maintenance is that the roads become unsafe and the asset deteriorates.

**Consultation**

Nil

**Comment**

NIL

**Voting Requirements – Simple Majority**

**Officers Recommendation – Item 16023.1**

That the road maintenance report for December 2015 and January 2016 be accepted as presented.

**Council Resolution – Item 16023.1**

Moved: Cr R Desmond  
Seconded: Cr P Waterhouse

That the road maintenance report for December 2015 and January 2016 be accepted as presented.

Carried: 8/0
Executive Summary
This item seeks Council support for a recommendation to be presented to the Northern Country Zone meeting regarding the need for advocacy from WALGA to the State Government and St John Ambulance to address current concerns and issues with the sustainability of continued ambulance services across the state.

Background
A recent meeting held with Shire Presidents provided opportunity for a sharing of common interests and issues. St Johns Ambulance service was discussed as it seems a common theme was prevalent with the following identified; a lack of volunteers, increasing requirements and expectations, increasing demands for services both emergency response and patient transfers and concerns for capacity of volunteers to cope with all of the above.

Reports
These issues and concerns are not new and a quick research on the internet has revealed there have been a number of reports, articles and research studies conducted over the past 15 years talking about the same issues. The following are related and relevant:

- The Factors Affecting the Supply of Health Services and Medical Professionals in Rural Areas, (2011), The Council of Ambulance Authorities,
- Audit to examine whether ambulance services have improved in response to the 2009 Inquiry into SJA, (2013), Office of the Auditor General
- Volunteer Ambulance Officers find a voice, Fahey C and Walker J.

Office of Attorney General Audit
The State Government launched an audit to determine whether there had been improvements to ambulance service delivery as a result of increased resources and a number of recommendations. It has been reported that there has been noted improved ambulance services overall in WA. The service has greater capacity, its responsiveness has improved, clinical monitoring is more extensive and there is increased support for volunteers.

Issues and Concerns for Country Ambulance centres
However it is also noted there are a number of challenges particularly facing rural St John sub-centres which include:
• Decreasing numbers of “new” volunteers;
• Existing volunteers predominantly over 50 years of age;
• Training requirements, being approx. 2 hours every month;
• Limited levels of training provided, and thus limited skill levels on offer to adequately respond;
• Increasing pressure for volunteers to do patient transfers. This can result in long hours of volunteering causing fatigue and an over burden on individuals;
• Lack of incentives and basic coverage of out of pocket costs to attract and retain volunteers;
• Dealing with confronting situations, often without professional help or support; and
• Country officers are often attending to incidents with people involved that they know.

Service Models and Approaches
There are a number of different service models across Australia, however it is noted that WA has a relatively low cost service due to:

• Local volunteer ambulance officers relied on to deliver services in country areas. WA has 6.2 volunteer sub-centres per 100 000 population compared to 1.5 nationally
• Ambulance use in WA is relatively low with 101 patients per 1000 compared to 136 nationally
• Patient transfers are often carried out by volunteers not paramedics and in vehicles not ambulances (for non-emergency patient transport)

The WA Health service operates its own ambulance service in the Kimberley, whilst funding has also been provided to fund ambulance services in Pilbara towns, however professional ambulance staff have not been able to be secured for these locations.

Paramedic’s Role
The community paramedic’s role has assisted in providing support to volunteer ambulance services; however challenges are faced with the tyranny of distances and a lack of clarity on the role and function in relation to other roles. The North Midlands paramedic is based in Dongara, 150 km’s from Perenjori with the suggestion expressed by many for these positions to be more centrally located where inland communities are. It is also suggested the paramedic role could support smaller and isolated centres more through assistance with patient transfers and the regular need for auditing of ambulances.

Conclusions
Whilst the issues and concerns can be particular in small rural towns it would be safe to conclude the volunteer ambulance officers and centres across the state would have a lot of commonality in many of the issues and concerns expressed. It would be timely and appropriate for WALGA to advocate on behalf of Local Government and communities to St Johns Ambulance and the relevant State government representatives to have the issues and concerns addressed. WALGA can coordinate communications, implement an engagement process whilst disseminating information to all local governments about efforts to address the matters.

With the above documented information supporting the local experiences it would appear there could be opportunity for some trialling of practical strategies which can be implemented at small rural town level to address the above concerns and issues. It is suggested that Council support the recommendation to be presented to the Northern Country Zone meeting in order for it to be
received on the state wide agenda and for adequate resources to be assigned to attending to this important matter.

Statutory Environment
Nil

Policy Implications
Nil

Financial Implications
Nil

Strategic Implications
Area 3: People and place – Our Community

Goal: Demonstrating a high quality of life for all, offering relevant activities, facilities, and services to enable people to meet their needs and achieve their potential.

Risk Management
There could be a risk that St John and/or volunteers see the request as a criticism against the good work that many volunteers and centres do. However as a solution focussed approach the aim is to further support the good work already taking place and to alleviate stress and pressure on the few volunteers.

Consultation
Shires of Dalwallinu, Morawa, Coorow,

Comment
It is concerning that fewer numbers of volunteers are available for first responses whilst there seems to be increases in requirements in terms of training, stricter rules and regulations which all combine to make the role of a volunteer quite onerous.

Voting Requirements – Simple Majority

Officers Recommendation – Item 16024.1
That the Shire of Perenjori seeks the support of the WALGA Northern Country Zone for WALGA to advocate on behalf of all local government’s regarding significant concerns with the capacity of communities to continue the volunteer run ambulance services to our communities.

Council Resolution – Item 16024.1
Moved: Cr P Waterhouse Seconded: Cr R Spencer
That the Shire of Perenjori seeks the support of the WALGA Northern Country Zone for WALGA to advocate on behalf of all local government’s regarding significant concerns with the capacity of communities to continue the volunteer run ambulance services to our communities.
Carried: 8/0
Executive Summary
This item seeks Council endorsement of the proposed Pipeline Road Crossing Access Agreement between the Shire of Perenjori and Mount Gibson Mining Limited (MGML) for Lochada, Solomon and Bestry Roads.

Background
Council would be aware that a pipeline has been installed by MGML in order to minimise the need for water carting by road. The water is used for dust suppression at the Perenjori rail siding. Close liaison with Council’s Manager of Infrastructure Services has occurred to ensure any alterations to Shire roads were well managed and met standards.

MGML has presented the CEO with a draft agreement which sets out the terms particularly for access to the land parcels owned by the Shire. The following provides a summary of the relevant points:

- The pipeline will be constructed on road reserve and under the roads of Lochada, Solomon and Bestry Roads,
- Approx 20 metres of pipeline, either 160mm or 110 mm in diameter will impact on each road reserve;
- Non-exclusive licence to access the land with or without vehicles, equipment or machinery for the purpose of constructing, repairing and maintaining the pipeline is required;
- MGML to provide not less than 14 day’s notice of intent to access
- MGML agrees to pay the Shire of Perenjori $10,000 within 30 days of signing of the agreement for the Shire granting access to the land;
- MGML must maintain the pipeline;
- MGM can terminate the agreement giving 7 day’s notice;
- The pipeline will not be removed and will be capped.

Statutory Environment
Nil

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.

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.

Risk Management

There is a potential risk if MGML does not “exist” anymore as an entity and if problems do emerge with the pipeline requiring attention, the Shire could well be left with tending to the works required. This risk is seen as a low risk and unlikely however, this possibility needs to be considered.

Consultation

MGML – Tony Ford, Infrastructure Manager
Ken Markham – Manager of Infrastructure Services

Comment

The agreement is very standard and does not present with any concerns from an “agreement” point of view.

Voting Requirements – Simple Majority

<table>
<thead>
<tr>
<th>Officers Recommendation – Item 16024.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the CEO be authorised to progress the signing of the Pipeline Road Crossing Access Agreement, involving Lochada, Solomon and Bestry Roads with Mount Gibson Mining Limited.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officers Recommendation – Item 16024.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved: Cr R Desmond</td>
</tr>
<tr>
<td>That the CEO be authorised to progress the signing of the Pipeline Road Crossing Access Agreement, involving Lochada, Solomon and Bestry Roads with Mount Gibson Mining Limited.</td>
</tr>
<tr>
<td>Carried: 8/0</td>
</tr>
</tbody>
</table>
13 November 2015

Mrs Alison Mills
Chief Executive Officer
Shire of Perenjori
PO Box 22
PERENJORI WA 6820

Dear Alison

Pipeline Road Crossing Access Agreement – Lochada, Solomon and Besty Roads
Perenjori
Mount Gibson Mining Limited and Shire of Perenjori

We confirm that construction of a water pipeline between [ ] and [Perenjori Siding] has been commenced by Mount Gibson Mining Limited ACN 074 676 885 (MGM). The water pipeline will facilitate MGM’s dust suppression measures at Perenjori Siding.

The alignment of the water pipeline intersects roads falling within the jurisdiction of the Shire of Perenjori (Shire), namely Lochada, Solomon and Besty Roads in Perenjori and, at the areas of intersection, the pipeline will be constructed on road reserve and under the roads. Approximately 20 metres of pipeline, either 160mm or 110mm in diameter, will impact upon each road reserve (Pipeline). The Pipeline will be buried under Lochada, Solomon and Besty Roads in accordance with the Shire’s specifications. The alignment of the Pipeline is illustrated on the plans attached to Schedule 1 (Land).

This letter confirms the terms upon which the Shire consents to MGM and each of its authorised persons accessing the Shire road reserves and conducting the Proposed Activity (hereinafter defined) on the Land.

TERMS

1. The Shire of Perenjori grants MGM a non-exclusive licence to access the Land with or without vehicles, equipment or machinery for the purpose of constructing, repairing and maintaining the Pipeline (Proposed Activity) as reasonably required, from [ ] and pursuant to the Shire’s approval dated [ ].
2. This agreement commences on [ ] (Commencement Date) and will continue until terminated in accordance with clause 9.
3. MGM agrees:
a. to provide not less than 14 days’ notice of its intention to access the Land in order to conduct the Proposed Activity, which notice period may be waived or upon conditions imposed by the Shire;
b. to comply with any reasonable directions given by the Shire for safety reasons;
c. following construction of the Pipeline, to restore the surface of the Land to its former condition so far as is reasonably practicable and to the Shire’s reasonable satisfaction;
d. to remove any rubbish from the Land placed or caused by MGM, as and when necessary;
e. to comply with all laws, any regulatory licences or approvals relating to the Land;

4. MGM and the Shire agree that in consideration of the Shire granting MGM access to the Land in accordance with the terms of this Agreement, MGM agrees to pay to the Shire the sum of $10,000 (exclusive of GST) within 30 days of the date the last party signs this Agreement.

5. The Shire and MGM mutually agree and declare that:
   a. MGM must maintain the Pipeline to the extent that it serves the Proposed Activity;
   b. Subject to the express provisions of this Agreement, MGM must do as little damage as is reasonably practicable and shall make good or otherwise pay adequate compensation for the physical damage done to the Land during the course of the Proposed Activity.

6. The Shire agrees:
   a. to comply with any reasonable directions given by MGM for any safety reason;
   b. not to interfere with any Proposed Activity conducted by MGM unless where reasonably required for an emergency.

7. From the Commencement Date and subject to subclause 7(c), MGM agrees to indemnify and keep indemnified the Shire against:
   a. claims, loss, damage, property damage or liability suffered by the Shire or third parties; and
   b. Death or injury to any person,
   to the extent directly caused or contributed by:
      i. the Proposed Activity on the Land;
      ii. the exercise of MGM’s rights under this Agreement;
      iii. MGM’s activities on the Land;
      iv. a breach of MGM’s obligations under this Agreement; or
      v. any negligent act or omission of MGM’s authorised persons.

   c. The indemnity in subclause 7(a) will not apply to the extent that the liability, loss or expense is caused or contributed to by:
      i. a deliberate or negligent act or omission of the Shire or the Shire’s servants, contractors, workmen, agents or invitees on the Land; or
      ii. a breach of the Shire’s obligations under this Agreement.

8. Termination
   a. MGM may terminate this Agreement at any time upon giving 7 days’ written notice to the Shire. If MGM elects to terminate this Agreement then:
      i. The Pipeline will be rendered non-operational and capped at locations along the Pipeline;
      ii. The Shire agrees that MGM will not be required to undertake works to remove the Pipeline from the road reserve;
      iii. Termination of this Agreement under this clause does not release MGM or the Shire from any obligation or liability arising prior to termination.
9. General
   a. Each party irrevocably submits to the non-exclusive jurisdiction of the courts of Western Australia.
   b. A waiver by a party of its right to enforce any provision of this Agreement is only effective if it is in writing and signed by that party or by an authorised representative of that party.
   c. Operation of this Agreement
      i. This Agreement contains the entire agreement between the parties about its subject matter.
      ii. Any previous understanding, agreement, representation or warranty relating to that subject matter is replaced by this Agreement and has no further effect.
      iii. Any right that a person may have under this Agreement is in addition to, and does not replace or limit, any other right that the person may have.
      iv. If any provision of this Agreement is invalid and may not be enforced, that provision is deemed to have been taken out of this Agreement to the extent necessary to make this Agreement enforceable.

   d. Confidentiality
      i. The terms of this Agreement (and all information relating to the negotiation of this Agreement), any confidential information of a party disclosed to the other party in the performance of the obligations under this Agreement, and any information that the disclosing party makes the receiving party aware of, is considered by the disclosing Party to be confidential and may not be disclosed to any other person.
      ii. This clause does not apply if the information is:
         1. disclosed to:
            a. a related body corporate of the discloser;
            b. a bona fide prospective assignee;
            c. a corporate or financial adviser of a bona fide prospective lender to the discloser;
               (each a Discloser) provided each such Discloser agrees to keep the information confidential on the same terms as this clause;
            d. a Party's insurers or legal advisers in connection with this Agreement;
            e. disclosed to Australian Taxation Office or any other government agency, department or entity;
            f. known to the public (other than as a result of a breach of confidence by the person releasing the information);
            g. required to be disclosed by any applicable laws or the rules of any relevant stock exchange; or
            h. disclosed with the written prior approval of the non-disclosing Party.

   e. An amendment or variation to this Agreement is not effective unless it is in writing and signed by the parties.
   f. This Agreement can only be amended or varied in writing, signed by the parties.
   g. No party to this Agreement may assign any of its interests or rights under this Agreement unless first obtaining the written consent of the other party, such consent not to be unreasonably withheld.
Please indicate your acceptance of this Agreement by signing the acknowledgment below and returning a copy of this letter to our office as soon as possible.

Should you have any queries please do not hesitate to contact either myself or Tony Ford.

Yours sincerely,
MOUNT GIBSON MINING LIMITED

Scott de Kruijff
General Manager, Operations

ACKNOWLEDGED AND AGREED
For and on behalf of the
Shire of Perenjori

Alison Mills
Chief Executive Officer
Shire of Perenjori

Date
## Executive Summary

This item seeks Council support for the Shire of Perenjori to participate in a proposed North Midlands Strategy Group.

### Background

During September 2015, Cr Karen Chappell sent an email to the Presidents of the Shires in the North Midlands, suggesting that there be a discussion around Shires working together on matters of common interest and to create an appropriate structure to facilitate this.

In the lead up to the end of the year, with associated commitments and time constraints, it was not possible for representatives from all Shires to meet together to discuss this initiative. There was however a short meeting held in Mingenew on the 11th December (on the back of another meeting held earlier in the day), at which representatives from the Shires of Mingenew, Coorow, Three Springs and Carnamah were present, along with Trish Palmonari (MWDC), to discuss possible options for the Shires to cooperatively work together on an ongoing basis. Some dot points that were recorded from the meeting attach to this report.

There was agreement that there would be benefit in a cooperative structure being formed.

Trish Palmonari advised that she would be willing to offer executive support to the group (much along the lines that Brendin Flanigan from the MWDC provides executive support to the Murchison Executive Group). This would have decided benefits in ensuring continuity of executive support to the group and in fostering a closer relationship between the Shires and the MWDC.

### Ideas on proposed structure and role of group:

The meeting generated the following ideas as to the structure and role of the proposed group:

1. The group should be relatively freewheeling and unencumbered by formalities;
2. Membership of the group should comprise of the six Shires in the North Midlands and the Shire of Irwin (due to some commonalities that Irwin has with the other Shires, including coastal issues);
3. The group be known as the North Midlands Strategy Group;
4. Each participating Shire to be represented by their respective Presidents and CEO’s or their proxies. All representatives to have equal voting rights;
5. Individual member Shires may elect to, but not be compelled to: be involved in every issue or project that other members may wish to pursue, particularly where financial commitments are required. This will allow Shires to buy into what they choose to (in the spirit on the purpose of the Local Government Amendment (Regional Subsidiaries) Bill 2014), rather than having to subscribe to a “one in – all in” model;
6. The business of the group will comprise of, but not be limited to:
   - Taking a united approach to matters of common interest and/or concern;
• Providing united support to any one or more members pursuing funding for any given projects that will be of benefit to the region, or in lobbying for services;
• Sharing information (so that each Shire does not have to reinvent the wheel, but can draw on the resources of other members);
• Jointly and effectively engaging with the higher levels of government (Ministerial and Director General level) on matters which are of high importance to the sub region;
• Identifying critical infrastructure assets and services in the region and lobbying for their retention and/or improvement;

7. Meetings being held initially on a quarterly basis and rotated between participating Shires.

8. More regular interaction between the Presidents and CEO’s of the participating Shires should result in the objective of more effectively working together, being achieved.

It was recommended that this be treated as a preliminary concept and presented to the next round of Council meetings for comment and feedback.

It was proposed that a meeting be held in late February possibly in Morawa between Presidents and CEO’s of the seven Shires involved to firm up the concept and to finalise the governance arrangements of the proposed North Midlands Strategy Group.

Cr Chappell also held a meeting in early February with Shire Presidents from the North Midlands Councils being invited. In attendance were the Presidents from the Shires of Morawa, Perenjori, Carnamah, and Coorow. There too was the willingness to improve communications and provide opportunity for a forum where Presidents could meet and share concerns, views and support a more cooperative approach. This meeting did not invite CEO’s to be included in discussions. There is potential for both meetings to occur, however it would seem both groups are proposing similar goals and seeking similar outcomes.

The involvement of the MWDC may cause for some concern when there may be the need to discuss matters involving the MWDC. The opportunity would be to pre-determine agenda items and where needed the MWDC may be asked to not participate in particular items to ensure all representatives feel comfortable to raise matters that may be impacting on them which could be involving the MWDC.

Statutory Environment
Nil

Policy Implications
Nil

Financial Implications
The Shire Presidents and CEO’s time would be required, along with travel costs. It would not be expected for these to impact the budget beyond existing operating accounts.

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.

Area 3: People and place – Our Community
Goal: Demonstrating a high quality of life for all, offering relevant activities, facilities, and services to enable people to meet their needs and achieve their potential.

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.

Risk Management

There would be potential risks if Council decided not to be involved. Council could be excluded from cooperative arrangements, could miss out on opportunities for cost and resource sharing and potential funding opportunities. There could also be a risk of MWDC dominating the meetings, and Shires not feeling comfortable or seeing benefit of their presence. This will need to be discussed openly with all members with suitable strategies in place to address any risks here.

There only risk identified in participating is the overload of work and meetings for the President and CEO. It seems this can be managed with less meetings that are more efficient, whilst also “piggy backing” on other regional meetings which requires travel and time already.

Consultation
President – Laurie Butler
CEO – Morawa, John Roberts

Comment
As the MidWest Integrated Service Agreement is no longer in place there is no other opportunity for the North Midlands group to come together and network. It is important we do communicate with our neighbours both at the strategic and operational levels. There are a lot of commonality across the Shires and when needed it is good to join together to strengthen our cause particularly when change is needed. As a CEO I see it as an essential part of my work to liaise as is reasonable with other Shires as there is a lot we can all gain from each other which will benefit our communities. I also think it is important for CEO’s to be present at such discussions as the strategic needs to be well placed with operations and it is not possible for Presidents to be across both well.

Voting Requirements – Simple Majority

<table>
<thead>
<tr>
<th>Officers Recommendation – Item 16024.3</th>
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<tbody>
<tr>
<td>That Council:</td>
</tr>
<tr>
<td>1. Support the establishment of the proposed North Midland Strategy Group, with further discussions to take place on the structure and role of the group.</td>
</tr>
<tr>
<td>2. Authorise the President and CEO to participate in the development of this group as required, and to report back to Council on decisions and discussions.</td>
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</table>
Council Resolution – Item 16024.3

Moved: Cr L Smith
Seconded: Cr R Spencer

That Council:

1. Support the establishment of the proposed North Midland Strategy Group, with further discussions to take place on the structure and role of the group.
2. Authorise the President and CEO to participate in the development of this group as required, and to report back to Council on decisions and discussions.

Carried: 8/0

DISCUSSION PAPER

A MODEL FOR A COOPERATIVE WORKING STRUCTURE FOR THE SHIRES IN THE NORTH MIDLANDS SUB REGION

BACKGROUND:

During September 2015, Cr Karen Chappell sent an email to the Presidents of the Shires in the North Midlands, suggesting that there be a discussion around Shires working together on matters of common interest and to create an appropriate structure to facilitate this.

In the lead up to the end of the year, with associated commitments and time constraints, it was not possible for representatives from all Shires to meet together to discuss this initiative. There was however a short meeting held in Mingenew on the 11th December (on the back of another meeting held earlier in the day), at which representatives from the Shires of Mingenew, Coorow, Three Springs and Carnamah were present, along with Trish Palmonari (MWDC), to discuss possible options for the Shires to cooperatively work together on an ongoing basis. Some dot points that were recorded from the meeting attach to this report.

There was agreement that there would be benefit in a cooperative structure being formed.

Trish Palmonari advised that she would be willing to offer executive support to the group (much along the lines that Brendin Flanigan from the MWDC provides executive support to the Murchison Executive Group). This would have decided benefits in ensuring continuity of executive support to the group and in fostering a closer relationship between the Shires and the MWDC.

IDEAS ON PROPOSED STRUCTURE AND ROLE OF GROUP:

The meeting generated the following ideas as to the structure and role of the proposed group:

9. The group should be relatively freewheeling and unencumbered by formalities;
10. Membership of the group should comprise of the six Shires in the North Midlands and the Shire of Irwin (due to some commonalities that Irwin has with the other Shires, including coastal issues);
11. The group be known as the North Midlands Strategy Group;
12. Each participating Shire to be represented by their respective Presidents and CEO’s or their proxies. All representatives to have equal voting rights;
13. Individual member Shires may elect to, but not be compelled to; be involved in every issue or project that other members may wish to pursue, particularly where financial commitments are required. This will allow Shires to buy into what they choose to (in the spirit on the purpose of the Local Government Amendment (Regional Subsidiaries) Bill 2014), rather than having to subscribe to a “one in – all in” model;
14. The business of the group will comprise of, but not be limited to:
   - Taking a united approach to matters of common interest and/or concern;
   - Providing united support to any one or more members pursuing funding for any given projects that will be of benefit to the region, or in lobbying for services;
   - Sharing information (so that each Shire does not have to reinvent the wheel, but can draw on the resources of other members);
   - Jointly and effectively engaging with the higher levels of government (Ministerial and Director General level) on matters which are of high importance to the sub region;
   - Identifying critical infrastructure assets and services in the region and lobbying for their retention and/or improvement;
15. Meetings being held initially on a quarterly basis and rotated between participating Shires.
16. More regular interaction between the Presidents and CEO’s of the participating Shires should result in the objective of more effectively working together, being achieved.

**NEXT STEPS:**

This report is a first step towards developing a cooperative working structure for the seven Shires involved. There is little doubt that there will be further ideas and suggestions as to how the group should be structured and to what its role should be.

It is recommended that this be treated as a *preliminary concept* and presented to the next round of Council meetings for comment and feedback.

It is proposed that a meeting be held in late February (Morawa?) between Presidents and CEO’s of the seven Shires involved to firm up the concept and to finalise the governance arrangements of the proposed North Midlands Strategy Group.
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 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.

**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**
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**
Staff

**Comment**
Nil

## Officer Recommendation – Item 16025
Council accepts the Project Status Report as presented for the month of December 2015 & January 2016.

## Council Resolution – Item 16025

Moved: Cr J Hirsch
Seconded: Cr P Waterhouse

Council accepts the Project Status Report as presented for the month of December 2015 & January 2016.

Carried: 8/0

### STATUS REPORT

APPLICANT: SHIRE OF PERENJORI

FILE: NIL

DISCLOSURE OF INTEREST: NIL

AUTHOR: ALI MILLS – CHIEF EXECUTIVE OFFICER

RESPONSIBLE OFFICER: ALI MILLS – CHIEF EXECUTIVE OFFICER

REPORT DATE: 18th FEBRUARY 2016
ATTACHMENTS

STATUS REPORT

Executive 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.

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
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
Staff

Comment
Nil

Officer Recommendation – Item 16026

Council Resolution – Item 16026
Moved: Cr J Hirsch
Seconded: Cr R Spencer
Carried: 8/0

16028 OTHER BUSINESS

16028.1 MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

16028.2 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
Motion – To Accept The Late Item For Discussion

Moved: Cr R Desmond  
Seconded: Cr L Smith  
That council agrees to address late item 16028.3.1  
Carried 8/0

16023.3.1 DRAFT BUDGET REVIEW 2015/16

APPLICANT: SHIRE OF PERENJORI
FILE: ADM0039
DISCLOSURE OF INTEREST: NIL
AUTHOR: DEBBY BARNDON - SFO
RESPONSIBLE OFFICER: PETER MONEY - MCDS
REPORT DATE: 16th FEBRUARY 2016
ATTACHMENTS BUDGET REVIEW - FINANCIAL DOCUMENT

Executive Summary

Each Local Government is required to conduct a budget review between 1 January and 31 March each financial year. A budget review is a detailed comparison of the year to date actual results with the adopted budget.

Background

The review has been carried out by senior staff responsible for their own budgets. The review has required a thorough investigation of all areas over several meetings to ensure expenditure and income stated will be as accurate as possible.

Local Government Financial Management regulation 33A requires the Council to consider the review for the period from July to December of that financial year. The regulation also requires the Council to consider the local governments financial position, consider the options presented and decide whether or not to adopt the review as presented, any part of the review or any recommendations made in the review, and consider the outcomes that are forecast in the budget.

The Shire is required to provide the budget review to the Department of Local Government within 30 days after Council has made its determinations.

The review provides the details of anticipated changes in income and expenditures and these changes are identified below.

In some instances the changes are minor and a verbal explanation is provided. More significant changes to income or expenditures are provided in writing.

Statutory Environment

Local Government (Financial Management) Regulations 1996, regulation 33A

Policy Implications

Nil

Financial Implications
This review fine tunes the budget for the remainder of the year, taking into consideration changed circumstances that were not evident when the budget was adopted.

**Strategic Implications**

Nil

**Consultation**

The budget review has the input of all senior staff, and is reflective of discussions held with Council regarding this situation. Most of the changes in circumstances have been highlighted in various Council meetings and other changes are predicted using the best knowledge available.

**Comment**

Annual budgets are by nature predictions of what will happen during the term of the budget. Though budgets are carefully prepared unexpected circumstances and external influences result in the need to review the proposed activities for the remainder of the financial year. The process for this review has been thorough and the expected changes are suggested from careful analysis of each circumstance.

**Voting Requirements – Absolute Majority**

**Committee Recommendation – Item 16023.3.1**

That in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996 Council:

1. Adopts the statutory budget review for the financial year of 2015/2016.
2. That a copy of the budget review be provided to the Department of Local Government within 30 days of Council adoption.

**Council Resolution – Item 16023.3.1**

Moved: Cr R Desmond  
Seconded: Cr J Hirsch

That in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996 Council:

1. Adopts the statutory budget review for the financial year of 2015/2016.
2. That a copy of the budget review be provided to the Department of Local Government within 30 days of Council adoption.

Carried: 8/0

**16028.4 MATTERS BEHIND CLOSED DOORS**

Ken Markham & Bianca Plug left the meeting at 4.22 pm.

**Motion – To Move Behind Closed Doors**

Moved: Cr G Reid  
Seconded: Cr R Spencer

That Council move behind closed doors to discuss confidential late items 15128.4.1, 15128.4.2 and 15128.4.3
Cr R Spencer declared an interest affecting impartiality on late confidential item 16028.4.1 due to her mother in law applying for independent housing and her brother submitting a quote of a subcontractor for one of the tender applications. Council agreed that Cr R Spencer could remain in the meeting and could partake in the voting.

**16028.4.1 CONFIDENTIAL ITEM - PERENJORI INDEPENDENT LIVING UNITS – DESIGN AND CONSTRUCT RFT 01/16**

**APPLICANT:** SHIRE OF PERENJORI  
**FILE:** ADM0366  
**DISCLOSURE OF INTEREST:** Nil  
**AUTHOR:** ALI MILLS - CEO  
**RESPONSIBLE OFFICER:** ALI MILLS - CEO  
**REPORT DATE:** 18th FEBRUARY 2016  
**ATTACHMENTS** RECOMMENDATION REPORT

**Officers Recommendation – Item 16028.4.1**

That Council endorses the following, meeting the Regulations as detailed in Section 3.57 Local Government Act 1995:

SHANE CROthers HOMES (ABN: 80079908704) as the preferred tender for the PERENJORI INDEPENDENT LIVING UNITS – DESIGN AND CONSTRUCT RFT 01/16 based on best design, quality and value for money.

**Council Resolution – Item 16028.4.1**

Moved: Cr R Desmond  
Seconded: Cr P Waterhouse  
That Council endorses the following, meeting the Regulations as detailed in Section 3.57 Local Government Act 1995:

SHANE CROthers HOMES (ABN: 80079908704) as the preferred tender for the PERENJORI INDEPENDENT LIVING UNITS – DESIGN AND CONSTRUCT RFT 01/16 based on best design, quality and value for money.

Carried: 8/0

**16028.4.2 CONFIDENTIAL ITEM – REQUEST FOR REDUCTION IN RATES AND DEFERRAL OF PAYMENT FOR THE 2016/17 FINANCIAL YEAR**

**APPLICANT:** MINING COMPANY  
**FILE:** ADM 0450  
**DISCLOSURE OF INTEREST:** NIL  
**AUTHOR:** ALI MILLS - CEO  
**RESPONSIBLE OFFICER:** ALI MILLS - CEO  
**REPORT DATE:** 18th FEBRUARY 2016  
**ATTACHMENTS** PRESENTATION DOCUMENT
### Officers Recommendation – Item 16028.4.2

| Option One: | Supports the request for a one off 45% rate reduction to owner code 1624 for the financial year 2016/17 along with a deferral and discount to be paid July 2017; or |
| Option Two: | Supports the request for a one off ___ % rate reduction to owner code 1624 for the financial year 2016/17 along with a deferral and discount to be paid July 2017; or |
| Option Three: | Declines the request for any reduction in rates to owner code 1624 for the financial year 2016/17 and offers a deferral of payment with 10% discount to be paid in January 2017; or |
| Option Four: | Declines the request for any reduction in rates to owner code 1624 for the financial year 2016/17 and offers a deferral of payment with no discount to be paid in January 2017; or |
| Option Five: | Declines the request for any reduction in rates to owner code 1624 for the financial year 2016/17 and declines the request for a deferral in payment of all rates due. |

### Council Resolution – Item 16028.4.2

Moved: Cr R Desmond  
Seconded: Cr G Reid  
That Council declines the request for any reduction in rates to owner code 1624 for the financial year 2016/17 and declines the request for a deferral in payment of all rates due.  
Carried: 8/0

### 16028.4.3 CONFIDENTIAL ITEM - OFFER TO PURCHASE SHIRE PROPERTY 24 LOT (71) CARNAMAH / PERENJORI ROAD

| APPLICANT: | BIANCA PLUG & CHAS SKIPWORTH |
| FILE: | A719 |
| DISCLOSURE OF INTEREST: | THE APPLICANT IS AN EMPLOYEE OF THE SHIRE |
| AUTHOR: | PETER MONEY – MCDS |
| RESPONSIBLE OFFICER: | PETER MONEY - MCDS |
| REPORT DATE: | 18TH FEBRUARY 2016 |
| ATTACHMENTS | NIL |

### Officers Recommendation – Item 16028.4.3

That Council accepts the offer from Bianca Plug & Chas Skipworth for the disposal of its property at 24 (Lot 71) Carnamah Perenjori Road subject to compliance with s3.58 of the Local Government Act and Regulations.
Council Resolution – Item 16028.4.3

Moved: Cr L Smith  
Seconded: Cr R Spencer

That Council accepts the offer from Bianca Plug & Chas Skipworth for the disposal of its property at 24 (Lot 71) Carnamah Perenjori Road subject to compliance with s3.58 of the Local Government Act and Regulations.

Carried: 8/0

Motion – To Return To Open Council

Moved: Cr R Spencer  
Seconded: Cr R Desmond

That Council re opens the meeting to the public.

Carried: 8/0

16028.5 DATE OF NEXT MEETING

The date of the next Council meeting will be held on Thursday 17th March 2016 at 3:00 pm.

16028.6 CLOSURE

President L Butler declared the meeting closed at 4:45 pm.