



Shire of  
**Perenjori**  
Embrace Opportunity

Shire of Perenjori – Ordinary Council Meeting

# MINUTES

Thursday 16<sup>th</sup> June 2022

## TABLE OF CONTENTS

### Council Roles

### Disclaimer

1. Declaration of Opening/Announcement Of Visitors:
2. Opening Prayer:
3. Disclaimer Reading:
4. Record of Attendance/Apologies/Leave of Absence:
  - 4.1 ATTENDANCE:
5. Public Question Time:
  - 5.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE:
  - 5.2 QUESTIONS WITHOUT NOTICE:
6. Applications for Leave of Absence:
  - 6.1 APPLICATION/S FOR LEAVE OF ABSENCE:
7. Confirmation of Minutes of Previous Meetings:
  - 7.1 ORDINARY MEETING HELD ON 19 MAY 2022
8. Announcements by Presiding Member Without Discussion:
9. Petitions/Deputations/Presentations:
10. Announcements of Matters for Which Meeting May Be Closed:
11. Declaration of Interest:
12. Finance:
  - 12.1 MONTHLY FINANCIAL REPORT MAY 2022
  - 12.2 SCHEDULE OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 MAY 2022
  - 12.3 COUNCIL MEMBER FEES, ALLOWANCES AND EXPENSES 2022/2023
13. Community Development and Services:
  - 13.1 ISOLATED CHILDREN'S PARENTS' NETWORK (ICPA) – CONFERENCE SPONSORSHIP
  - 13.2 FINANCIAL CONTRIBUTION TO SPORTING CLUBS
  - 13.3 APPOINTMENT OF BUSH FIRE OFFICERS
  - 13.4 HOLIDAY ACCOMODATION - 22 RUSSELL STREET, PERENJORI
  - 13.5 WILDFLOWER PHOTOGRAPHY WORKSHOP – AMENDMENTS TO FEES: CHALETS
14. Plant and Works
  - 14.1 PLANT REPLACEMENT PROGRAMME 2022-23
  - 14.2 PROPOSED ROAD PROGRAMME 2022-23
15. Governance:
  - 15.1 PROPOSED SCHEDULE OF COUNCIL MEETING DATES FOR 2022/2023
  - 15.2 ANNUAL ELECTORS MEETING – 31 MAY 2022
  - 15.3 SHIRE OF PERENJORI RECORDKEEPING PLAN – ANNUAL REVIEW
  - 15.4 DELEGATION REGISTER REVIEW 2022
16. Confidential Reports:
17. Ordering the Common Seal:
18. Reports of Committees and Members:
19. Motions of Which Previous Notice Has Been Given:
20. Notice of Motions:
21. New Business of an Urgent Nature Admitted by Council:
  - 21.1 CONFIDENTIAL ITEM – WRITE-OFF OF OUTSTANDING DEBT
22. Closure of Meeting:
23. Next Meeting:

## Council Roles

### **Advocacy:**

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

### **Executive/Strategic:**

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

### **Legislative:**

Includes adopting local laws, town planning schemes and policies.

### **Review:**

When Council reviews decisions made by Officers.

### **Quasi-Judicial:**

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

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

## Disclaimer

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

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

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

## Shire of Perenjori

Minutes for the Shire of Perenjori Ordinary Meeting of Council to be held on Thursday 16<sup>th</sup> June 2022, at the Shire of Perenjori Council Chambers, 56 Fowler Street, Perenjori WA 6620, commencing at 3:00 pm.

### 1. Declaration of Opening/Announcement Of Visitors:

The Shire President declared the meeting open at 3.03pm and welcomed those in attendance.

#### Welcome to Country: -

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

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

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

### 2. Opening Prayer:

The Shire President read the opening prayer.

### 3. Disclaimer Reading:

As printed.

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

#### 4.1 Attendance:

Members:

Cr Chris King (Shire President)  
Cr Jude Sutherland (Deputy President)  
Cr Daniel Bradford  
Cr Colin Bryant  
Cr Andrew Fraser  
Cr Leslie Hepworth  
Cr Dael Sparkman

Staff:

Paul Anderson (CEO)  
Nola Comerford (CCS)  
Ken Markham (MIS)  
Neville Binning (Project Officer)  
Hannah Roberts (EA)  
Elinor Pitts (EA)

Distinguished Visitors:

Nil

Members of The Public:

Mrs Paddy King

Leave of Absence:

Nil

Apologies:

Nil

### 5. Public Question Time:

#### 5.1 Response to Questions Taken on Notice:

Nil

#### 5.2 Questions Without Notice:

Nil

## 6. Applications for Leave of Absence:

6.1 Application/s for Leave of Absence:

### OFFICER RECOMMENDATION

Council Resolution Number: 160622.1

Moved: Cr Hepworth

Seconded: Cr Bryant

That Cr Sutherland be granted leave of absence for the Ordinary Council Meeting of 18<sup>th</sup> August 2022 for personal circumstances.

Motion put and carried 7/0

## 7. Confirmation of Minutes of Previous Meetings:

7.1 Ordinary Meeting Held on 19 May 2022

### OFFICER RECOMMENDATION

Council Resolution Number: 160622.2

Moved: Cr Sparkman

Seconded: Cr Bryant

That the Minutes of the Ordinary Meeting of Council held on 19<sup>th</sup> May 2022, be confirmed as true and correct subject to the following corrections.

The Deputy President presided the meeting, and the minutes need to reflect this accordingly.

Motion put and carried 7/0

## 8. Announcements by Presiding Member Without Discussion:

The President commented on the workshop prior to the Council Meeting, regarding the commencement of the community hub revitalisation project. The President looked forward to the progress of this initiative with the finalisation of the purchase of Lots 26, 28 and 30 Fowler Street.

## 9. Petitions/Deputations/Presentations:

Nil

## 10. Announcements of Matters for Which Meeting May Be Closed:

### Matters Behind Closed Doors

In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

*A matter that if disclosed, would reveal –*

*Information that has a commercial value to a person; or*

*Information about the business, professional, commercial or financial affairs of a person.*

## 11. Declaration of Interest:

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

Cr Hepworth declared an impartiality interest in agenda item 13.2, due to being the President of the Perenjori Golf Club. Cr Hepworth left the room and did not participate in discussion or voting of the item.

Cr King declared an impartiality interest in agenda item 13.2, due to being the President of the Bowling Club. Cr King also declared a proximity interest, due to owning land which boundaries the Perenjori Golf Club. Cr King left the room and did not participate in discussion or voting of the item.

Cr Fraser declared an impartiality interest in agenda item 13.2, due to being the Club Captain of the Bowls Club and a member of the Golf Club. Cr Fraser left the room and did not participate in discussion or voting of the item.

## 12. Finance:

### 12.1 MONTHLY FINANCIAL REPORT MAY 2022

Applicant:	Shire of Perenjori
File:	ADM 0082
Date:	10 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Glenn Nordsvan, Accwest Pty Ltd
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	12.1 - Monthly Statement of Financial Activity for May 2022

#### Summary

This item recommends that Council receive the Financial Activity Statements for the period ending 31 May 2022.

#### Background

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires local governments to prepare a Monthly Statement of Financial Activity.

#### Statutory Environment

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires local governments to prepare a Monthly Statement of Financial Activity.

#### Policy Implications

Nil.

#### Consultation

Nil.

#### Financial Implications

Shown in the attached data.

#### Strategic Community Plan

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.

#### Officer Comment

The YTD closing surplus to 31 May is \$4,7484,000 against a budgeted surplus of \$1,522,000. This surplus is notionally deceiving as the State Government transferred 75% of its 2022-23 financial assistance grants (totalling \$2.125m) to the Shire in April 2022.

After eliminating this early receipt and non-cash items:

- YTD operating revenues are \$268,000 better than budget
- YTD operating expenses are \$362,000 lower than budget.

The net YTD deficit from capital activities is \$892,000 lower than budget with the capital spend being \$1,204,000 lower than the budget.

It is anticipated that, with one month of financial activities remaining in the year, the carried forward surplus will be substantial, although difficult to quantify at this point of time.

Key operating variances are the result of:

- Financial assistance grants of \$2.125 million for the 2022-23 financial year being received in April. These grants are untied and are recognised as revenue when they are received, not when they are consumed
- Local Roads and Community Infrastructure (LRCI) funding is \$127,000 less than budget due to timing of quarterly reports.
- The CESH recoveries from DFES and other shires \$75,000 better than budget
- Council housing rental income is \$60,000 better than budget due to rehousing of community members whose properties were damaged by Cyclone Seroja.
- Caravan Park income of \$33,000 better than budget.
- Private works, scrap metal sales and plant hire income \$24,000 better than budget.
- Net savings in governance related expenses for members, legal fees, audit fees and ICT expenses of \$58,000
- Childhood related costs \$54,000 lower than budget.
- Housing costs \$139,000 worse than budget, with some of this being offset by insurance recoveries recognised as revenue
- Community Amenities expenditure is under the year-to-date budget by \$175,000. The main contributor to this amount is the delayed underground power project for Fowler Street by Western Power, along with projects including:
  - Main street public ablutions renovations
  - Transfer station
  - Aboriginal History
  - Cemetery upgrades
- Recreation and Culture expenses are less than budget by \$155,000 with much of this relating to building maintenance.
- Other Property and Services expenditure \$120,000 worse than budget with unbudgeted workers compensation and maternity leave contributing. Many of these costs are offset by insurance revenue.

Non-operating capital grants are \$335,000 lower than budget (principally, Regional Roads Group (RRG) grants of \$469,000). This grant program requires a report on completion of programs to receive funding. Owing from the report submitted for the March quarter is \$180,000. Unbudgeted revenue of \$134,000 from DFES has been received to purchase 4 caravans.

Infrastructure expenditure is under the year-to-date budget by \$1,204,000, with the main contributor being capital road expenditure. Current resealing works are being undertaken and will be reflected in the next month's finance report.

#### **COUNCIL DECISION**

**Council Resolution Number: 160622.3**

**Moved: Cr Bradford**

**Seconded: Cr Bryant**

**That the Monthly Financial Report to 31 May 2022 as attached be received.**

**Motion put and carried 7/0**

## 12.2 SCHEDULE OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 May 2022

Applicant:	Shire of Perenjori
File:	ADM 0082
Report Date:	10 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Nola Comerford-Smith – Manager Corporate Community Services
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	12.2 (a) - Accounts for Payment May 2022 12.2 (b) - Corporate Credit Card Breakdown and Statement

### Summary

Council is presented the list of payments made from the Municipal, Trust and Reserve Accounts under delegation since the last Ordinary Council Meeting.

### Background

Council delegates authority to the Chief Executive Officer annually:

To make payments from Trust, Reserve and Municipal Fund;

To purchase goods and services to a value of not more than \$200,000;

### Legal Compliance

*Local Government Act 1995*

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

R12. Payments from municipal fund or trust fund, restrictions on making

- (1) A payment may only be made from the municipal fund or the trust fund —
  - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
  - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

S13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (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; and
  - (b) the amount of the payment; and
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
  - (a) for each account which requires council authorisation in that month —
    - (i) the payee's name; and
    - (ii) the amount of the payment; and
    - (iii) sufficient information to identify the transaction; and

- (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub-regulation (1) or (2) 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**

Nil.

**Council Role**

Nil.

**Council Policy Compliance**

Payments are checked to ensure compliance with Council's Purchasing Policy Number 4007 – Procurement Policy.

**Financial Implications**

All payments are made in accordance with the adopted annual budget.

**Strategic Community Plan**

Strategy 1.3.2 of the Strategic Community Plan – Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations.

**Consultation**

Nil.

**Risk Assessment**

Nil.

**Precedents**

Council endorses the Schedule of Paid Accounts at each Ordinary Council Meeting.

**Officer Comment**

This is a schedule of 'paid accounts' - the accounts have been paid in accordance with Council's delegation. Accounts Paid for the Month Ending 31<sup>ST</sup> May 2022.

<b>Municipal Account</b>	
EFT	\$872,521.61
Direct Debits	\$151,455.20
Cheques	\$0.00
Corporate MasterCard	\$1,877.76
Bank Fees	\$215.23
<b>Total</b>	<b>\$1,026,069.80</b>

<b>Trust Account – Mt Gibson Public Benefit Funds</b>	
EFT	\$16,280.00
Cheques	\$0.00
Bank Fees	\$0.00
<b>Total</b>	<b>\$16,280.00</b>

Totalling **\$1,042,349.80** from *Municipal* and *Trust Accounts* for the month ending **31 May 2022**.

**COUNCIL DECISION**

**Council Resolution Number: 160622.4**

**Moved: Cr Hepworth**

**Seconded: Cr Fraser**

**That the cheques and electronic payments as per the attached schedules of accounts for payment totaling \$1,042,349.80 be accepted.**

**Motion put and carried 7/0**

### 12.3 COUNCIL MEMBER FEES, ALLOWANCES AND EXPENSES 2022/2023

Applicant:	Shire of Perenjori
File:	ADM 0744
Date:	7 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Absolute Majority
Author:	Hannah Roberts – Executive Assistant
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	Nil

#### Summary

Council to consider and set the Members Sitting Fees and Allowances which are to be incorporated in the 2022/2023 Budget once endorsed.

#### Background

At the Ordinary Meeting of Council held on Thursday 21<sup>st</sup> April 2022, council made the following decision:

#### COUNCIL DECISION

Council Resolution Number: 210422.5

Moved: Cr D Bradford                      Seconded: Cr J Sutherland

That Council:

1. Adopt, in accordance with section 5.98, 5.99 and 5.99A of the Local Government Act 1995, annual attendance fees be paid to all Councillors in lieu of meeting fees and annual allowances in lieu of reimbursement of expenses;
2. Approve for inclusion in the 2022/2023 budget, the following entitlements for the 2022/2023 financial year payable three months in advance from 1 July 2022:
  - a. An annual attendance fee for the Shire President of \$20,022 in accordance with section 5.99 of the Local Government Act 1995;
  - b. An annual attendance fee for council members' of \$9,742 in accordance with section 5.99 of the Local Government Act 1995;
  - c. An annual allowance for the Shire President of \$20,565 in accordance with section 5.98(5) of the Local Government Act 1995;
  - d. An annual allowance for the Deputy Shire President of \$5,141.25 in accordance with section 5.98A of the Local Government Act 1995;
  - e. Allowances and attendances fees to be paid in two payments as per Council Policy No. 9009.
3. Approve the reimbursement of expenses incurred by a council member in accordance with section 5.98(2)(b) and (3) of the Act and regulation 31(1)(b), 32,32(1) of the Local Government (Administration) Regulations 1996 and in accordance with the Salaries and Allowances Tribunal current Determination for 2022.
4. Include the proposed expenses in the 2022/2023 Draft budget deliberations.

Motion put and carried 5/0 by absolute majority

Subsequently at the Council meeting held in May 2022 the issue of the resolution and increase in fees was discussed and the matter is now being presented to council again for consideration.

In accordance with the Local Government Administration regulations sections 10 the process to revoke or change the decision of council is as follows

**10. Revoking or changing decisions (Act s. 5.25(1)(e))**

- (1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —
  - (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
  - (b) in any other case, by at least  $\frac{1}{3}$  of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least  $\frac{1}{3}$  of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (2) If a decision is made at a council or committee meeting, any decision to revoke or change the decision must be made by an absolute majority.
- (3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

*[Regulation 10 amended: Gazette 31 Mar 2005 p. 1030; SL 2020/213 r. 16.]*

The Shire of Perenjori is deemed a Band 4 Council.

Section 7A of the *Salaries and Allowances Act 1975* require the Salaries and Allowances Tribunal (SAT) to undertake a review of the fees and allowances for local government elected council members on an annual basis.

The Salaries and Allowances Tribunal's current determination (7<sup>th</sup> April 2022) has been included in the table below to indicate the maximum amounts that can be paid.

The council has in prior years paid councillors per meeting attendance in accordance with adopted policy 9009 Elected members Fees and Expenses.

The SAT determination also allows for an annual allowance if council considers this option of payment.

	Sat Minimum	Sat Maximum	Current allowance
<b>Council Meeting Attendance Fees - Per Meeting</b>			
Council member who holds the office of president (Ordinary Meeting)	\$93 pm	\$502 pm	\$420 pm  \$4,620 @11 meetings per annum

Council member other than the president (Ordinary Meeting)	\$93 pm	\$244 pm	<b>\$220 pm</b> <b>\$2,420 @ 11 meetings per annum</b>
Councillors including president (Committee Meeting)	\$47 pm	\$122 pm	<b>\$119pm</b>
<b>Council Meeting Attendance Fees – Annual in Lieu</b>			
Council member who holds the office of president	\$3,679 pa	\$20,022 pa	-
Council member other than the president	\$3,679 pa	\$9,742 pa	-
<b>Annual Allowances</b>			
	<b>Sat maximum</b>	<b>Sat Maximum</b>	<b>Current Allowance</b>
<b>President</b>	<b>\$526 per annum</b>	<b>\$20,565 Per annum</b>	<b>\$20,063 Per annum</b>
<b>Deputy President (25% of President)</b>	<b>\$131.50 Per annum</b>	<b>\$5,141.25 Per annum</b>	<b>\$5,015.75 Per annum</b>

The option discussed at the council forum was to base an annual payment on a percentage of the Salaries and allowances tribunal annual determination.

The annual maximum amounts and a percentage are expressed below:

<b>Council meeting attendance fees – Annual</b>					
	<b>Sat Minimum</b>	<b>Sat Maximum</b>	<b>25% of maximum</b>	<b>50% of Maximum</b>	<b>75% of Maximum</b>
<b>President</b>	<b>\$3,679 per annum</b>	<b>\$20,022 per annum</b>	<b>\$5,005 per annum</b>	<b>\$10,011 Per annum</b>	<b>15,016 per annum</b>
<b>Councillors</b>	<b>\$3,679 per annum</b>	<b>\$9742 per annum</b>	<b>\$2435 per annum</b>	<b>\$4,871 per annum</b>	<b>\$7306 per annum</b>
<b>Council Meeting Attendance fees per meeting</b>					
	<b>Sat Minimum</b>	<b>Sat Maximum</b>	<b>25% of maximum</b>	<b>50% of Maximum</b>	<b>75% of Maximum</b>
<b>President</b>	<b>\$93 per meeting</b>	<b>\$502 per meeting</b>	<b>\$125 per meeting</b>	<b>\$251 per meeting</b>	<b>\$376 per meeting</b>

<b>Councillors</b>	\$93 per meeting	\$244 per meeting	\$61 per meeting	\$122 per meeting	\$183 per meeting
<b>Committee meetings</b>	\$47 per meeting	\$122 per meeting	\$30 per meeting	\$61 per meeting	\$91 per meeting

### Statutory Environment

Local Government Act 1995, section 5.98A, 5.99 & 5.99A

### Policy Implications

9009 – ELECTED MEMBERS FEES AND EXPENSES

#### *Policy Objective:*

The purpose of this policy is to provide consistency in the setting of fees paid to Elected Members within the confines of the Local Government Act and Regulations.

#### *Policy Statement:*

An elected member is entitled to be paid when attending meetings of the Council, Regional Councils, and Council committees.

An elected member is entitled to be reimbursed for expenses incurred for activities approved by the Council and in accordance with Regulations.

The Shire President is entitled to additional payments in accordance with Regulations.

Meeting fees are set within the Local Government Administration Regulations (Reg. 30) and minimum and maximum allowable payments are declared annually by the Salaries and Allowances Tribunal (SAT).

Attendance fees are determined at the time of the annual budget adoption and take effect from the day after the date of adoption and are paid on a per meeting basis (Reg 30(1)).

The Council may also appoint other persons to be members of committees (e.g., Audit Committee) and those persons are entitled to be paid as members.

Any employee of the Council who is a member of a committee is not entitled to be paid a fee as a member of the committee.

Fees are paid for;

- Members attending a committee meeting (Reg. 30(20)).
- Members attending other meetings such as WALGA Zone Meetings or Regional Road Group or other meetings determined under the Regulations (reg. 30) (3A))
- The Presidential allowance is paid at its maximum allowable in two payments (Reg. 33(1) (b) (i)).
- The Deputy President allowance is paid at the prescribed percentage of the Presidential Allowance being 25% and made in two payments (Reg33A).

The kinds of expenses that are to be reimbursed are rental charges for one telephone and facsimile, childcare services, and travel costs (Reg. 31).

### Consultation

Chief Executive Officer  
President and Councillors

### Financial Implications

Councillor Fees will be included in the 2022/2023 draft budget considerations.

### **Strategic Community Plan**

Area 5: Investing in Council's 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.

### **Officer Comment**

The Salaries and Allowances Tribunal Determination sets a range of fees and allowances for the Shire as a Band 4 Local Government, and this allows the Council the flexibility to amend the fees and allowances annually in order to maintain some relativity with the actual costs of being a council member.

The Council has previously set its Councillor meeting attendance fees below the maximum amount permitted. The allowance for the President and Deputy President has been set at the maximum amount.

Council is required to approve the reimbursement of expenses, the payment of travel costs and the reimbursement of childcare costs incurred by a council member.

This allows the payment on expenses to council members while on Council business such as meal and accommodation costs or taxi costs; the payment of travel costs such as mileage for the attendance at Council meetings; and the reimbursement of childcare costs in accordance with the regulations and Salaries and Allowance Tribunal determinations.

### **COUNCIL DECISION**

**Council Resolution Number: 160622.5**

**Moved: Cr Sparkman**

**Seconded: Cr Sutherland**

**That Council consider revoking or changing the council resolution 210422.5 made at the Ordinary Council Meeting on Thursday 21st April 2022 in regard to Councillor fees.**

**Motion put and carried 7/0 by absolute majority**

## COUNCIL DECISION

Council Resolution Number: 160622.6

Moved: Cr King

Seconded: Cr Bradford

That Council:

1. Adopt, in accordance with section 5.98, 5.99 and 5.99A of the *Local Government Act 1995*, annual attendance fees be paid to all Councillors in lieu of meeting fees and annual allowances in lieu of reimbursement of expenses.
2. Approve for inclusion in the 2022/2023 budget, the following entitlements for the 2022/2023 financial year payable three months in advance from 1 July 2022:
  - a. An annual attendance fee for the Shire President of 25% of the maximum fee set by the Salaries and Allowances Tribunal in April 2022 and in accordance with section 5.99 of the *Local Government Act 1995*.
  - b. An annual attendance fee for council members of 75% of the maximum fee set by the Salaries and Allowances Tribunal in April 2022 and in accordance with section 5.99 of the *Local Government Act 1995*.
  - c. An annual allowance for the Shire President of \$20,565 in accordance with section 5.98(5) of the *Local Government Act 1995*.
  - d. An annual allowance for the Deputy Shire President of \$5,141.25 in accordance with section 5.98A of the *Local Government Act 1995*.
  - e. Allowances and attendances fees to be paid in two payments as per Council Policy No. 9009.
3. Approve the reimbursement of expenses incurred by a council member in accordance with section 5.98(2)(b) and (3) of the Act and regulation 31(1)(b), 32,32(1) of the Local Government (Administration) Regulations 1996 and in accordance with the Salaries and Allowances Tribunal current Determination for 2022.
4. Include the proposed expenses in the 2022/2023 Draft budget deliberations.

Motion put and carried 6/1 by absolute majority

## 13. Community Development and Services:

### 13.1 ISOLATED CHILDREN'S PARENTS' NETWORK (icpa) – CONFERENCE SPONSORSHIP

Applicant:	Shire of Perenjori
File:	ADM 0051
Date:	1 <sup>st</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Nola Comerford – Manager Corporate Community Services
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	Nil

#### Summary

For Council to consider allocation of funds as a contribution towards the Isolated Children's Parents' Network (ICPA) annual conference to be held 3<sup>rd</sup> and 4<sup>th</sup> August 2022 in Perth.

#### Background

The following letter was received from ICPA State President, Sally Brindal.



#### The Isolated Children's Parents' Association of Australia

#### **51<sup>st</sup> Annual Federal Conference**

**3<sup>rd</sup> & 4<sup>th</sup> August 2022**

**Perth, Western Australia**

**Hosted by Federal Council**

18 May 2022

Shire of Perenjori  
Mario Romeo  
Chief Executive Officer  
56 Fowler Street  
PERENJORI WA 6620

Dear Mario,

On behalf of the Isolated Children's Parents' Association (ICPA) Federal Council, I am writing to ask you to consider sponsoring the 51<sup>st</sup> Annual ICPA Federal Conference, being held in Perth, on the 3<sup>rd</sup> and 4<sup>th</sup> August 2022, with the theme "Outback to Ocean, Growing Member Connections".

ICPA is a well-respected state and national non-profit, non-political, entirely voluntary organisation dedicated to ensuring rural and remote students have equity of access to a continuing and appropriate education. Since 1971, ICPA has continued to be highly regarded for its advice and relationships with all

levels of government and agencies. (More information regarding ICPA's history, aims, achievements and current issues can be found at [www.icpa.com.au](http://www.icpa.com.au)).

The conference is held in a different state each year attracting up to 200 delegates from across Australia including ICPA members, media representatives, politicians, departmental representatives and other educational authorities. The conference involves workshops, guest speakers and most importantly, a face-to-face forum to discuss issues and future directions that affect our children's access to education.

The upcoming conference in Perth affords an excellent opportunity for supporting organisations to promote their business to a wide audience, whilst showing support for ICPA, enabling us to run a successful conference where members will present motions on educational issues that then form policy for ICPA for the next 12 months. Given the past two years with virtual and hybrid conferences, and countless zoom meetings, many geographically isolated parents are relishing making the trip to Perth for a long-awaited face-to-face conference and the opportunity to reconnect with old friends and make new ones. To be able to come together face to face to share stories with parents who are experiencing and understand the same difficulties is so important for the mental health and well-being of rural and remote families who are already isolated.

Branches have had limited opportunities to fundraise over the past 12 months due to COVID-19, so it is all the more important to seek your support in 2022. Sponsorship allows the committee to minimise the costs that are passed onto delegates and members, given they also have to cover accommodation and travel costs to attend conference.

Sponsorship can take the form of cash, and/or items for fundraising activities such as raffle items, and/or promotional items to be included in the conference satchels. Sponsor benefits are outlined on the sponsorship form attached; please do not hesitate to contact us if further information is required. Thank you for your consideration, and we look forward to your support for regional, rural and remote families.

Yours sincerely,

*Sally*

Sally Brindal

WA State President

51st Convening Committee

ICPA Federal Conference

**E: [WAPresident@icpa.com.au](mailto:WAPresident@icpa.com.au) M: 0427 275 014**

---

#### **Statutory Environment**

Nil

#### **Policy Implications**

Shire of Perenjori Policy Manual - *Policy No. 101 Donations and Grants*

#### **Consultation**

Paul Anderson – Chief Executive Officer

### **Financial Implications**

Council made allocation of \$12,000 (twelve thousand dollars) for Donations in the 2021/22 Annual Budget with \$2,000 remaining.

### **Strategic Community Plan**

Area 4: Investing in Community Capacity – Civic Leadership

Goal: Supporting the community's strong volunteering culture and supporting community leaders to grow and develop.

### **Officer Comment**

ICPA advocates for rural and remote student and their families for equity of access to educational support. Their advocacy efforts benefit students of Perenjori who either attend boarding school or complete their education via distant education by dealing with corporate and governmental representatives on issues ranging from curriculum, allowances, transport, and communications. The voluntary organisation is a strong support system for families whose children board away from home and their annual conference benefits these volunteers with networking to strengthen relationships between the ICPA members and government representatives.

The recommended sponsorship of \$500 (five hundred dollars) will be recognised by a certificate of appreciation and the Perenjori Shire logo being displayed throughout the conference on slideshows and banners.

### **COUNCIL DECISION**

**Council Resolution Number: 160622.7**

**Moved: Cr Sutherland**

**Seconded: Cr Sparkman**

**That Council endorses a donation of \$500 (five hundred dollars) to the Isolated Children's Parents' Association Annual Conference to be held in Perth on 3<sup>rd</sup> and 4<sup>th</sup> August 2022.**

**Motion put and carried 7/0**

### 13.2 FINANCIAL CONTRIBUTION TO SPORTING CLUBS

Applicant:	Shire of Perenjori
File:	ADM 0017, ADM 0639, ADM 0636
Date:	31 <sup>st</sup> May 2022
Disclosure of Interest:	Cr Hepworth, Cr King and Cr Fraser
Voting Requirements:	Absolute Majority
Author:	Nola Comerford – Manager Corporate Community Services
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	13.2 - Memorandums of Understanding between: <ul style="list-style-type: none"><li>• Shire of Perenjori and Latham Bowls and Golf Club 2013</li><li>• Shire of Perenjori and Perenjori Golf Club 2013</li><li>• Shire of Perenjori and Perenjori Golf Club, Bowls Club, and Mr Les Hepworth 2006</li></ul>

#### Summary

For Council to determine continuance of financial contributions to the following community sporting clubs:

- Perenjori Golf Club
- Perenjori Bowling Club
- Latham Bowls and Golf Club

#### Background

Dating back to the 2012/13 financial year, Memorandums of Understanding were undertaken with the Latham Bowls & Golf Club and the Perenjori Golf Club which stipulated the provision of \$12,500 (twelve thousand, five hundred dollars) per year to each club for annual maintenance on their respective playing grounds. In 2020, the Perenjori Golf Club advised that they no longer required the full funding and requested that the Perenjori Bowls Club be the beneficiary of half the funds, which was agreed to by the then CEO but does not appear to have been presented to Council for endorsement.

Prior to this agreement, the Shire provided funding allocation of \$26,500 (twenty six thousand, five hundred dollars) to the Perenjori Golf and Bowls Clubs for the hire of a greenkeeper to maintain the playing surfaces throughout the year as was seasonally required.

Invoices from the respective clubs have been presented for payment for the 2021/22 financial year but clarification is required from Council on:

- Whether the funding will continue in the same format, dependent on a new agreement being entered into.
- Continuance of funding, along with other local sporting organisations eligible for similar.
- If funding should continue, consideration of an amount based on individual requirements.
- Cessation of all funding with an expectation for clubs to apply for grant funding through traditional avenues – e.g., Lotterywest, Healthway, Mt Gibson Public Benefit Trust.
- Commencement of annual fees for sporting groups utilising Council land and buildings.

#### Statutory Environment

Nil

## **Policy Implications**

POLICY NO. 1011 – Donations and Grants

### **Policy Objective:**

*The Council is committed to building strong and resilient communities in Perenjori and to maximising social wellbeing for all citizens. One means of achieving these goals is to provide assistance being financial or in kind in the form of donations to individuals and groups to help develop leadership skills, increase community participation in civic life and address identified social issues.*

*Given that the Council receives requests from community groups and organisations throughout the year for donations, sponsorships and the waiver of Council fees and charges, a procedure for the assessment of applications ensures: -*

- *Transparency and accountability to the community;*
- *An effective reporting mechanism to the Council regarding the total value of donations approved in any one financial year;*
- *An equitable assessment of each application or request received; and*
- *A standard process for applicants to follow when requesting donations or sponsorships from the Council.*

*The responsibility for the disbursement of funds will be with the Council, whilst Shire officers will undertake the management of these processes.*

*The total value of the fund will be determined each year during the Council's annual budget deliberations.*

*The donations program will be advertised across the whole community annually.*

*Groups who receive support in one year do not automatically receive ongoing funding in future years.*

### **Policy Statement:**

*Donation – provision of financial or in-kind support by Council to an individual or group.*

*Fees and charges - those imposed by the Shire on an organisation or group for the use of a Shire owned facility or the staging of a particular event or activity.*

*Shire facilities - all Shire owned and operated facilities and reserves across the Shire that are included as available for hire or use in the Shire's annual Schedule of Fees and Charges.*

### **Donations within Perenjori:**

*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:**

- *Any Not for Profit, Community service, groups or welfare or charitable organisations or groups providing programs or services to residents of Perenjori.*
- *Any activity, event or program that is supported by the Council's existing Strategic Plan and policies.*
- *Young people who are aged 10 to 20 years who have their primary residence in Perenjori.*
- *All schools in the Shire of Perenjori.*
- *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)*
- *Agree to complete an acquittal and evaluation report where requested. Failure to do so may render the applicant ineligible for future funding.*

### **Assessment Criterion will Include:**

- *The status of the applicant organisation (e.g. charity, not for profit).*
- *The numbers of people benefiting.*
- *The availability of the event, service to the community.*
- *The alignment of the event, service or activity with the Council's philosophies and strategic direction.*
- *The perceived benefit of the event or activity to the Perenjori community.*
- *Alternative funding sources that may be applicable.*
- *Contribution to the event or activity made by the applicant organisation or individual/s.*
- *Commitment to acknowledgement of the Shire of Perenjori.*

**General Community Donations:**

The Council will consider donations to the community, subject to the adoption of a budget for that purpose on an as need basis. Applicants for a Council donation must be able to demonstrate that they can:

- Meet an identified social need of the Perenjori community in accordance with the Council's community strategy or other relevant social planning documents;
- Effectively deliver the project; and
- Provide value for money.

**Youth Donations:**

The Council may provide donations to young people for the purposes of developing leadership skills and encouraging active civic participation. The amount of the donations can be up to:

- \$100 for regional level activities (taking place within WA).
- \$200 for national level activities (taking place within Australia other than in WA).
- \$500 for international level activities (taking place outside Australia).

**School Donations:**

The Council may make available donations to each school in Perenjori to be given as a prize, in cash or goods, to a student who has excelled in citizenship, academic studies, artistic endeavours or sporting proficiency. Schools will be able to notify Shire staff of their interest in these donations and the prize will be given at the annual awards ceremony or equivalent. The prize will be presented by the Shire President (or delegate).

**Sports Donations:**

The Council may provide donations to individuals and teams from Perenjori in representative sports for which they have qualified. The amount of the donations can be up to:

- \$200 for regional representation.
- \$500 for state representation.
- \$500 for international representation.
- \$500 for team representation.

**Events and Activities:**

The Council may also provide financial and or in-kind support for community events through corporate sponsorship. This can include the covering of costs associated with the hire and use of Shire facilities, community bus, equipment and staff.

Donations outside Perenjori:

**Events:**

There are events which occur in places outside Perenjori which the Council determines should be supported by a donation of cash or in-kind. Events such as natural disasters and wars create much human suffering which requires a widespread and concerted aid effort. Whilst the national government and to a lesser extent State Governments have greater resources to be able to provide assistance, local government in Perenjori and elsewhere can also play a key role. A cash or in-kind contribution from the Council increases the total overall aid effort and sends a very important message of solidarity and goodwill from the people of Perenjori to those suffering the misfortune.

**Cash:**

Council may resolve to provide any amount it deems reasonable to assist people affected by a national or international event that causing human suffering. It is recommended that an amount of up to \$2,000 be considered in such instances. Depending on the total amount of such donations, the Council may be required to top up the budget for the program.

***In-Kind:***

*The Council may also wish to consider providing material, equipment or human resources support for an event or group. In some instances, sending an engineer or community services worker, a truck or a load of material might be of more benefit than a cash contribution. Any such in-kind donation would need to consider the impact on the essential work of the Council through consultation with the CEO before being committed. Any materials to be provided in-kind would be sourced locally where possible, to support local businesses.*

*In kind donations will be costed and the cost allocated to the Donations Account to ensure the total cost of Shire donations is correctly accounted for.*

*Policy Administration*

*Date Adopted: Item N° 14022.11 20<sup>th</sup> February 2014*

*Reviews/Amendments: Item N° 17032.5 16<sup>th</sup> March 2017*

**Consultation**

Paul Anderson – Chief Executive Officer  
Various local government Finance Managers/Officers

**Financial Implications**

Council's Annual Budget 2021-22 includes allocation of \$25,000 (twenty five thousand dollars) as expenses to the respective clubs.

**Strategic Community Plan**

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.

**Officer Comment**

Considering the current Memorandums of Understanding between the Shire and the Latham Bowls and Golf Club and the Perenjori Golf Club were agreed on in 2013, it would be negligent to not reassess the current financial and membership capabilities and requirements of each club to determine the need of financial assistance on an individual basis. Consideration should also be made to ensure Council assistance is fair and equitable to all sporting and community organisations within the shire.

Comparisons to other local government entities are shown in the tables below with the norm being to include an annual fee for clubs who utilise Council properties as a token contribution towards overheads such as insurance, lighting, cleaning etc. Generally, Golf Clubs are situated on Reserve land and maintain their own infrastructure using volunteer labour and fundraising by members.

**Shire of Morawa**

<b>Organisation</b>	<b>Annual Fee Payable to Shire</b>
Hockey Club	\$634
Netball Club	\$634
Cricket Club	\$634
Football Club	\$2,619

**Shire of Mingenew**

<b>Organisation</b>	<b>Annual Fee Payable to Shire</b>
Hockey Club	\$3,252
Netball Club	\$1,245
Tennis Club	\$5,445

Golf Club	\$3,252
Bowls Club	\$5,312

**Shire of Carnamah**

<b>Organisation</b>	<b>Annual Fee Payable to Shire</b>
Hockey Club	\$700
Netball Club	\$465
Tennis Club	\$2,200
Bowls Club	\$6,250 (includes contributions to future new bowling green)
Football Club	\$4,500

**Shire of Nungarin**

<b>Organisation</b>	<b>Annual Fee Payable to Shire</b>
Hockey Club	\$1,100
Netball Club	\$1,100
Tennis Club	\$3,300
Bowls Club	\$3,300
Football Club	\$3,300

Cr Hepworth, Cr King and Cr Fraser departed the chambers at 15.34pm.

Cr Hepworth declared an impartiality interest in agenda item 13.2, due to being the President of the Perenjori Golf Club. Cr Hepworth left the room and did not participate in discussion or voting of the item.

Cr King declared an impartiality interest in agenda item 13.2, due to being the President of the Bowling Club. Cr King also declared a proximity interest, due to owning land which boundaries the Perenjori Golf Club. Cr King left the room and did not participate in discussion or voting of the item.

Cr Fraser declared an impartiality interest in agenda item 13.2, due to being the Club Captain of the Bowls Club and a member of the Golf Club. Cr Fraser left the room and did not participate in discussion or voting of the item.



### 13.3 APPOINTMENT OF BUSH FIRE OFFICERS

Applicant:	Shire of Perenjori
File:	ADM 0070
Date:	9 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Rick Ryan – Community Emergency Services Manager
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	Nil

#### 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 (CBFCO) and Deputy Chief Bush Fire Control Officer, pursuant to Section 38 of the Bush Fires Act 1954.
- (c) To endorse the Shire of Perenjori Section 33 Fire Break Notice

#### Background

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

The Shire Fire Break notice is sent out to all landholders advising of the Fire Break requirements, advising the community of burning times, fire break requirements and Fire Control Officers for the Shire of Perenjori.

#### 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.*

**Local government may require occupier of land to plough or clear fire-break**

(1) Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the *Government Gazette* and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things —

- (a) to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire-breaks clear of inflammable matter;
- (b) to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire,

and the notice may require the owner or occupier to do so —

- (c) as a separate operation, or in co-ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and
- (d) in any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice.

**Policy Implications**

Nil.

**Consultation**

Phil Page CBFCO

**Financial Implications**

Nil.

**Strategic Community Plan**

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

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

**Officer Comment**

The following be endorsed for the listed positions,

<b>POSITION</b>	<b>NAME</b>
<b>Chief Bush Fire Control Officer</b>	Phil Page
<b>Deputy Chief Bush Fire Control Officer</b>	Jason King
<b>Fire Control Officers &amp; Permit Issuing Officers</b>	Phil Page Jason King Brian Campbell Paul Anderson CEO Rick Ryan/CESM Donna Walker BRPC

We do not have a Fire Weather officer as this is a Government Gazetted position as the purpose of a Fire Weather Officer is to validate fire permits if the weather/FDI is lower than what has been predicted by BOM.

The CBFCO or the CEO has the role of instigating a Harvest & Vehicle Movement Ban, what happens is that the CBFCO & CESM will monitor the weather and both will review with the other FCOs, if there is a need to impose a HVMB the Shire will be advised to send out a notice to imposes a HMB.

**COUNCIL DECISION**

<p><b>Council Resolution Number: 160622.9</b></p> <p><b>Moved: Cr Hepworth                      Seconded: Cr Bradford</b></p> <p><b>That the following bush fire control officers for 2022/2023 year be appointed.</b></p> <p><b>Chief Bush Fire Control Officer:</b></p> <ul style="list-style-type: none"> <li>- Phil Page</li> </ul> <p><b>Deputy Chief Bush Fire Control Officer:</b></p> <ul style="list-style-type: none"> <li>- Jason King</li> </ul> <p><b>Fire Control Officers &amp; Permit Issuing Officers:</b></p> <ul style="list-style-type: none"> <li>- Phil Page</li> <li>- Jason King</li> <li>- Brian Campbell</li> <li>- Paul Anderson CEO</li> <li>- Rick Ryan CESM</li> <li>- Donna Walker BRPC</li> </ul> <p><b>Motion put and carried 7/0</b></p>
--

### 13.4 HOLIDAY ACCOMODATION - 22 RUSSELL STREET, PERENJORI

Applicant:	A & M Heelan
File:	A523
Date:	8 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Simon Lancaster - Planning Advisor
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	13.4 - Received Application

#### Summary

Council is in receipt of an application to redevelop 22 (Lot 182) Russell Street, Perenjori for the purposes of Holiday Accommodation and construct a 180m<sup>2</sup> shed with a nil boundary setback in the northern corner of Lot 182. The application has been advertised for comment and no objections were received. This report recommends that Council approve the application.

#### Background

Lot 166 is a 3,035m<sup>2</sup> property located on the eastern side of Russell Street in the Perenjori townsite...

Figure 14.1(a) - Location map for 22 (Lot 182) Russell Street, Perenjori



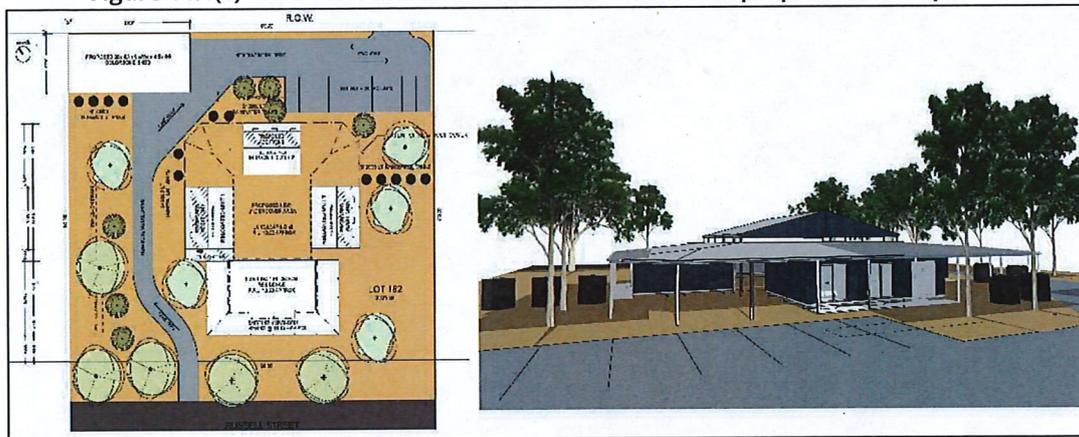
The property contains a residence and three transportable buildings that the earliest available Department of Lands aerial photography for the Perenjori townsite indicates have been on-site since at least 1998.

Figure 14.1(b) – Aerial Photo of 22 (Lot 182) Russell Street, Perenjori



The applicant is seeking to reposition the 3 transportable units in a U-shape immediately to the rear of the main residence (which will also serve as the reception area for guests) and construct a roof over the courtyard area between them, and construct verandas on the external facing elevations of the transportable units. The reconfigured development would offer 10 rooms, each with an en-suite, for the purposes of Holiday Accommodation.

Figure 14.1(c) – Site Plan and Russell Street elevation for proposed development

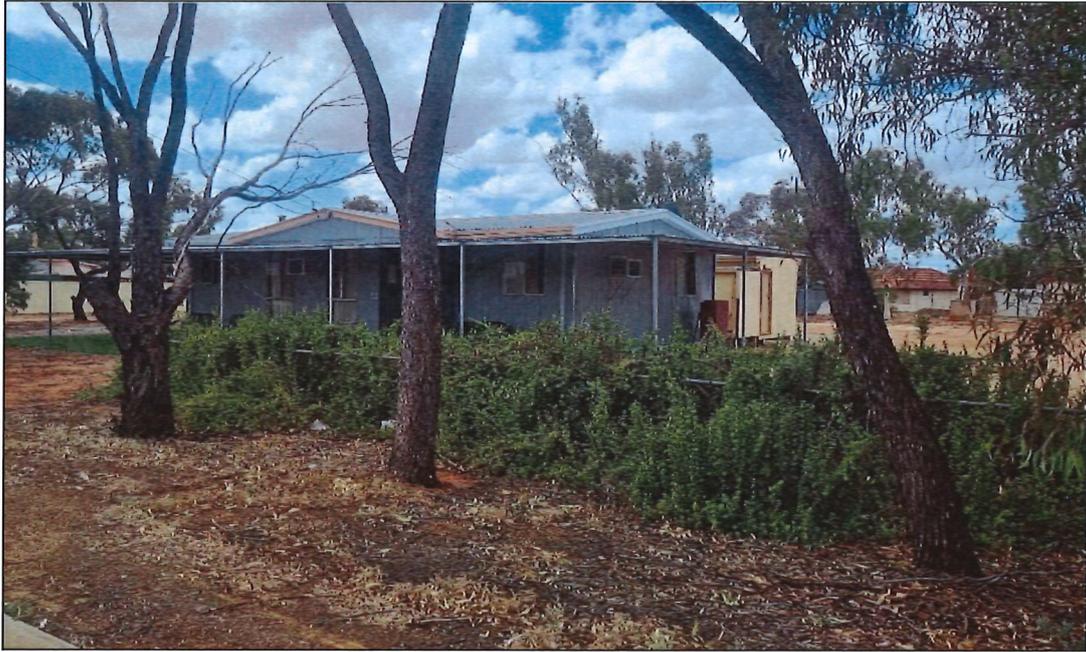


The applicant is also proposing to construct an internal vehicle network providing entry only vehicle access from Russell Street and entry/exit onto the Right of Way to the rear. 10 car parking bays would also be provided on-site along with landscaping works and rainwater tanks to capture stormwater runoff.

The applicant is also seeking to construct a 180m<sup>2</sup> (20m x 9m) shed with a wall height of 4.5m and a total gable height of 4.7m in the northern corner of Lot 182, with a nil boundary setback to the (side) neighbouring property and the (rear) Right of Way. The shed would be clad with Deep Ocean Colourbond walls and zincalume roof sheeting to complement the main Holiday Accommodation development upon the property.

A copy of the received application that includes site plans illustrating the current and proposed site layouts, floor plans, elevation plans from all angles and the applicant's supporting correspondence and management statement have been provided as a **separate Attachment 13.4** to this report.

**Figure 14.1(d) - View of Lot 182 looking north from Russell Street**



**Figure 14.1(e) - View of Lot 182 looking east from Russell Street**



## Statutory Environment

22 (Lot 182) Russell Street, Perenjori is zoned 'Residential R10/R30' under the Shire of Perenjori Local Planning Scheme No.3 ('the Scheme').

The Scheme lists the objectives for the 'Residential' zone as being:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development."*

The application meets the definition of 'Holiday Accommodation' which is defined as *"holiday accommodation means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot."*

'Holiday Accommodation' is listed as an 'A' use in the 'Residential' zone i.e. a land use that is to be advertised for comment prior to determination.

The proposed development would be consistent with the following Aims of the Scheme (Section 9):

- "(b) to ensure there is a sufficient supply of serviced and suitable land for housing, employment, commercial activities, community facilities, recreation and open space; and*
- (c) to assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment and tourist developments, as well as providing opportunities for home-based employment."*

Schedule 2 Part 9 Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by local government in considering a development application:

- "(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;...*
- ...(c) any approved State planning policy;...*
- ...(fa) any local planning strategy for this Scheme endorsed by the Commission;...*
- ...(m) the compatibility of the development with its setting, including –*
  - (i) the compatibility of the development with the desired future character of its setting; and*
  - (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following –*
  - (i) environmental impacts of the development;*
  - (ii) the character of the locality;*
  - (iii) social impacts of the development;...*
- ...(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;...*
- (s) the adequacy of –*
  - (i) the proposed means of access to and egress from the site; and*
  - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;...*
- ...(w) the history of the site where the development is to be located;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*

- (y) any submissions received on the application;...  
...(zb) any other planning consideration the local government considers appropriate.”

### **Policy Implications**

The applicant is also seeking to construct a 180m<sup>2</sup> (20m x 9m) shed with a wall height of 4.5m and a total gable height of 4.7m in the northern corner of Lot 182, with a nil boundary setback to the (side) neighbouring property and the (rear) Right of Way.

The Residential Design Codes of Western Australia (the 'R-Codes') establish criteria by which Shire staff may approve applications under delegated authority.

Section 5.4.3.C3 of the R-Codes recommends that outbuildings should be not be more than 60m<sup>2</sup> within this zone, not exceed a wall height of 2.4m, and a ridge height of 4.2m. As the outbuilding proposes variation to the deemed-to-comply provisions of the R-Codes, it was advertised concurrently with the 'Holiday Accommodation' for comment prior to being presented to Council for determination.

It is suggested that Council may wish to consider adopting an Outbuildings Local Planning Policy that allows for sheds in the Perenjori townsite of greater area and height than prescribed by the R-Codes. Many other Mid West local governments have adopted such a policy to better respond to the needs of its communities and reflect localised planning issues, and streamline the processing of applications.

Such policies establish a greater maximum outbuilding area/height in recognition that the R-Codes criteria are often metro-centric and do not adequately address the requirements for general domestic storage in a regional, rural townsite and rural-residential setting where residents may often own, and seek to store out of the elements, larger items such as 4WD's, trailers, caravans, campervans, boats, horse floats, ride-on mowers, motor/quadbikes and stock keeping/feeding items.

The policy would establish the procedure by which the Shire would process applications for outbuildings. Applications that complied with the policy provisions would be approved by staff under delegated authority and applications that propose variation would be advertised for comment and presented to Council for its determination.

For the most part Local Planning Policies are formulated and aligned with a strategic planning direction as set by Council. The establishment of Local Planning Policies aid in guiding the type and standard of development the Council views as appropriate within particular areas of the Shire and provide a consistent approach to approving land use and development.

In the event that Council were to consider an 'Outbuildings' Local Planning Policy' it would be presented in draft format to a future meeting of Council for consideration. Were Council to adopt the draft policy the Regulations require that it be advertised for comment for a period of not less than 21 days, at the conclusion of which Council can review any submission received and proceed with the policy with/without modification, or not proceed with the policy.

### **Consultation**

Given that 'Holiday Accommodation' is listed in the Scheme as an 'A' use, and the application also proposes a shed size and boundary setback variation to the deemed-to-comply provisions of the R-Codes, it was advertised for comment.

The Shire wrote to the landowners of the 23 surrounding properties on 18/5/22 providing details of the application and inviting comment by 2/6/22. The Shire also wrote to the Water Corporation and Western Power inviting comment. An advisory sign was also placed on-site inviting comment and explanatory information was placed on the Shire website.

At the conclusion of the advertising period no objections had been received.

### **Budget Implications**

The applicant has been charged the relevant \$800 planning application fee, and will be required to pay the relevant building and septic fees should Council approve the application.

### **Strategic Implications**

The proposed development is consistent with the Vision Statement and Strategies as contained in the Shire of Perenjori Local Planning Strategy.

*"The Shire will continue to promote the use of best management practices in all its activities especially in the development of its culture, arts, tourism, hospitality and service sector.*

*Perenjori will continue to provide modern and efficient services to meet the district service centre role and will be supported as the focus of recreation, administration, commercial and residential development for the Shire and District.*

*The Perenjori Townsite will be continued to be supported as a town maintaining its role as a residential and business centre servicing the important passing trade (both business and tourism).*

*Perenjori will also continue to provide for industrial activities to service the surrounding mining operations.*

*The Shire will continue to promote the creation of new industries, businesses and jobs based on economically sustainable principles. These jobs may be in a variety of disciplines including, primary industry, geothermal power exploration, bio-diesel development, tourism and cultural awareness."*

*"Employment, Business And Tourism*

*Objective:*

*To promote employment, business and tourism in the Shire.*

*Strategies*

- *Generally encourage new employment opportunities within the Shire.*
- *Ensure that the Shire can capitalise on the potential visitor economy by providing for a variety of tourism accommodation types.*
- *Ensure that the activities are developed, and sites are appropriately protected and managed, in order to maximise their interest value and tourism appeal.*
- *Encourage the development of a range of accommodation types to cater for the range of visitors likely to be attracted to the region.*
- *Ensure that the increasingly popular isolated landscapes are appropriately catered for in a sustainable and responsible manner.*
- *Where appropriate, ensure that each settlement has serviced land available in an appropriate location for future business activities."*

The Western Australian Planning Commission's 'Planning Bulletin 83 - Planning for Tourism' sets out the policy position to guide decision making by the WAPC and local government for rezoning, subdivision and development proposals for tourism purposes. The Bulletin emphasises the importance of strategic planning for tourism and that this should be addressed through the local government's Local Planning Strategy identifying tourism sites and determine their strategic value and importance to tourism development.

The Bulletin notes that identification of tourism sites does not imply that the site is suitable for immediate development or re-development (in many cases sites may be identified to facilitate the long term protection of land for tourism purposes where economic conditions appropriate for development may not be reached for a number of years) but does set out general location criteria to determine the tourism value of a site as follows:

*"Accessibility*

*The site has adequate existing or proposed transport links (such as major road or airport access).*

*Uniqueness*

*The site contains, or is in the vicinity of, an attraction or prominent and/or unique landmark of local, regional or State significance.*

*Setting*

*The setting of the site has an aspect and outlook that supports recreational tourism activities and/or the creation of a tourism character and ambience (e.g. immediately adjacent to a beach).*

*Tourism activities and amenities*

*The site provides, has easy access to, or is capable of development of supporting activities and amenities such as tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops and the like.*

*Supply of land*

*The site has an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities, to achieve a significant tourism development in an area.*

*Site specific criteria to determine the tourism value of the site includes:*

*Suitability in a land use context*

*The site is located in a land use context that will not limit the extent of activities available to guests due to amenity impacts on adjoining residents or where the adjoining uses potentially detract from the tourism character of the site (e.g. located within a residential area).*

*Capability*

*The site has the capacity to be developed for tourism purposes and accommodate the associated services in a manner that does not detract from the natural attributes of the site or result in environmental degradation. Examples include: clearing for bushfire protection, sewerage capacity, water supply and rubbish disposal.*

*Size*

*The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.*

*Function*

*The use of the site meets a particular accommodation, market need and/or ensures a range of tourism accommodation within the locality. Examples are: beachfront caravan parks, school holiday camps and Crown tourism leases.*

*These criteria are to guide local government in the assessment of the strategic value of tourism sites and determination of the value will be based on the outcome of the assessment of the site against all criteria."*

## **Strategic Community Plan**

The Shire of Perenjori Strategic Community Plan 2017-2027 identifies the following of relevance in Council's consideration of this matter:

*"Area 2: Industry and Business Development – Our Economy*

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

*This strategy area is designed to invest and support business growth and development for the Shire. It will ensure land development for future industrial and residential growth occurs in a timely manner. It will continue to strengthen the tourism industry opportunities and identify other industry areas which can assist in diversifying the economy. It creates key links with regional organisations to ensure access to business planning support services, new business opportunities to maximise business growth."*

Objectives	Measurement	Timing	Projects	Priority
Development of tourism activities, sites		2018	Perenjori Tourism Project	Medium
Continued housing development to support demand and allow for population growth	Number houses built and sold/rented including key worker, aged care, single accommodation	Ongoing	Perenjori Housing Project	High
Ensure ongoing maintenance & renewal of existing facilities	Asset Management Plan developed guiding maintenance & renewal schedules	2018-2019	Asset Management Plan	

### Officer Comment

Council may consider that the application should be supported based on the following:

- the re-development of the site would improve the visual appearance of the property.
- the development would not cause an inconsistency in the existing streetscape as the transportable buildings have been on-site for many decades and they will be reconfigured to be sited behind the main residence.
- the development is proposed to be sited at the centre of the property to provide the maximum setback distance from property boundaries.
- the total built area on the property (main residence + holiday accommodation + outbuilding) would be 1,073.57m<sup>2</sup>, this would represent 35.37% of the total 3,035m<sup>2</sup> lot which provides for sufficient area to ensure stormwater runoff is controlled within the property and vehicle parking is conducted off-street.
- the development would be self-policing to a large degree, although Council would have the ability to enforce conditions of operation in the event it was dissatisfied with the impact to the surrounding amenity relating to issues that may arise such as noise, nuisance and parking.
- the development would be consistent with Council's strategic vision of economic development and catering for tourism and workforce accommodation.
- the application has been advertised for comment and no objections were received and this can be considered to indicate a level of acceptance (or indifference) to the proposed development.
- whilst the proposed shed is significant in visual impact being 180m<sup>2</sup> (20m x 9m) with a wall height of 4.5m and a total gable height of 4.7m and nil setback to the northern corner of Lot 182, the applicant has sought to lessen this through the use of colourbond materials and orientating it so that the adjoining side neighbour to the north is presented with the 9m elevation length rather than the 20m elevation length on their common boundary.

### COUNCIL DECISION

**Council Resolution Number: 160622.10**

**Moved: Cr Fraser**

**Seconded: Cr Sutherland**

**That Council grant formal planning approval for the proposed Holiday Accommodation development and accompanying 180m<sup>2</sup> shed upon 22 (Lot 182) Russell Street, Perenjori subject to compliance with the following:**

#### Conditions

- 1 Development shall be in accordance with the plans and management statement included within Attachment 14.1 to the Council Agenda report and subject to any modifications**

- required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the buildings or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan may require further application and planning approval for that use/addition.
  - 3 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product, vehicle parking and manoeuvring or otherwise.
  - 4 The proponent is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the management statement.
  - 5 The buildings, and additions to, shall utilise colours and materials and be to a finish to the approval of the local government.
  - 6 All stormwater is to be disposed of on-site to the approval of the local government.
  - 7 All parking of vehicles (and trailers) associated with the guests shall be provided for within the property boundary.
  - 8 The internal road network and vehicle manoeuvring and parking areas shall be constructed and maintained to the approval of the local government.
  - 9 The vehicle access onto Russell Street and the Right of Way shall be appropriately located, designed, constructed and maintained to the approval of the local government.
  - 10 Upgrading of, or repairing of any damage to, Russell Street or the Right of Way that is required by reason of their use in connection with the development and associated operations shall be the requirements of the local government with all costs met by the applicant.
  - 11 The installation and subsequent maintenance of any signage shall be to the approval of the local government.
  - 12 The maintenance of landscaping about the development site for the purposes of providing shade and screening shall be to the approval of the local government.
  - 13 The buildings shall not be occupied until compliant with the requirements of the Building Code of Australia, the *Health Act 1911* and the *Health (Treatment Of Sewage And Disposal Of Effluent And Liquid Waste) Regulations 1974*.
  - 14 If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

Notes

- (a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- (b) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (c) Should the applicant be aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

That Council instruct Shire staff to prepare a draft 'Outbuildings' Local Planning Policy for Council's consideration at a future meeting.

Motion put and carried 7/0

13.5 WILDFLOWER PHOTOGRAPHY WORKSHOP – AMENDMENTS TO FEES: CHALETS

Applicant:	Shire of Perenjori
File:	ADM 0579
Date:	10 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Aluel Mading- Community Development Officer
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	13.5 - Correspondence from Marketing Contractor

**Summary**

The Agenda Item seeks Council endorsement for a reduction in fees for the Caravan Park participants attending a photography workshop in Perenjori in September 2022.

**Background**

The Wildflower Country is an incorporated group consisting of nine local government areas that make up the wildflower country. The group's objective is to increase visitation to the region and increase tourism during wildflower season.

Correspondence was received from the Marketing contractor to hold a phone photography workshop in September to increase tourism to the region. The proposed workshop will be facilitated by Sophie Xiang, a self-taught photographer with a unique style of capturing Western Australia's native flora. Sophie has a following of 5,000 on Facebook and conducts a series of wildflower photography workshops and exhibitions.

The workshop will include

- Phone photography
- Field photography

The workshop will be priced at \$210 (two hundred and ten dollars) per participant, this will be limited to ten participants. Council are requested for in-kind contribution of waived venue fees for the Pavilion and the reduction in fees and charges for accommodation. The reduction in prices will provide an incentive for tourists to stay overnight, which would also benefit local business.

**Caravan Park Fees**

Accommodation	Per Night	Discount (20%)
Eco House	\$200	\$160
Park Home	\$165	\$132
Chalets	\$125	\$100
Accommodation Village	\$100	\$80



*Above: Sophie Xiang's work*

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Consultation**

Cr Jude Sutherland - Deputy Shire President

Katerina Smelikova - Marketing Contractor

Nola Comerford - Manager Corporate & Community Service

### **Financial Implications**

A reduction in income for the Perenjori Caravan Park.

### **Strategic Community Plan**

Area 2: Industry and Business Development – Our Economy

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

### **Officer Comment**

Diversifying our marketing strategy to attract tourists into Perenjori will ensure that our town capitalises on wildflower tourism. Council approval in reducing accommodation for participants will provide an incentive for tourists to purchase tickets to the workshop. In addition, the workshop will increase overnight stay in Perenjori which will benefit local businesses. Offering an incentive of 20% for accommodation will assist in attracting tourists to purchase tickets to attend the workshop.

### **COUNCIL DECISION**

**Council Resolution Number: 160622.11**

**Moved: Cr Hepworth**

**Seconded: Cr Sutherland**

**That Council approve a discount of 20% (twenty percent) for accommodation for participants attending the Wildflower photography workshop in Perenjori.**

**Motion put and carried 7/0**

## 14. Plant and Works

### 14.1 PLANT REPLACEMENT PROGRAMME 2022-23

Applicant:	Shire of Perenjori
File:	Nil
Date:	16 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Ken Markham - Manager Infrastructure Services
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	14.1 - 10 year Plant Replacement Program

#### Summary

This item seeks Council's acceptance of the Plant Replacement Programme for inclusion in the 2022-23 budget.

#### Background

The proposed plant replacement program for the 2022-23 financial year is based on our replacement targets.

- The outright purchase of a prime mover in lieu of trading the Council's existing 6 wheel tipper as per Council Resolution 170222.5 at the February 2022 Council meeting.
- The replacement of Council's 2014 Volvo grader
- Replacement of the MCCS, CDO and MIS vehicles
- Purchase of an electric 2 seat utility vehicle for the cleaners at the Caravan Park.
- Replacement of vehicles for the two Maintenance graders and Building Maintenance Officer.

#### Statutory Environment

Nil

#### Policy Implications

1016- Asset Management Policy

#### Consultation

CEO

Team Leader – Mechanical

Council

#### Financial Implications

Total anticipated expenditure of \$885,600, less projected trade/ sale of \$167,000 for total of \$718,600.

It is proposed to finance the purchases as follows

Plant Reserve funding \$385,522

Council funded \$333,078

This funding allocation for plant purchases may need to be reviewed further dependent upon budgetary constraints in other areas of operation. Additional funding may be required to be drawn from the reserve to facilitate the purchases.

### **Strategic Community Plan**

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

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

### **Officer Comment**

Maintaining an up to date fleet reduces the likelihood of breakdowns, service and backup issues and extra costs associated with keeping fleet vehicles longer.

Deferring or delaying programmed replacement of vehicles has a flow on effect in future years. Unfortunately due to current global conditions the wait times for new vehicles can be several months as has been the case in the 2021-22 financial year with 2 items of plant still to be delivered as of the date of this report.

### **COUNCIL DECISION**

**Council Resolution Number: 160622.12**

**Moved: Cr Bradford**

**Seconded: Cr Bryant**

**That Council accept the Plant Replacement Program for inclusion in the Draft 2022/23 budget considerations.**

**Motion put and carried 7/0**

#### 14.2 PROPOSED ROAD PROGRAMME 2022-23

Applicant:	Shire of Perenjori
File:	Nil
Date:	16 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Ken Markham - Manager Infrastructure Services
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	14.2 - Road Programme 2022-23

#### Summary

This item seeks Council's endorsement of the Road Programme for inclusion in the 2022-23 budget.

#### Background

Each year a road works programme is put forward for Council discussion and adoption for the forward financial year.

The draft road programme for 2022-23 has been prepared based on funding from Regional Road Group (confirmed), Financial Assistance Grants (anticipated), Roads to Recovery ( confirmed) and Local Roads and Community Infrastructure Program ( confirmed) along with Council contribution.

The following projects put forward have been from inspections by Council staff, Ratepayer requests and strategic observations:

- Syson Road- The project is to gravel 5.63km from Kings Road to Griffiths Road. The project is funded through RRG with \$226,667 from RRG and \$113,333 from Council.
- Warriedar Coppermine Road- This project is a continuation of previous years to bring the road up from an unsealed road to a 7.4m sealed road to cater for the increase in traffic. This is also a RRG project with \$300,000 from RRG and \$150,000 from Council. This will take the seal to the intersection of Karara Road.
- Warriedar Coppermine Road - This is a second coat seal on the previous year's project to seal the unsealed road and bring it up to a 7.4m seal. This is also funded through RRG with \$67,667 from RRG and \$33,833 from Council.
- Settlement Road- This project is to reform and gravel approximately 2km of road West of Morawa South Road. The section of road is very clayey and holds water on various sections. This will be partly funded through R2R and Council funds.
- Caron Road- This is to gravel approximately 1.2km of road East of Dring Road through the section of salt which has caused the road to become extremely slippery when wet.
- Forte Road- This project is to gravel a section of road between the Mullewa Wubin Road and Benton Road which is sandy and continually breaks up during harvest. This will be funded through R2R.
- Loading Street- This project is to fully reconstruct the road and the asphalt it. The existing seal and the base coarse is past repair. With the movement of large trucks and turning of vehicles it is proposed to asphalt it. This will be funded through R2R.
- England Crescent- The road is in need of a reseal.
- Seal Cemetery Carpark- This project was part of several projects that were approved by Council as part of phase 3 of the Local Roads and Community Infrastructure Program.

- Seal Standpipe area opposite Roadhouse- This project was part of several projects that were approved by Council as part of phase 3 of the Local Roads and Community Infrastructure Program.
- Footpath and kerbing North side of Fowler Street- This project has come about to coincide with the Western Power upgrades to the main street which include removing power poles and placing power underground.
- Footpaths on Hirshauer, Hesford, John and Downer Streets- This project was part of several projects that were approved by Council as part of phase 3 of the Local Roads and Community Infrastructure Program.
- Fowler Street kerbing South Side- The South side kerbing along Fowler Street is due for replacement with numerous broken and missing sections. There may be some contribution from Main Roads for this project but at the time of this report there had not been any correspondence to confirm.
- Aubrey Street- This is to patch and reseal a small road in Latham townsite.
- Carnamah Perenjori Road- This is a RRG project that was commenced in 2021-22 but due to staff shortages, ability to engage contractors and waiting on materials, a request to Main Roads has been made to carry this project over to the 2022-23 year. The outstanding works include culvert extensions, rock protection to floodway and some unsealed shoulder reconstruction.
- General Road Maintenance- There is \$961,700 in the road maintenance budget to allow for general road works including maintenance grading, vegetation work, signs, guideposts, seal patching, culvert maintenance and minor repairs.

#### **Statutory Environment**

Nil

#### **Policy Implications**

Nil

#### **Consultation**

CEO

#### **Financial Implications**

Total project costs are estimated to be \$3,279,740 with a Council contribution of \$668,848.

#### **Strategic Community Plan**

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

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

#### **Officer Comment**

The proposed road programme for 2022-23 is around the average expenditure budgeted in previous years though actual expenditure over the past 2 financial years has been down due to weather events, global pandemics, contractor availability and staffing shortages.

#### **COUNCIL DECISION**

**Council Resolution Number: 160622.13**

**Moved: Cr Hepworth**

**Seconded: Cr Sparkman**

**That Council accept the proposed Road Programme for inclusion in the Draft 2022/23 budget considerations.**

**Motion put and carried 7/0**

## 15. Governance:

### 15.1 PROPOSED SCHEDULE OF COUNCIL MEETING DATES FOR 2022/2023

Applicant:	Shire of Perenjori
File:	ADM0214
Date:	2 <sup>nd</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Hannah Roberts - Executive Assistant
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	Nil

#### Summary

This item seeks Council's endorsement of the proposed meeting dates until June 2023.

#### Background

Local Governments are required to advertise their schedule of meetings at least once per year. The proposed meeting dates and times for the next 12 months are set out below.

#### Statutory Environment

*Local Government (Administration) Regulations* – Reg 12 sets out the need for Local Public Notice of the date time and venue of Ordinary Councils meetings.

Local Government Act 1995, Part 5, Administration, s 5.3 Ordinary and special council meetings,

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

#### Policy Implications

Ensures compliance with Local Government Act 1995.

#### Consultation

Paul Anderson – Chief Executive Officer

#### Financial Implications

Nil

#### Strategic Community Plan

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.

#### Officer Comment

Meeting on the third Thursday of the month recognises practices from previous years, however, consideration has been made for timing of the meetings so that officers have sufficient amount of time to present up to date information to Council. Traditionally, Council meets at the Latham Community Centre in March - this has been scheduled to be held on Thursday 16<sup>th</sup> March 2023.

The public holidays from July 2022 to June 2023 include the Queen's Birthday on Monday 26<sup>th</sup> September 2022, Christmas Day Public Holiday Monday 26<sup>th</sup> December 2022, Boxing Day Public Holiday Tuesday 27<sup>th</sup> December 2022, Labour Day Monday 6<sup>th</sup> March 2023, Good Friday 7<sup>th</sup> April 2023, Easter Monday 10<sup>th</sup> April 2023 and Western Australia Day Monday 5<sup>th</sup> June 2023. The only Public Holiday that falls on a Thursday is Australia day on Thursday 26<sup>th</sup> January 2023, but as there is no meeting in January this will not impact the proposed Council meeting schedule.

East Weekend in 2023 will be earlier in April than it was in 2022, therefore will not interfere with any council meetings or forums and hopefully will not coincide with any councillor's Easter Breaks.

<b>ORDINARY COUNCIL MEETINGS 2022/23</b>		
<b>Ordinary Council Meeting Date</b>	<b>Ordinary Council Meeting Time</b>	<b>Ordinary Council Meeting Location</b>
Thursday 21 <sup>st</sup> July 2022	3:00 pm	Perenjori Council Chambers
Thursday 18 <sup>th</sup> August 2022	3:00 pm	Perenjori Council Chambers
Thursday 15 <sup>th</sup> September 2022 <b>Proposed – 22<sup>nd</sup> September 2022</b>	3:00 pm	Perenjori Council Chambers
Thursday 20 <sup>th</sup> October 2022	3:00 pm	Perenjori Council Chambers
Thursday 17 <sup>th</sup> November 2022	3:00 pm	Perenjori Council Chambers
Thursday 15 <sup>th</sup> December 2022	3:00 pm	Perenjori Council Chambers
January 2023	<i>NO MEETING</i>	<i>NO MEETING</i>
Thursday 16 <sup>th</sup> February 2023 <b>Proposed – 23<sup>rd</sup> February 2023</b>	3:00 pm	Perenjori Council Chambers
Thursday 16 <sup>th</sup> March 2023 <b>Proposed – 23<sup>rd</sup> March 2023</b>	3:00 pm	Latham Community Centre
Thursday 20 <sup>th</sup> April 2023	3:00 pm	Perenjori Council Chambers
Thursday 18 <sup>th</sup> May 2023	3:00 pm	Perenjori Council Chambers
Thursday 15 <sup>th</sup> June 2023 <b>Proposed – 22<sup>nd</sup> June 2023</b>	3:00 pm	Perenjori Council Chambers

**COUNCIL DECISION**

**Council Resolution Number: 160622.14**

**Moved: Cr Hepworth                      Seconded: Cr Bradford**

**That Council suspend Standing Orders, Clause 9.5 Limitation on number of speeches to be suspended at 15.58 pm for open discussion on item 15.1 of these minutes.**

**Motion put and carried 7/0**

**COUNCIL DECISION**

**Council Resolution Number: 160622.15**

**Moved: Cr Bradford                      Seconded: Cr Bryant**

**That Council reinstates Standing Orders at 16.05pm.**

**Motion put and carried 7/0**

**COUNCIL DECISION**

**Council Resolution Number: 160622.16**

**Moved: Cr Hepworth                      Seconded: Cr Bradford**

**That council, in accordance with section 5.25(1)(a) of the local government act 1995 and the regulation 12 Local Government (Administration) regulations, approve and advertise the following schedule of dates and venues for the holding of the ordinary council meetings for the 2022/2023 financial year.**

- Thursday 21st July 2022 at The Shire of Perenjori Council Chambers**
- Thursday 18th August 2022 at The Shire of Perenjori Council Chambers**
- Thursday 22nd September 2022 at The Shire of Perenjori Council Chambers**
- Thursday 20th October 2022 at The Shire of Perenjori Council Chambers**
- Thursday 17th November 2022 at The Shire of Perenjori Council Chambers**
- Thursday 15th December 2022 at The Shire of Perenjori Council Chambers**
- No meeting in January 2023**
- Thursday 23rd February 2023 at The Shire of Perenjori Council Chambers**
- Thursday 23rd March 2023 at The Latham Community Centre**
- Thursday 20th April 2023 at The Shire of Perenjori Council Chambers**
- Thursday 18th May 2023 at The Shire of Perenjori Council Chambers**
- Thursday 22nd June 2023 at The Shire of Perenjori Council Chambers**

**Motion put and carried 7/0**

## 15.2 ANNUAL ELECTORS MEETING – 31 MAY 2022

Applicant:	Shire of Perenjori
File:	ADM 0381
Date:	2 <sup>nd</sup> May 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple majority
Author:	Hannah Roberts – Executive Assistant
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	15.2 - Minutes of Electors Meeting held 31 May 2022

### Summary

The Annual meeting of Electors was held in accordance with the Local Government Act 1995 of 31 May 2022 at the Latham community Centre

### Background

The Annual meeting of electors relating the financial year ended 30 June 2021 was held on Tuesday 31 May 2022 at the Latham Community centre. A copy of the minutes of the meeting is attached at the end of this report.

### Statutory Environment

#### ***Local Government Act 1995***

Section 5.32 (b) of the ***Local Government Act 1995*** requires the Chief Executive Officer to:

*“Ensure that copies of the minutes are available for inspection by members of the public before the Council meeting at which decisions made at the electors meeting are first considered”*

The minutes have been made available for inspection since 7<sup>th</sup> June 2022 and have been placed on Council's website.

The Act also requires the decisions of the electors meeting to be considered by the Council (section 5.53) at its next ordinary meeting where practicable. The act states

- (1) all decisions made at the electors meeting are to be considered at the next ordinary council meeting or, if that is not practicable,
  - (a) At the next ordinary council meeting after that meeting, or
  - (b) At a special meeting called for that purpose, whichever happens first.
  
- (2) if at a meeting of the council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

### Policy Implications

Nil

### Financial Implications

Nil

### Strategic Community Plan

Nil

### Officer Comment

In accordance with the Local Government Act 1995 the Council is required to consider the decision made at the electors meeting.

At this Annual Electors meeting the only resolution was the receiving of the Annual Report of the Shire of Perenjori for the year ending 30 June 2021.

There were no motions from the meeting that were put forward for Council consideration.

#### **COUNCIL DECISION**

**Council Resolution Number: 160622.17**

**Moved: Cr Bryant**

**Seconded: Cr Hepworth**

**That the minutes of the Annual Electors meeting held on Tuesday 31<sup>st</sup> May 2022 at the Latham community Centre be noted.**

**Council note that there are no decisions to be considered by the council from the minutes of the Annual Electors Meeting held on 31<sup>st</sup> May 2022 at the Latham community Centre.**

**Motion put and carried 7/0**

### 15.3 SHIRE OF PERENJORI RECORDKEEPING PLAN – ANNUAL REVIEW

Applicant:	Shire of Perenjori
File:	ADM 0076
Date:	8 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Nola Comerford - MCCS
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	15.3 (a) - Recordkeeping Plan 15.3 (b) - IT Disaster Recovery Plan

#### Summary

To seek Council's endorsement of the annual review of the Shire of Perenjori Recordkeeping Plan.

#### Background

Under the provisions of the State Records Act 2000, the Shire is required to submit a Recordkeeping Plan to the State Records Office. The purpose of the Recordkeeping Plan is to set out the minimum requirements as to which records are to be created by the Shire of Perenjori and how it is to manage these records.

Recordkeeping Plans are to provide an accurate reflection of the record keeping program within the organisation including information regarding the Shire's records keeping system(s), disposal arrangements, policies, practices and processes. The Recordkeeping Plan is the primary means of providing evidence of compliance with the Act.

#### Statutory Environment

Under the *Local Government Act 1995*, the CEO of a local government is responsible for ensuring that all records of that local government are kept in accordance with relevant legislation.

#### Policy Implications

Policy 1014 – Records Management Policy

#### Consultation

Paul Anderson – Chief Executive Officer

Shire of Perenjori Staff

#### Financial Implications

Nil

#### Strategic Community Plan

Area 5: Investing in Council's 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.

### **Officer Comment**

Shire of Perenjori staff have reviewed the Recordkeeping Plan and incorporated improved practices implemented since last approved by the State Records Commission.

The State Records Commission policy regarding the records of local government elected members requires the creation and retention of records of the: "...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."

Records created or received by elected members that relate to local government business must be captured as part of the local government's corporate memory in accordance with the local government's recordkeeping plan.

Government records include:

- Correspondence and communications
- File notes made after verbal communications, meetings, phone calls etc.
- Video and audio recordings
- Photographs
- Email
- Social Media posts (e.g. Facebook, Twitter)
- Databases
- Websites
- Messages from Apps (e.g. WhatsApp, Messenger)
- TXT messages

An IT Disaster Recovery Plan has also been reviewed and is attached at the end of the Recordkeeping Plan. The plans are required to be presented to the State Records Office and to the Department of Local Government, Sport and Cultural Industries, advising that the Shire's Recordkeeping Plan has been approved by the Commissioner and State Records Commission.

This plan and review will continue the framework for the reliable and systematic management of Shire records in accordance with legislative requirements.

### **COUNCIL DECISION**

**Council Resolution Number: 160622.18**

**Moved: Cr Bradford**

**Seconded: Cr Sutherland**

**That Council:**

1. **Adopt the 2022 Recordkeeping Plan.**
2. **Authorise the Chief Executive Officer to submit the Recordkeeping Plan to the State Records Office and Department of Local Government, Sport and Cultural Industries.**

**Motion put and carried 7/0**

#### 15.4 DELEGATION REGISTER REVIEW 2022

Applicant:	Shire of Perenjori
File:	ADM 0645
Date:	9 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Absolute majority
Author:	Elinor Pitts – Executive Assistant
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	15.4 – Delegations register

#### Summary

This item recommends that Council adopts the annual review of the Delegations Register for December 2021.

#### Background

The Council has power under the Local Government Act, 1995 to delegate to the Chief Executive Officer the exercise of any of its powers, or discharge of any of its duties permitted under the Act, in order to facilitate and manage the day to day operations of the Council.

The Act also allows the CEO to delegate any of his/her powers to another employee; such sub-delegations must be done in writing and can be sub-delegated with or without conditions.

The delegations remain subject to budgetary and Policy constraints.

The existing Delegations Register was updated in December 2020 and an annual review has been carried out.

#### 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.

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

5.44. CEO may delegate powers and duties to other employees

5.46(2) delegations made under the Act must be reviewed at least annually by the Delegator (i.e. Council).

#### Policy Implications

Nil.

#### Consultation

CEO.

#### Financial Implications

Nil.

#### Strategic Community Plan

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.

### **CEO Comment**

The delegations given to the CEO and those by the CEO to other employees reflect contemporary management practices.

It is proposed to undertake a full comprehensive review in the 2022/2023 financial year in line with the financial management and compliance reviews.

The purpose of the review is to consider the operational effectiveness of the current delegations, whether each delegation is necessary and appropriate, and is in line with current legislative requirements.

### **COUNCIL DECISION**

**Council Resolution Number: 160622.19**

**Moved: Cr Sutherland**

**Seconded: Cr Bradford**

**That in accordance with Sections 5.42, 5.44 and 5.46(2) of the Local Government Act the annual review of Delegations to the Chief Executive Officer be adopted.**

**Motion put and carried 7/0 by absolute majority**

16. Confidential Reports:

17. Ordering the Common Seal:

Document	Organisation	Purpose	Date

18. Reports of Committees and Members:

Nil

19. Motions of Which Previous Notice Has Been Given:

Nil

20. Notice of Motions:

Nil

21. New Business of an Urgent Nature Admitted by Council:

**Council Resolution Number: 160622.20**

**Moved: Cr Bradford**

**Seconded: Cr Fraser**

**That Council accepts the Late Item 21.1 – Confidential Item – Write-off of outstanding debt.**

**Motion put and carried 7/0**

**PROCEDURAL MOTION**

**Council Resolution: 160622.21**

**Moved: Cr Sparkman**

**Seconded: Cr Sutherland**

**That, in accordance with section 5.23 of the Local Government Act 1995, Council accept that the meeting is to be closed to all members of the Public.**

**Motion put and carried 7/0**

21.1 **Confidential item** – write-off of outstanding debt

Applicant:	Shire of Perenjori
File:	ADM0182
Date:	11 <sup>th</sup> June 2022
Disclosure of Interest:	Nil
Voting Requirements:	Simple Majority
Author:	Domenica Curtin – Accounts Receivable Officer
Responsible Officer:	Nola Comerford-Smith – Manager Corporate Community Services
Attachments:	Nil

**Statutory Environment**

**5.23. Meetings generally open to public**

- (1) Subject to subsection (2), the following are to be open to members of the public —
  - (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
  
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
  - (a) a matter affecting an employee or employees; and
  - (b) the personal affairs of any person; and
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret; or
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
  - (f) a matter that if disclosed, could be reasonably expected to —
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or  
203
    - (ii) endanger the security of the local government's property; or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;and
  - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
  - (h) such other matters as may be prescribed.
  
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

**COUNCIL DECISION**

Council Resolution Number: 160622.22

Moved: Cr Bryant

Seconded: Cr Sutherland

That Council authorises the write off of sundry debtor 80832, totaling \$1657.67.

Motion put and carried 7/0

**PROCEDURAL MOTION**

Council Resolution: 160622.23

Moved: Cr Fraser

Seconded: Cr Bradford

That Council return to standing orders and re-open the meeting to the public.

Motion put and carried 7/0

## 22. Closure of Meeting:

The Shire President declared the meeting closed at 4.15pm and thanked those in attendance.

## 23. Next Meeting:

The Shire President advised that the date of the next Ordinary Meeting of Council will be held on the 21<sup>st</sup> July 2022 commencing at 15.00pm at the Shire of Perenjori Council Chambers, 56 Fowler Street, Perenjori WA 6620.

I certify that this copy of the Minutes is a true and correct record of the meeting held on the 16<sup>th</sup> June 2022.

Signed: Chris King  
Presiding Officer

Date: 21/07/2022