

Shire of Perenjori

MINUTES

Ordinary Council Meeting

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on the 16th May 2019, commencing at 3.00 pm.

Table of Contents

19051	PRELIMINARIES	2
19051.1	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS	2
19051.2	OPENING PRAYER.....	2
19051.3	DISCLAIMER READING.....	2
19051.4	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE	2
19051.5	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
19051.6	PUBLIC QUESTION TIME.....	3
19051.7	NOTATIONS OF INTEREST	4
19051.8	APPLICATIONS FOR LEAVE OF ABSENCE	5
19051.9	CONFIRMATION OF MINUTES.....	5
19051.10	ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION	5
19051.11	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	5
19052	CORPORATE AND DEVELOPMENT SERVICES	6
19052.1	FINANCIAL STATEMENTS – APRIL 2019	6
19052.2	ACCOUNTS FOR PAYMENT – APRIL 2019.....	9
19052.3	BLUES FOR THE BUSH REPORT 2018 EVENT	12
19052.4	DRAFT FEES & CHARGES 2019/20 FOR ADOPTION.....	16
19054	INFRASTRUCTURE SERVICES	20
19054.1	ROAD MAINTENANCE APRIL 2019	20
19055	GOVERNANCE	23
19055.1	PERENJORI SUPERMARKET WORKING GROUP MEETING 3 MAY 2019	23
19056	STATUS REPORT	26
19057	OTHER BUSINESS.....	28
19057.1	MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN	28
19057.2	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN ..	29
19057.3	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION29	
19057.4	MATTERS BEHIND CLOSED DOORS	29
19057.4.1	CONFIDENTIAL ITEM - AURIZON PERENJORI DRIVER'S QUARTERS	30
19057.4.2	CONFIDENTIAL ITEM - NEW CONTRACT FOR THE PROVISION OF MEDICAL SERVICES.....	31
19057.5	DATE OF NEXT MEETING	31
19057.6	CLOSURE.....	31

19051 PRELIMINARIES

19051.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

Cr L Butler declared the meeting open at 3:00 pm.

19051.2 OPENING PRAYER

Cr L Butler lead the opening prayer.

19051.3 DISCLAIMER READING

19051.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Cr L Butler - Chairperson

Cr P Waterhouse

Cr R White

Cr L Smith

Cr J Cunningham

Cr J Hirsch

Cr G Reid

Cr K Pohl

Cr L Hepworth

Paul Bawden – CEO

Joelene Dennis – MCDS

Ken Markham - MIS

Bianca Plug - EA

Karen Malloch – A/EA

Members of the Public:

Terina Campbell

Annette Blaxel

Janice Spencer

Robyn Smith

Jude Sutherland

Robin Spencer

Dene Solomon

Mick Connelly

Ivan Wells

19051.5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

19051.6 PUBLIC QUESTION TIME

- **Q1. Robin Spencer:**

(Regarding Council Motion 19043.1.1 - Special Council Meeting 24/4/19)

- A. Which future funded projects and community facilities will be cut to fund the budget allowance of \$350,000 to cover costs not covered by LGIS?
- B. Why is a councillor, who has declared a financial interest in Item 19043.1.1, allowed to stay in the room and vote?

- **A. Response from the Shire President Laurie Butler:**

Cr L Butler stated that the Shire needs to be financially responsible. Some budgeting cuts may be necessary. For example: in order to obtain funding of \$350,000, rates would need to increase by 13%, or 18% to achieve \$500,000. The current rates are proposed to increase by 2.8%.

Response from the Shire CEO Paul Bawden:

The Shire is currently considering various options and will address these with Council during preparation of the 2019/2020 Budget.

- **B. Response from Councillor Kirk Pohl:**

Cr K Pohl explained, with regard to the Special Council Meeting of 24th April 2019, that he completed the declaration form incorrectly and he does not have a financial interest in the matter.

- **Q2. Jude Sutherland:**

- A. What percentage would rates have to rise in 2020 to cover a budget allowance of \$350,000?
- B. I would like to know how the budget allowance of \$350,000 was calculated?

- **A. Response from the Shire President Laurie Butler:**

The answer is the same as Q1A, that the Shire needs to be financially responsible. Some budgeting cuts may be necessary. For example: in order to meet funding of \$350,000, rates would need to increase by 13%, or 18% to achieve \$500,000. The current rates are proposed to increase by 2.8%.

- **B. Response from Councillor Jo Hirsch:**

Cr J Hirsch stated that \$350,000 was simply a "ball-park" figure to work with and to provide an example. Cr J Hirsch is concerned about the unbudgeted costs to the Shire and wished to alert the Shire Auditors to the situation. Cr J Hirsch considers the Shire's financial health is a priority and would like the Shire to be prepared.

- **Q3. Janice Spencer:**

- A. The mobile service on our farm has not changed or maybe actually worsened – has the upgrade been completed for Perenjori?

We are 7 kms down the Old Perth end of the farm and the mobile service is not there.

We have done a drive around the farm today and found various locations with no service to 1 bar of 3G, 1 bar of 4G.

I have sent a report and a screen shot with compass to CEO, and Councillor Hirsch who rang last night as a follow up from previous phone call regarding mobile service.

- B. The case for Ivan Wells has been going on for some time now, and it has affected his health considerably, also leaving him homeless and penniless. It is such a disappointment the way the Perenjori Shire has treated this man knowing what he has done for the community in his time as a resident of Perenjori. I, and many others, want this W-Comp claim resolved immediately so he can get on with his life doing what he does and loves best. The Shire has admitted publicly the mistakes and treatment of Ivan while employed by the Perenjori Shire, also advice given by previous Acting CEO's seems to have just been ignored, and prolonging this could be a huge cost to the Shire.

How much longer do you think this case can go on for?

This case and the inquiry results from the previous CEO, Ali Mills, is causing so much grief in the community, which is holding up progress for Perenjori.

- **A. Response from the Shire CEO Paul Bawden:**

The CEO Paul Bawden replied that the mobile drop-out appears to be a Telstra issue. The Shire has been researching whether any other property owners have issues with their service affected but the Spencer's so far are the only one. The CEO Paul Bawden is in communication with Telstra and will follow up on the issue.

- **B. Response from the Shire CEO Paul Bawden:**

The CEO Paul Bawden explained this is a legal matter and the Shire is working closely with LGIS. Offers have been forwarded to Mr Wells by the Solicitors and that all parties are hopeful for a satisfactory settlement, resolution and reconciliation.

19051.7 NOTATIONS OF INTEREST

- **FINANCIAL INTEREST – LOCAL GOVERNMENT ACT S 5.60A**

Cr R White declared an indirect financial interest in item 19052.3

- **PROXIMITY INTEREST – LOCAL GOVERNMENT ACT S 5.60B**

- **INTEREST AFFECTING IMPARTIALITY – LOCAL GOVERNMENT - CODE OF CONDUCT.**

MINUTES**16th May 2019****19051.8 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

19051.9 CONFIRMATION OF MINUTES

Minutes from the Ordinary Council Meeting held on the 18th April 2019 are attached.

Officer Recommendation and Council Decision – Item 19051.9.1	
Moved: Cr L Smith	Seconded: Cr P Waterhouse
That Council accepts the Minutes from the Ordinary Council Meeting held on the 18th April 2019 as a true and correct record of that Meeting.	
Carried: 7/2	

Minutes from the Special Council Meeting held on the 24th April 2019 are attached.

Officer Recommendation and Council Decision – Item 19051.9.2	
Moved: Cr J Hirsch	Seconded: Cr G Reid
That Council accepts the Minutes from the Special Council Meeting held on the 24th April 2019 as a true and correct record of that Meeting.	
Carried: 6/3	

19051.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Nil

19051.11 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

19052	CORPORATE AND DEVELOPMENT SERVICES
--------------	---

19052.1 FINANCIAL STATEMENTS – APRIL 2019

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0081
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	JOELENE DENNIS - MCDS
RESPONSIBLE OFFICER	PAUL BAWDEN - CEO
REPORT DATE:	16TH MAY 2019
ATTACHMENTS	MONTHLY FINANCIAL REPORT

Executive Summary

This item recommends that Council accepts the Financial Activity Statement for the period ending 30th April 2019.

Background

Each month officers are required to prepare monthly financial reports, covering prescribed information, and present these to the Council. The financial reports show an operating surplus at the end of April 2019.

Details

Presented is the Financial Activity Statement Report for the period ending 30th April 2019.

The following statements are presented to Council:

- Monthly Summary Information - Charts
- Statement of Financial Activity (Program, Nature & Type) - This provides the budget and actual income and expenditure for operating and non- recurrent as well and the closing surplus to date. (FM Reg 34(1))
- Statement of Capital Acquisitions and Capital Funding
- Net Current (Assets) Funding Position (Note 3). This provides the amount of assets over liabilities within the Balance Sheet. (FM Reg 34 (1)(e))
- Notes to the Financial Statements include:
 - Note 1.- Significant Accounting Policies
 - Note 2. - Explanation of Material Variances
 - Note 3. – Net Current Funding Position
 - Note 4. – Cash & Investments
 - Note 5. – Budget Amendments
 - Note 6. – Receivables
 - Note 7. – Cash Back Reserves
 - Note 8. – Capital Disposals
 - Note 9. – Rating Information
 - Note 10. – Information on Borrowings
 - Note 11. – Grant and Contributions
 - Note 12.- Trust Fund
 - Note 13.- Details of Capital Acquisition

Legal Compliance

Regulation 34 (Financial Activity Statement Report) of the Local Government (Financial Management) Regulations 1996 states –

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under Regulation 22(1)(d), for that month in the following detail –
 - (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing –
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) an explanation of each of the material variances referred to in sub regulation (1) (d); and (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown –
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation 34 (2), are to be –
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

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

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –
 - a. is incurred in a financial year before the adoption of the annual budget by the local government; or
 - b. is authorised in advance by resolution; or
 - c. is authorised in advance by the mayor or president in an emergency.

Policy Implications

Nil

Financial Implications

Shown in the attached data.

Strategic Implications

Area 5: Investing in Councils Leadership

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

Consultation

Liaison with CEO, & MIS.

Voting Requirements - Simple Majority

Committee Recommendation and Council Decision – Item 19052.1
Moved: Cr L Smith Seconded: Cr J Hirsch That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996, accepts the Financial Activity Statement Report for the period ending 30th April 2019. <div style="text-align: right;">Carried: 9/0</div>

19052.2 ACCOUNTS FOR PAYMENT – APRIL 2019

APPLICANT:	SHIRE OF PERENJORI
FILE:	1306P
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	LIZ MARKHAM - AO
RESPONSIBLE OFFICER:	JOELENE DENNIS - MCDS
REPORT DATE:	16TH MAY 2019
ATTACHMENTS:	ACCOUNTS FOR PAYMENT

Executive Summary

This item recommends that the schedule of accounts for payment for the month ending 30th April 2019 be confirmed.

Background

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

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

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

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

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

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

Legal Compliance

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

6.10. financial management regulations

Regulations may provide for —

- (d) the general management of, and the authorisation of payments out of —
 - (i) the municipal fund; and
 - (ii) the trust fund,
- of a local government.

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

13. Lists of Accounts

(3) A list prepared under sub-regulation (1) is to be —

- (a) presented to the Council at the next ordinary meeting of the Council after the list is

prepared; and
(b) recorded in the minutes of that meeting.

Policy Implications

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

Financial Implications

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

Strategic Implications

Area 5: Investing in Councils Leadership

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

Consultation

SFO

Comment

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

Voting Requirements – Simple Majority

Committee Recommendation and Council Decision – Item 19052.2	
Moved: Cr J Hirsch	Seconded: Cr K Pohl
That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 (as amended), confirms the accounts paid for the month ending 30th April 2019 as attached to and forming part of this report.	
Carried: 9/0	
Municipal Account	
EFT	\$465,901.30
Direct Debits	\$125,323.53
Cheques	\$18,204.73
Corporate MasterCard	\$3,933.87
Bank Fees	\$313.40
Total	\$614,036.83

Trust Account - Shire	
EFT	\$200.00
Cheques	\$160.00
Bank Fees	\$
Total	\$ 360.00

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

Totalling \$614,396.83 from Municipal and Trust Accounts for the month ending 30th April 2019.

Cr R White declared an indirect financial interest in item 19052.3 due to owning the trade name Blues in the Bush and B4B.

Cr R White left the room at 3:29 pm and did not partake in the voting of the item.

19052.3 BLUES FOR THE BUSH REPORT 2018 EVENT

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0047
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	JOELENE DENNIS – MCDS
RESPONSIBLE OFFICER:	JOELENE DENNIS – MCDS
REPORT DATE:	16TH MAY 2019
ATTACHMENTS	NIL

Executive Summary

A report for the 2018 Blues for The Bush event was tabled at the December 2018 Council meeting and a subsequent invoice raised to Bush Heritage Australia for their contribution to the event. The net event loss presented has been the subject of further negotiation between Council management and bush Heritage Australia.

Background

The Blues for the Bush is a biannual event held on the September long weekend. The Blues for the Bush 2018 is the first Project Event to be undertaken as part of a renewed five-year commitment by both Bush Heritage and the Shire of Perenjori. A separate Project Agreement will be entered into for the Blues for the Bush 2020 and 2022. The Project agreement sets out the respective contributions that Bush Heritage and the Shire of Perenjori will provide towards the Blues for the Bush 2018.

The Blues for the Bush 2018 – Project Agreement was signed on the 18th July 2018. It sets out the below terms.

3. Bush Heritage's Contribution to the Project

3.1 Bush Heritage's Financial Contribution to the Project will be a Total Financial Contribution of \$36,000 (GST ex.), to be paid to SoP following signing of this Agreement and upon receipt of a Tax Invoice from SoP.

3.2 Bush Heritage's In-Kind Contribution to the project will be:

- (a) to provide access to Bush Heritage's Charles Darwin Reserve;
- (b) to provide SoP Project Personnel with Bush Heritage's Reserve Safety Induction Training; and
- (c) to provide Bush Heritage Project Personnel to the Project, namely the CDR Manager who is to lead development and coordination of the Community Open Day program and will be a member of the Event organizing Committee.

4. SoP's Contribution to the project

4.1 SoP's Financial Contribution to the project will be a Total Financial Contribution of \$36,000 (GST ex.).

4.2 SoP's In-Kind Contribution to the project will be to undertake and complete the activities detailed in Annexure A – Project activity Schedule.

Annexure a: Project activity schedule

SoP will undertake the following Activities:

- Engagement of all Event planners;
- Engagement of all external contractors;
- Promotion/advertising/publicity;
- Post event auditing/accounts/reports to Bush Heritage; and
- Undertaking full financial control of the project.

The amount of additional funds owing for the event have been calculated as per the below term outlined in the Blues for the Bush 2018 – Project Agreement.

5. Financial Management

5.5 The parties agree that they will provide the necessary additional funding, in equal proportions, to make good any net financial losses of the Project that are incurred notwithstanding the remedial actions determined under Clause 5.4.

The amended net financial result of the event is detailed below;

Reimbursements	\$ 3,960
Grants and sponsorship	\$ 135,645
Tickets and Merchandise sales	\$ 64,732
Vendor charges	\$ 1,155
SoP Contribution	\$ 36,000
Bush Heritage Contribution	\$ 36,000
Total Event Income	\$ 277,491
Creative Director	\$ 35,818
Project Management	\$ 39,997
Advertising and Merchandise	\$ 42,213
Site Costs eg Toilet, Sound, freight	\$ 89,813
Performers/Artists	\$ 123,500
Catering and catering expenses	\$ 5,546
Accommodation	\$ 6,231
Bank Charges	\$ 320
Hire of items and water costs	\$ 3,456
Total Event Expense	\$ 346,894
Event Loss	-\$ 69,404

The original report to Council had the net financial event loss as \$163,664. The reconciliation to this is;

Reconciliation to Original	-	163,664
SOP & BHA Contn		72,000
Admin and outside crew wages		4,545
Mid West Transportable Charges		10,710
Accommodation		7,005
	-\$	69,404

The amounts yet to be received from Bush Heritage Australia are;

Contribution to the event of	\$36,000
Share of event loss	\$34,702
Total	\$70,702

Comment

The net financial loss on event has been reconciled to \$69,404, this excludes the costs reclassified as in-kind costs to the SoP and includes the renegotiated amount for accommodation and the partner contributions of \$72,000.

Statutory Environment

Nil

Financial Implications:

Allow for the correct calculation of contributions to the event.

Strategic Implications

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

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

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 to achieve or exceed their potential.*

Risk Management

Risk Statement	Level of Risk	Risk Mitigation Strategy
Council not receiving the event report and not adhering to the Project Agreement.	Medium consequence and medium risk.	Council receive the report and be able to make informed decisions on the event.

Consultation

CEO, MCDS, acting SFO, Luke Bailey BHA, Emily Sutherland Project Manager

Voting Requirements – Simple Majority

Officers Recommendation and Council Decision – Item 19052.3
Moved: Cr P Waterhouse Seconded: Cr J Cunningham
That Council receives the above report stating the amendments to the amount payable by Bush Heritage Australia.
Carried: 7/1

Cr R White returned to the room at 3:38 pm

19052.4 DRAFT FEES & CHARGES 2019/20 FOR ADOPTION

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0339
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	JOELENE DENNIS - MCDS
RESPONSIBLE OFFICER	JOELENE DENNIS - MCDS
REPORT DATE:	16TH MAY 2019
ATTACHMENTS:	DRAFT FEES & CHARGES 2019/20

Executive Summary

Council is asked to consider the draft fees and charges for the 2019/20 financial year.

Background

The fees and charges have been developed by the administration to reflect decisions taken by Council, our strategic priorities and ensuring the efficient and effective management of our assets. The fees and charges also include those fees which are set by statutory and regulatory requirements.

Fees and charges have been reviewed with the following areas requiring changes differing from the 2% increase as per the assumption of the LTFP:

Caravan Park

Tents – Unpowered per night increased from \$12 to \$15

- Powered per night increased from \$15 to \$18

Eco Home fees have remained the same

The Park Home fees per night remain the same, the per 7-day week has increase from \$750 to \$770, the Special weekend rate remains the same at \$200.

Chalets Per 7-day week remains the same and the special weekend rate remains the same.

The Ensuite Units (Village) remain the same as the agreement has not yet expired.

Laundry and Ablution facilities remain the same.

Administration

The dishonoured cheque fee was increased from \$10 to \$25, this is equal to the fee charged by our financial institution.

PECC Fees

PECC fees remain the same as adopted at the December meeting.

Burial Fees

The Niche Wall plaque has increased by 3.8% \$6 per advice from the supplier.

Recreation and Culture

A fee has been added for the Inflatable Projector Screen \$200 and a refundable Bond \$300.

A fee has been added for lane hire at the Aquatic centre, commercial operators \$15 per hire, not for profit FREE.

A fee has also been added for Aqua Classes (excl. the cost of pool entry) \$10/lesson, Swimming Lessons \$10/week, \$100/term.

Private Works

The Labour per hour – Double Time has increased from \$110 to \$123, this is based on the Labour rate used for time and a half.

Plant Hire Charges

The Water (from standpipe) per Kilolitre fee has been taken out and replaced with Commercial at cost as a new rate has yet to be communicated.

Health and Building

Building fees have been reviewed and are as per statutory limits.

Planning

Planning fees have been reviewed and are as per statutory limits.

Other fees have been adjusted in line with the CPI increase or after review left as per 2018/2019 fees schedule. The fees which are set by statutory and regulations have been changed to the prescribed amounts.

Statutory Environment

Local Government Act 1995 S6.16 sets out the requirement for fees and charges as follows:

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.

6.17. Setting level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

- (a) the cost to the local government of providing the service or goods; and
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

6.18. Effect of other written laws

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —
 - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
 - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

Policy Implications

Nil

Financial Implications:

Specific financial implications are as outlined in the detail section of this report and as itemised in the draft fees and charges 2018/2019 budget attached for adoption for the Future and Strategic planning documents adopted by Council.

Strategic Implications**Area 1: Infrastructure and Natural Assets – Our Natural and Built Environment**

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

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.*

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 to achieve or exceed their potential.*

Area 5: Investing in Council's Capacity – Our Leadership

Goal: *Strengthen the Shire's position as an innovative and proactive Local government providing excellence in all areas of governance, management and leadership.*

Risk Management

Risk Statement	Level of Risk	Risk Mitigation Strategy
Council not adopting the proposed fees and charges and being non-compliant.	High consequence and high risk.	Council adopt fees and charges.
Members of the public being adversely affected by the proposed fees and charges.	Low consequence and low risk.	Council to place the proposed fees and charges on display.

Consultation

CEO, MCDS, MIS, Aquatic Centre Manager, PECC Coordinator, Caravan Park Manager, Head Cleaner, Accounts officer.

Comment

A careful review has been undertaken of the fees and charges. Many of the fees have only been increased by the minimum rate to keep the cost low to the community however it does not reflect the cost to council of providing the service.

Voting Requirements – Absolute Majority

Officer Recommendation and Council Decision – Item 19052.4	
Moved: Cr R White	Seconded: Cr J Cunningham
<u>Draft Fees and Charges for 2019/2020</u>	
Pursuant to section 6.16 of the <i>Local Government Act 1995</i>, Council adopts the Fees and Charges included as Attachment 19052.4 of this agenda.	
Carried: 9/0	

19054 INFRASTRUCTURE SERVICES**19054.1 ROAD MAINTENANCE APRIL 2019**

APPLICANT:	SHIRE OF PERENJORI
FILE:	R999
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	KEN MARKHAM - MANAGER INFRASTRUCTURE SERVICES
RESPONSIBLE OFFICER:	KEN MARKHAM - MANAGER INFRASTRUCTURE SERVICES
REPORT DATE:	16TH MAY 2019
ATTACHMENTS:	MAP

Executive Summary

This item seeks Council's acceptance of the road maintenance report for April 2019

Background

Listed are the roads that were graded for the month of April.

- Warriedar Coppermine Road
- Syson Road
- Taylors Road
- Lochada Road
- Keogh Road
- Hill Road
- North Road
- Solomon Road
- Boonerong Road

Comment

Less roads were graded in April due to Easter and grader's coming through the workshop for repairs and maintenance.

Statutory Environment

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

Policy Implications

As per Road Maintenance Policy

Financial Implications

As per road maintenance budget

Strategic Implications

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

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

Risk Management

Risk Statement	Level of Risk	Risk Mitigation Strategy
Not maintaining roads will lead to deterioration of the asset and safety issues for users	High	To maintain roads to a standard and implementation of a Road Maintenance Plan.

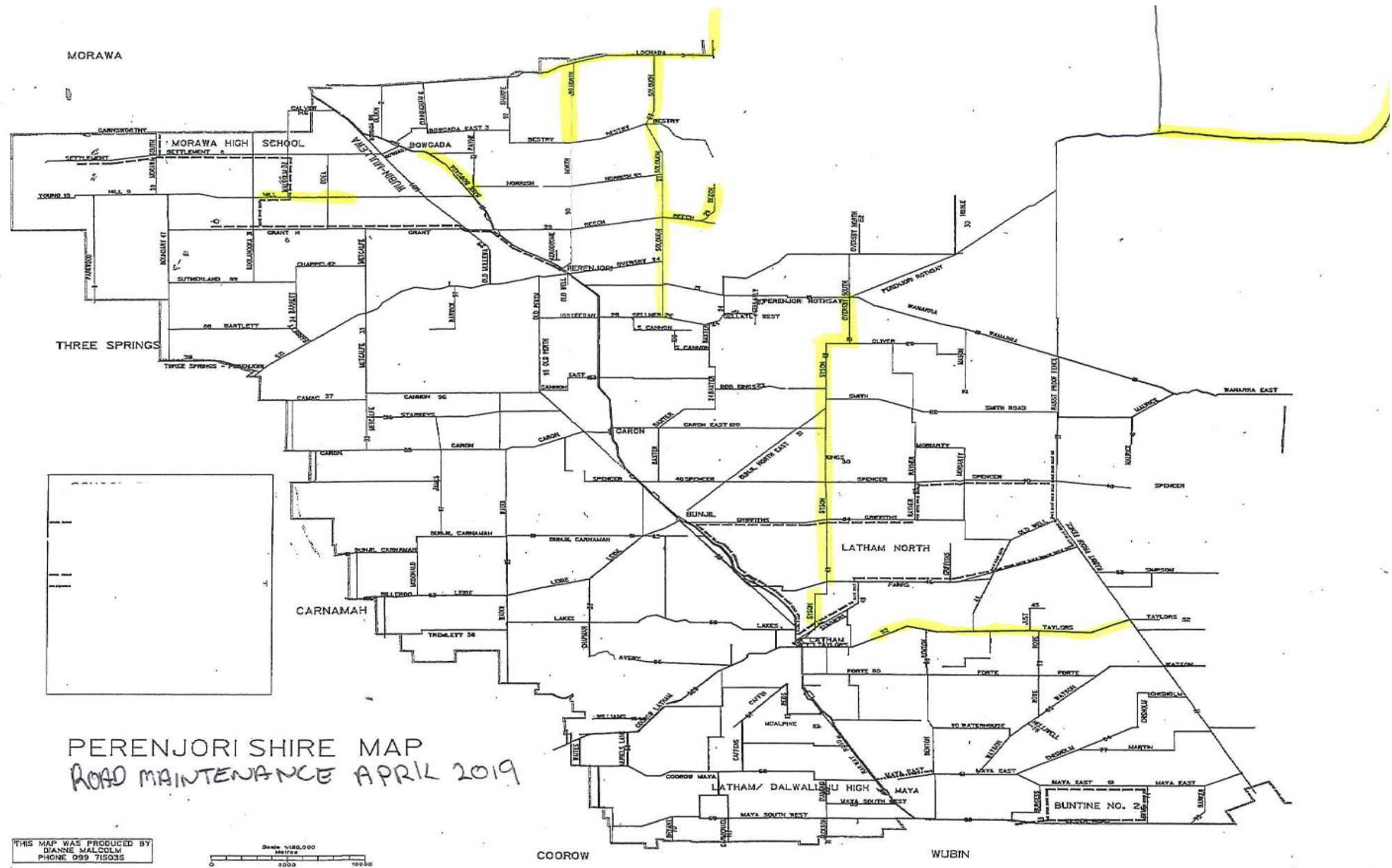
Consultation

Team Leader

Grader Operators

Ratepayers

Voting Requirements – Simple Majority**Officers Recommendation and Council Decision – Item 19054.1****Moved: Cr P Waterhouse****Seconded: Cr G Reid****That the road maintenance report for April 2019 be accepted as received.****Carried: 9/0**



19055 GOVERNANCE

19055.1 PERENJORI SUPERMARKET WORKING GROUP MEETING 3 MAY 2019

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0556
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	PAUL BAWDEN - CEO
RESPONSIBLE OFFICER	PAUL BAWDEN - CEO
REPORT DATE:	16TH MAY 2019
ATTACHMENTS	WORKING GROUP NOTES

Executive Summary

This report outlines the matters considered at the initial meeting of the Perenjori Supermarket Working Group held on 3 May 2019.

Background

Following the Perenjori Supermarket Community Meeting held on 10 April 2019 a report was submitted to the subsequent Council Meeting on 18 April 2019 when it was resolved:

That Council:

- 1. Notes the outcome of the Community Meeting on the need for a Perenjori Supermarket, held on 10 April 2019.**
- 2. Endorses the establishment of the Perenjori Supermarket Steering Committee based on the principles in the report together with a local business representative(s) and nominates Cr. Lisa Smith and Chief Executive Officer as its representatives.**
- 3. Seeks ongoing reports on the delivery of a re-established Perenjori Supermarket.**

Comment

The initial meeting of the Perenjori Supermarket Working Group was held on 3 May 2019 with the Meeting Notes comprises an attachment.

The Working Group membership is Cr. Smith, Cr Pohl (local business representative), Phil Logue and Dael Sparkman (Perenjori Progress Association) and CEO Paul Bawden.

Key matters considered were:

- Commercial and cooperative models for operating a supermarket and need for data on regional experiences.
- Preferred location for a supermarket in Perenjori.
- Potential financial contributions.
- Proposed character of communication during the life of the Working Group
- Liaison with media.
- Recent external correspondence and meetings on the initiative.
- The next Meeting is to be arranged for late May.

Statutory Environment

The Shire can support the provision of commercial activities such as a supermarket under the Local Government Act. The specific approach would need to be monitored as the initiative is progressed.

Policy Implications

Nil.

Financial Implications

The financial implications will be influenced by the delivery model pursued, contract provisions and risk management e.g. Council participation in a cooperative model would likely have higher financial implications than a facilitated commercial lease.

Strategic Implications

The proposed initiative is consistent with the Strategic Community Plan, although the current situation with the Supermarket was not envisaged.:

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.

Objective: Continue town revitalisation.

Measurement: New retail offerings to plug leaks.

Risk Management

Risk Statement	Level of Risk	Risk Mitigation Strategy
Financial, probity and image risks if initiative does not deliver expected outcomes.	Medium.	Compliance with provisions of Local Government Act, good contract management and transparency in processes.

Consultation

Widely advertised community meeting and Council.

Voting Requirements – Simple Majority

Officers Recommendation and Council Decision – Item 19055.1	
Moved: Cr J Cunningham	Seconded: Cr L Smith
That Council receives and notes the report outlining the considerations of the Perenjori Supermarket Working Group held on 3 May 2019.	
Carried: 9/0	



Perenjori Supermarket Working Group Notes

Meeting 3 May 2019

Present: Cr. Smith; Cr Pohl (local business representative); Phil Logue & Dael Sparkman Perenjori Progress Association and Paul Bawden CEO.

Cr Pohl proposed that Cr Smith be the Chair - this was endorsed by the Committee.

1. **Previous documentation:** Community Meeting Notes of 10 April 2019 and Council Meeting Report 18 April 2019 were circulated.
2. **Principles:** Purpose and role is to identify a retail model that can be subject of an Expression of Interest to potential operators.

3. **Investigation of retail models:**

Cooperative e.g. CRC/Café/Post Office, Perenjori; Shire owned premises e.g. Carnamah Fuel Station and Community run e.g. Coorow Hotel that receives economic benefits from paddock. Key issue is how interest is maintained long-term.
The Committee seeks contact details and report on above and similar operations such as Beacon.
Commercial: Where site is utilised or leased by an owner for use with a payment.

4. **Location of Supermarket in Perenjori:**

Preferred location is in current CBD.

Note that Roadhouse has increased range of groceries to include additional fruit/groceries. This is outside CBD – second option.

Preferred location would be identified by line on map in EoI.

5. **Financial matters:**

On-line shopping: Consider growth an inevitable factor in retailing – needs to be recognised in business case/EoI.

Shire/ Progress Assoc. (potentially \$32k) support: Can include preparation of business case by preferred operator, marketing, local contacts and infrastructure e.g. fridges and other equipment (that involves higher risk).

6. **Consultation during initiative:** Important to recognise:

Property owners: Five key sites.

Potential operators: Need develop list informed by surveys, contacting chains and existing regional operators.

Community: This was key request at close of Community Meeting.

7. **Media:** Further contact from regional ABC on progress following Community Meeting – interest to publish when firmer plans in place.

8. **Correspondence/meetings** – Following initiatives outlined:

Letter received from one property owner seeking loan for integration of community shop into existing business. The work on initiative was recognised but currently premature to address distribution of funding.

Meeting held between regional investor and CEO on supermarket opportunity in CBD – no formal submission to date. Situation to be monitored.

Opportunities for grant funding being explored through discussions with State Government economic development body.

9. Report to Council: Provide details of Meeting on 16 May.

10. Next Meeting: In 2-3 weeks late Thursday afternoon.

Paul Bawden

Chief Executive Officer

6 May 2019

T:\CEO\Economic Development\Perenjori SM Working Group Notes 7-05-2019 1-05-2019

19056 STATUS REPORT

APPLICANT:	SHIRE OF PERENJORI
FILE:	NIL
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	PAUL BAWDEN - CEO
RESPONSIBLE OFFICER	PAUL BAWDEN - CEO
REPORT DATE:	16TH MAY 2019
ATTACHMENTS	STATUS REPORT

Executive Summary

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

Background

Nil

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Area 5: Investing in Councils Capacity – Our Leadership

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

Consultation

Staff

Comment

Resolutions from Council Meetings are being progressed as expectedly as possible.

Officer Recommendation and Council Decision – Item 19056
Moved: Cr J Hirsh Seconded: Cr J Cunningham
Council accepts the Status Report as presented for the month of April 2019.
Carried: 9/0

19057 OTHER BUSINESS**19057.1 MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

The following motion from Councillor G Reid to be put forward for consideration:

Officer Recommendation and Council Decision – 19057.1.1

Moved: Cr G Reid

Seconded: Cr R White

That Council accepts the motion and it is put to the vote.

Carried: 8/1

Officer Recommendation and Council Decision – 19057.1.2

Moved: Cr G Reid

Seconded: Cr R White

That the President be required to release immediately to all Councillors the contents of correspondence received about October 2018, as indicated by ACEO Stephen Tindale, from the offices of those conducting the official inquiry into the Shire of Perenjori, and which were denied to Council at that time, and any other correspondence related to this inquiry, since its inception

Carried: 8/1

The following motion from Councillor J Hirsch be put forward for consideration:

Officer Recommendation and Council Decision – 19057.1.3

Moved: Cr J Hirsch

Seconded: Cr J Cunningham

All residents and employees of residents of the wards of Caron-Latham and Maya are granted free access to use the Latham Gym at the Latham Hall. Gym users would be asked to sign a register of some type when using the gym, so the Shire can monitor usage.

Carried: 8/1

c) *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*

Officer Recommendation and Council Decision – Item 19057.4

Moved: Cr J Hirsch

Seconded: Cr K Pohl

In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for item 19057.4.1 and item 19057.4.2 as the following sub-sections apply:

d) *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*

Carried: 9/0

19057.4.1 CONFIDENTIAL ITEM - AURIZON PERENJORI DRIVER'S QUARTERS

APPLICANT: SHIRE OF PERENJORI
FILE: ADM 0344
DISCLOSURE OF INTEREST: NIL
AUTHOR: KEN MARKHAM - MANAGER INFRASTRUCTURE SERVICES
RESPONSIBLE OFFICER: KEN MARKHAM - MANAGER INFRASTRUCTURE SERVICES
REPORT DATE: 16TH MAY 2019
ATTACHMENTS LETTER & PHOTOS

Voting Requirements – Simple Majority

Officer Recommendation and Council Decision – Item 19057.4.1

Moved: Cr L Smith

Seconded: Cr P Waterhouse

That Council decline the proposal from Aurizon to acquire the Perenjori Driver Quarters, Russell Street, Perenjori, unless the existing buildings are demolished prior to transfer or a financial package for the work is provided.

Carried: 9/0

19057.4.2 CONFIDENTIAL ITEM - NEW CONTRACT FOR THE PROVISION OF MEDICAL SERVICES

APPLICANT:	SHIRE OF PERENJORI
FILE:	ADM 0511
DISCLOSURE OF INTEREST:	NIL
AUTHOR:	PAUL BAWDEN - CEO
RESPONSIBLE OFFICER:	PAUL BAWDEN - CEO
REPORT DATE:	16TH MAY 2019
ATTACHMENTS	AGREEMENT FOR SHARING MEDICAL SERVICES EXPENSES; CONTRACT FOR PROVISION OF MEDICAL SERVICES TO THE SHIRE OF PERENJORI

Executive Summary**Voting Requirements – Simple Majority****Officer Recommendation and Council Decision – Item 19057.4.2****Moved: Cr J Cunningham****Seconded: Cr R White****1. That Council endorses the new contract for the sharing of the medical service with the Shire of Morawa.****2. That Council be provided with a report on the operation of the Perenjori Medical Practice and associated trends, at the end of a six-month period.****Carried: 9/0****19057.5 DATE OF NEXT MEETING**

The date of the next Council meeting will be held on Thursday, 20th June 2019 commencing at 3.00 pm.

19057.6 CLOSURE

Cr L Butler declared the meeting closed at 4:48 pm.