



Shire of
Perenjori
Embrace Opportunity

MINUTES
for the
ORDINARY COUNCIL
MEETING

17 JUNE 2021

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COUNCIL ROLE

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 held on Thursday 17 June 2021, at the Shire of Perenjori Council Chambers, 56 Fowler Street, Perenjori WA 6620.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Shire President declared the meeting open at 3.02 pm and welcomed those in attendance.

Welcome to Country: -

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

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

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

2. OPENING PRAYER:

The Shire President read the opening prayer.

3. DISCLAIMER READING:

As printed.

4. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

4.1 ATTENDANCE BY TELEPHONE (ACT S.5.25(1)(BA))

(1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —

- (a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and
- (b) the person is in a suitable place; and
- (c) the council has approved* of the arrangement.

A resolution to this affect is set out below and must be carried by an **absolute majority**.

4.1.1 OFFICER RECOMMENDATION

THAT Cr J Sutherland's request to attend the June Council meeting via teleconference while based in Perth be approved.

Moved: Cr D Bradford Seconded: Cr C Bryant Motion put and carried: 6/0

4.1 ATTENDANCE:

MEMBERS:

Cr Chris King – Shire President
Cr Jude Sutherland – Deputy Shire President (via teleconference)
Cr Brian Baxter
Cr Colin Bryant
Cr Daniel Bradford
Cr Les Hepworth
Cr Phil Logue

STAFF:

Mario Romeo – Chief Executive Officer
Nola Comerford-Smith – MCCS
Wayne Scheggia – Executive Advisor
Debby Barndon - Accountant
Ken Markham – Manager Infrastructure Services
Bianca Plug – Executive Assistant

DISTINGUISHED VISITORS: Nil.

MEMBERS OF THE PUBLIC: Paddy King

LEAVE OF ABSENCE: Nil.

APOLOGIES: Nil.

5. PUBLIC QUESTION TIME:

Nil.

5.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE:

Nil.

5.2 QUESTIONS WITHOUT NOTICE:

Nil.

6. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

6.1 APPLICATION/S FOR LEAVE OF ABSENCE:

OFFICER RECOMMENDATION

THAT: - _____ be granted leave of absence for the meeting of _____

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS:

7.1 ORDINARY MEETING HELD ON 20 MAY 2021

OFFICER RECOMMENDATION

THAT the Minutes of the Ordinary Meeting of Council held on 20 May 2021, presented in attachment 7.1 (a), be confirmed as true and correct subject to no / the following corrections.

7.2 ORDINARY MEETING HELD ON 20 MAY 2021

COUNCIL DECISION

THAT the Minutes of the Ordinary Meeting of Council held on 20 May 2021, presented in attachment 7.1 (a), be confirmed as true and correct subject to no corrections.

Moved: Cr P Logue Seconded: Cr D Bradford Motion put and carried: 7/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:

RATING & VALUATION SYSTEM

Cr Baxter has asked if a discussion could be faciwith the Valuer General regarding how property valuations are assessed and how the valuation impacts property rates.

The CEO has contacted the Valuer general's Office and requested that an appropriate person attend and address our next Council Forum. If Councillors would like to pursue any information prior to the meeting, please discuss your questions with the staff.

BUDGET WORKSHOP

There will be a Budget Discussion Meeting on Wednesday 23 June 2021 commencing at 10.30 am with lunch if required.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS:

Nil.

10. ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED:

Nil.

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 J Sutherland declared a Proximity, Financial and Impartiality Interest in item 16.1 Proposed Nature Based Park – Lot M1600 Barrett Road, Perenjori due to being the applicant and land owner of the Proposed Nature Based Park.

12. FINANCE REPORTS

12.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MAY 2021

Applicant:	Shire of Perenjori
File:	ADM0081
Disclosure of Interest:	Nil
Author:	Deb Barndon – Accountant
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	12.1 (a) - Monthly Statement of Financial Activity for 31 May 2021

Executive Summary:

This item recommends that Council receive the Financial Activity Statements for the period ending 31 May 2021.

Background:

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

Details:

Nil.

Legal Compliance:

Nil.

Policy Implications:

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.

Consultation:

Nil.

Precedents:

Nil.

Officer Comment:

Nil.

CEO Comment:

Nil.

Voting Requirements: Simple Majority

Change to Officer Recommendation

No Change.

12.1.1 THE FINANCIAL ACTIVITY STATEMENTS FOR THE PERIOD ENDING 31 MAY 2021

OFFICER RECOMMENDATION

THAT Council receive the Financial Activity Statement Reports for the period ending 31 May 2021.

12.1.2 THE FINANCIAL ACTIVITY STATEMENTS FOR THE PERIOD ENDING 31 MAY 2021

COUNCIL RESOLUTION

THAT Council receive the Financial Activity Statement Reports for the period ending 31 May 2021.

Moved: Cr L Hepworth Seconded: Cr C Bryant Motion put and carried: 7/0

12.2 SCHEDULE OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MAY 2021

Applicant:	Shire of Perenjori
File:	ADM0082
Disclosure of Interest:	Nil
Author:	Deb Barndon – Accountant
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	12.2 (a) - Accounts for Payment 31 May 2021

Executive 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 May 2021

Municipal Account	
EFT	\$ 443,984.12
Direct Debits	\$ 111,453.18
Cheques	\$ 2895.05
Corporate MasterCard	\$ 1033.73
Bank Fees	\$ 175.20
Total	\$ 559,541.28

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

Totalling **\$559,541.28** from *Municipal and Trust Accounts* for the month ending **31 May 2021**.

Voting Requirements: Simple Majority

Change to Officer Recommendation:

No Change.

12.2.1 SCHEDULE OF PAID ACCOUNTS AS AT 31 MAY 2021

OFFICER RECOMMENDATION

THAT Council receives the May Schedule of Paid Accounts Report.

12.2.2 SCHEDULE OF PAID ACCOUNTS AS AT 31 MAY 2021

COUNCIL RESOLUTION

THAT Council receives the May Schedule of Paid Accounts Report.

Moved: Cr P Logue Seconded: Cr D Bradford Motion put and carried: 7/0

3.15 pm Debby Barndon left the meeting.

13. COMMUNITY DEVELOPMENT

15. PLANT AND WORKS

16. GOVERNANCE

3.22 pm - Cr J Sutherland declared a Financial, Proximity and Impartiality Interest in item 16.1 Proposed Nature Based Park – Lot M1600 Barrett Road, Perenjori as outlined under sub-section 11 of these Minutes. Cr J Sutherland was placed on mute during her teleconference and did not participate in the discussion or voting of the item.

16.1 PROPOSED NATURE BASED PARK – LOT M1600 BARRETT ROAD, PERENJORI

Applicant:	Shire of Perenjori
File:	A1
Disclosure of Interest:	Cr Jude Sutherland – Applicant
Author:	Simon Lancaster – DCEO Shire of Chapman Valley
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	16.1 (a) – Copy of Received Application 16.1 (b) – Copy of Received Submissions

Executive Summary:

Council is in receipt of an application for a nature based park upon Lot M1600 Barrett Road, Perenjori. The application has been advertised for comment and no objections were received. This report recommends that Council approve the application for a 2 year trial period.

Figure 16.1(a) – Location Plan for Lot M1600 Barrett Road, Perenjori



Background:

Lot M1600 is a relatively flat 623.3765ha property that is largely cleared and used for agricultural purposes, with pockets of remnant vegetation upon outcrop areas.

The applicant is proposing to establish a nature based park upon Lot M1600, approximately 500m west of the existing residence (providing manager/caretaker role to the facility) and 350m south-west of the farm outbuildings.

The property has a 2.212km frontage to the unsealed Barrett Road along its western boundary, however, the applicant is proposing that visitors to the nature based park would access the facility via an entry point onto the sealed Carnamah-Perenjori Road and utilise a 2.5km long internal track across the adjoining 424.2073ha Lot M1652 (also owned by the applicant).

Figure 16.1(b) – Aerial Photo of Lot M1600 Barrett Road, Perenjori



Figure 16.1(c) – Proposed nature based park upon Lot M1600 Barrett Road



The nature based camping facility would consist of 7 campsites, set approximately 30m apart, catering for caravans, camper trailers, self-contained vans and tents.

The facility is proposed to operate from April through September each year to cater for visitors to the region attracted during wildflower season, and would be closed over summer due to fire risk and the seasonal decline in tourism.

At this stage, with demand levels for a nature based park uncertain, the applicant is proposing to cater for self-contained travellers only, and not provide an on-site toilet. In the event that the nature based park proved to be a successful venture the applicant would then consider installation of an environmental toilet on-site. The applicant has discussed with the Shire directing visitors to the dump point in the Perenjori townsite.

Although the nature based park would be closed over the summer months, fire management would be provided by on-site fire fighting vehicle upon Lot M1600 and nearby 2 x 20,000L water tanks and 120,000L water tank. Visitors will also be notified of the radio and phone emergency contact details for the campground operator at the neighbouring farmhouse upon arrival.

A full copy of the application has been included as **separate Attachment 16.1(a)** to this report.

Statutory Environment:

Lot M1600 is zoned 'Rural' under Shire of Perenjori Local Planning Scheme No.3 ('the Scheme'). Given the advanced (post-advertising) state of the Scheme No.3 this document is now to be considered as 'seriously entertained' and therefore planning decisions should be made under these new provisions.

The Local Planning Scheme No.3 lists the objectives for the 'Rural' zone as being:

- “• To provide for the maintenance or enhancement of specific local rural character.
- To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.
- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.
- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.
- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.”

The proposed development would meet with the definition of 'Nature Based Park' as listed in the Scheme:

“nature based park means premises used for a nature based park as defined in the Caravan Parks and Camping Grounds Regulations 1997”

'Nature Based Park' is listed as an 'A' use within the 'Rural' zone under the Scheme, that is a use that must be advertised for comment prior to determination.

The *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Regulations 1997* provide statutory direction in relation to this application.

Section 5 of the *Caravan Parks and Camping Grounds Act 1995* defines camping grounds and caravan parks as follows:

“camping ground means an area of land on which camps, but not caravans, are situated for habitation but does not include any land prescribed for the purposes of this definition;

caravan park means an area of land on which caravans, or caravans and camps, are situated for habitation.”

Part 1 Section 3 of the *Caravan Parks and Camping Grounds Regulations 1997* defines a nature based park as follows:

“nature based park means a facility in an area that —

- (a) is not in close proximity to an area that is built up with structures used for business, industry or dwelling-houses at intervals of less than 100m for a distance of 500m or more; and*
- (b) has been predominantly formed by nature; and*
- (c) has limited or controlled artificial light and noise intrusion.”*

Regulation 19(1)(m) notes that it is duty of the licence holder to:

“(m) for a nature based park, all advertising material and other information sources about the facility, the content of which is controlled by the licence holder, specify each of the following amenities that is not provided for occupiers at the facility —

- (i) toilets;*
- (ii) showers;*
- (iii) hand basins;*
- (iv) washing-up facilities;*
- (v) laundry facilities;*
- (vi) hot water for showering or for washing-up or laundry facilities;*
- (vii) power points;*
- (viii) lighting.”*

Schedule 7 Clause 5A(1) of the Regulations notes that:

“A person cannot be an occupier at a nature based park for more than 28 nights in total in a 3 month period starting on the first day that the person occupies a site at the facility.”

Schedule 7 Clause 23 of the Regulations notes that:

“(1) A nature based park is to have at least 2 toilets for every 20 sites, unless otherwise approved.

Note for this subclause:

Clause 47 applies if a local government gives approval for a nature based park to have fewer than 2 toilets for every 20 sites.”

The Department of Local Government and Communities have prepared the 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' and this application has been assessed with regard for these guidelines.

The application to establish a nature based park upon Lot M1600 Barrett Road, Perenjori is generally considered to be in accordance with the requirements of the

Caravan Parks and Camping Regulations 1997 and 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments'.

In regards to the proposed non-provision of a toilet on-site, given the low-key seasonal nature and limited 7 campsite scale of the facility, it is recommended that the nature based park be approved for a 2 year trial period at the conclusion of which the Shire review the level of servicing provided by the landowner/operator.

It is also noted that Schedule 7 Clause 42 of the Regulations states that:

"Potable water for sites

- (1) A supply of potable water of at least 300L per day, or such lesser amount as is approved under subclause (2), is to be available for use by each site at a facility.*
- (2) The local government may, with the written approval of the Executive Director, Public Health (within the meaning of the Health Act 1911), approve of a lesser quantity of water than that specified in subclause (1) being available at a facility."*

The applicant is proposing a facility of 7 sites that would, based on the regulation requirements of 300L per day for each site, equate to an amount of 2,100L of potable water required to be available per day. The applicant proposes to have available 2 x 20,000 water tanks located nearby but these would be for fire fighting purposes and would not be considered to meet the requirements of potable water (which entails ongoing treatment with chlorine or ultra violet light treatment and periodic testing). This would therefore not meet with the standard requirements of Schedule 7 Clause 42(1) of the Regulations and would therefore require consideration under the performance criteria of Schedule 7 Clause 42(1).

The 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' also notes in relation to this requirement that:

"Potable water for sites

Current: Schedule 7, Clause 42, if potable water can be readily made available then it should be provided. There is a health requirement that an adequate supply of drinking water be provided; if not, the operator needs to seek an exemption.

Application for exemption is to be made to the local government and will be dealt with on a case by case basis.

Every effort must be made to notify potential visitors if no potable water is available – this includes on all advertising materials, websites and on signs at the entrance to the facility."

Again given the scale of the facility, and it being open for only part of the year, it is recommended that the nature based park be approved for a 2 year trial period, at the conclusion of which the Shire review this aspect of servicing also.

Policy Implications:

Nil.

Legal Compliance:

Nil.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
This is an application made under the <i>Planning and Development Act 2005</i> and <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> that Council has the responsibility to administer and make determination upon.	The proposed development is considered low-key in nature, being limited to 7 campsites and operating only during the winter/spring period and closed during summer when fire risk is highest. The nature based park would also be sited 500m from the owner's residence meaning they will fulfill a caretaker role.	It is considered appropriate to approve the development for a 2 year trial period at the conclusion of which the Shire can review any issues arising.

Consultation:

The application was advertised from 30 April 2021 until 21 May 2021 to all surrounding landowners within 2½km of the proposed nature based park, and relevant government agencies such as the Department of Biodiversity Conservation & Attractions, Department of Fire & Emergency Services, Department of Health, Department of Primary Industries & Regional Development, Department of Water & Environmental Regulation and Western Power inviting comment.

At the conclusion of the advertising period 5 submissions had been received, with all of them being from government agencies offering technical comment, no objections were received. A copy of the received submissions has been provided as **separate Attachment 16.1(b)**.

The applicant was provided with the opportunity to respond to the issues raised in the received submissions and has submitted the following additional information:

- “1. *Public Health & Safety*
There will be a camping (tent) area which will be physically separated from vehicles, caravans and campers. The tent camping area will be sign posted.
2. *Rubbish and sites will be monitored on a daily basis. If rubbish is left it will be collected and disposed of responsibly.*
3. *Visitors will be required to bring their own firewood as stated in the application to ensure that no clearing of dead vegetation takes place.*
4. *As outlined in question 5.1.3 the Shire of Perenjori have been contacted and will monitor the cost of operating the dump point.*
5. *Campers with pets will have to ensure that they are on a lead at all times. As a working farm we have stock and owners must ensure that their pets are restrained during the visit. This will be monitored and restricted if necessary.”*

Financial Implications:

The establishment of a nature based park 18km from the Perenjori townsite without a dump point may lead to some additional use of the Shire resourced facility point in the Perenjori townsite. However, it is considered that this would be a minor financial burden for Council that would be outweighed by the wider community economic benefits of travellers being given increased types of accommodation options and reason to stay longer (and encouraged to spend more) in the region.

Precedents:

Nature Based Parks are becoming increasingly popular and demanded by tourists as the ownership levels of self-contained vans continues to grow. Nature Based Parks are operated by a mixture of state government (largely through Department of Biodiversity Conservation & Attractions), local governments and private operators throughout Western Australia.

Strategic Community Plan:

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.

Officer Comment:

It is considered that the application is appropriate for the location and is in keeping with the requirements of the Shire's Scheme, and will assist in economic diversification without compromising the surrounding agricultural activities. With appropriate management it is considered that the facility can be of benefit to the area and be operated in low-risk manner.

The Mid West Development Commission, in collaboration with Regional Development Australia, the Department of Planning and the Mid West Tourism Alliance released the 'Tourism Development Strategy' (2014) with one of the identified priorities being to increase the range of eco nature based tourism activities, attractions and experiences.

The Economic Development element of the Commission's Mid West Blueprint (2015) noted the Mid West Tourism Potential as follows:

"The long term aspiration of this Blueprint is for the Mid West to attract one million overnight visitors (annually) by 2050. The Mid West would be highly developed as an inspiring nature based destination, that offers a wide range of high quality, year round experiences."

The Western Australian Planning Commission's 'Planning Bulletin 83 - Planning for Tourism' (2013) 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."

Voting Requirements: Simple Majority

No Change.

16.1.1 PROPOSED NATURE BASED PARK – LOT M1600 BARRETT ROAD, PERENJORI

OFFICER RECOMMENDATION

THAT Council grant formal planning approval for a short stay Nature Based Park upon Lot M1600 Barrett Road, Perenjori subject to the following conditions:

- 1 Development shall be in accordance with the approved plan(s) dated 17 June 2021 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 building or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.**
- 3 The approval is valid for a period of 2 years after which time the application shall be considered by the Shire CEO (under the delegated authority of Council) as to any impacts arising from the operation of the development in the determination on whether to grant any extension to the approval period.**
- 4 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government.**
- 5 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 Plan.**
- 6 The development shall comply with the requirements of the *Caravan Parks and Camping Grounds Regulations 1997* and the 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' to the approval of the local government.**
- 7 The applicant is to ensure that the location, design, construction and ongoing maintenance of the access point from the development site onto the road network shall be to the approval of the local government.**
- 8 The internal road network and vehicle manoeuvring and parking areas shall be constructed and maintained to an all-weather compacted standard to the approval of the local government.**
- 9 The installation and subsequent maintenance of any signage shall be to the approval of the local government (or Main Roads where required).**

Advice Notes

- (a) In relation to condition 3 the applicant is advised that this approval is issued for a trial period of 2 years and the operation of this development and level of servicing will be monitored by the Shire and given regard for when assessing whether further approval may be granted.**
- (b) In relation to condition 4 the Management Plan is to include sections relating to Fire Management, Emergency Response Plan, Water Supply and Waste Management.**

- (c) In relation to condition 6 the development shall only permit short stay accommodation for a period of not more than 28 nights in total in a 3 month period starting on the first day that the person occupies a site at the facility.
- (d) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the, *Caravan Parks and Camping Grounds Act 1995*, *Caravan Parks and Camping Grounds Regulations 1997* and *Health (Miscellaneous Provisions) Act 1911*. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (e) If an applicant is 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.

16.1.2 PROPOSED NATURE BASED PARK – LOT M1600 BARRETT ROAD, PERENJORI

COUNCIL DECISION

THAT Council grant formal planning approval for a short stay Nature Based Park upon Lot M1600 Barrett Road, Perenjori subject to the following conditions:

- 1 Development shall be in accordance with the approved plan(s) dated 17 June 2021 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 building or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 3 The approval is valid for a period of 2 years after which time the application shall be considered by the Shire CEO (under the delegated authority of Council) as to any impacts arising from the operation of the development in the determination on whether to grant any extension to the approval period.
- 4 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government.
- 5 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 Plan.
- 6 The development shall comply with the requirements of the *Caravan Parks and Camping Grounds Regulations 1997* and the 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' to the approval of the local government.
- 7 The applicant is to ensure that the location, design, construction and ongoing maintenance of the access point from the development site onto the road network shall be to the approval of the local government.

- 8 The internal road network and vehicle manoeuvring and parking areas shall be constructed and maintained to an all-weather compacted standard to the approval of the local government.**
- 9 The installation and subsequent maintenance of any signage shall be to the approval of the local government (or Main Roads where required).**

Advice Notes

- (a) In relation to condition 3 the applicant is advised that this approval is issued for a trial period of 2 years and the operation of this development and level of servicing will be monitored by the Shire and given regard for when assessing whether further approval may be granted.**
- (b) In relation to condition 4 the Management Plan is to include sections relating to Fire Management, Emergency Response Plan, Water Supply and Waste Management.**
- (c) In relation to condition 6 the development shall only permit short stay accommodation for a period of not more than 28 nights in total in a 3 month period starting on the first day that the person occupies a site at the facility.**
- (d) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the, *Caravan Parks and Camping Grounds Act 1995*, *Caravan Parks and Camping Grounds Regulations 1997* and *Health (Miscellaneous Provisions) Act 1911*. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.**
- (e) If an applicant is 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.**

Moved: Cr L Hepworth Seconded: Cr P Logue Motion put and carried: 6/0

3:35 pm - Cr J Sutherland re-joined the meeting via teleconference at the conclusion of this item.

16.2 PROPOSED SCHEDULE OF COUNCIL MEETING DATES FOR 2021/22

Applicant:	Shire of Perenjori
File:	ADM0214
Disclosure of Interest:	Nil
Author:	Bianca Plug – Executive Assistant
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Nil

Executive Summary:

This item seeks Council's endorsement of the proposed meeting dates until June 2022.

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.

Legal Compliance:

Nil.

Risk Management:

Nil.

Consultation:

Nil.

Financial Implications:

Councillor meeting fees will be set and adopted in the 2021/22 budget.

Precedents:

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. Traditionally, Council meets at the Latham Community Centre in March. This has been scheduled to be held on 17 March 2022.

The gazetted public holidays from July 2021 to June 2022 include the Queen's Birthday on Monday 27 September 2021, Christmas Day Public Holiday Monday 27 December 2021, Labour Day Monday 7 March 2022, Good Friday 15 April 2022, Easter Monday 18 April 2022 and Western Australia Day 6 June 2022. There is no impact on the proposed Council's meeting schedule however, the Council Meeting Agenda will need to be sent earlier than usual due to the public holidays surrounding the April Council Meeting in 2022.

ORDINARY COUNCIL MEETINGS 2021/22		
Ordinary Council Meeting Date (Thursday)	Ordinary Council Meeting Time	Ordinary Council Meeting Location
15 July 2021	3:00 pm	Perenjori Council Chambers
19 August 2021	3:00 pm	Perenjori Council Chambers
16 September 2021	3:00 pm	Perenjori Council Chambers
21 October 2021	3:00 pm	Perenjori Council Chambers
18 November 2021	3:00 pm	Perenjori Council Chambers
16 December 2021	3:00 pm	Perenjori Council Chambers
January 2022	NO MEETING	NO MEETING
17 February 2022	3:00 pm	Perenjori Council Chambers
17 March 2022	3:00 pm	Latham Community Centre
21 April 2022	3:00 pm	Perenjori Council Chambers
19 May 2022	3:00 pm	Perenjori Council Chambers
16 June 2022	3:00 pm	Perenjori Council Chambers

Voting Requirements: Simple Majority

No Change.

16.2.1 PROPOSED SCHEDULE OF COUNCIL MEETING DATES FOR 2021/22

OFFICER RECOMMENDATION

THAT the above schedule of meetings until June 2022 to be held in the Shire of Perenjori Council Chambers, with the exception of the March 2022 Council Meeting to be held at the Latham Community Centre and, advertised through local media, the Perenjori Shire public notice board and the Shire of Perenjori website.

16.2.2 PROPOSED SCHEDULE OF COUNCIL MEETING DATES FOR 2021/22

COUNCIL DECISION

THAT the above schedule of meetings until June 2022 to be held in the Shire of Perenjori Council Chambers, with the exception of the March 2022 Council Meeting to be held at the Latham Community Centre and, advertised through local media, the Perenjori Shire public notice board and the Shire of Perenjori website.

Moved: Cr D Bradford Seconded: Cr C Bryant Motion put and carried: 7/0

16.3 EMERGENCY REPORTING EXEMPTIONS

Applicant:	Shire of Perenjori
File:	ADM0091
Disclosure of Interest:	Nil
Author:	Wayne Scheggia – Executive Advisor
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Nil

Executive Summary:

The purpose of this report is to advise Council of exemptions for 2021 from LEMC meetings and the Annual Preparedness Capability Survey.

Background:

The State Emergency Management Committee (SEMC) has acknowledged the impact of Tropical Cyclone Seroja on communities in the Mid-West region and the extent of recovery efforts underway in the Shire of Perenjori. At its meeting on 7 May 2021, the SEMC resolved to provide allowances to impacted local government areas regarding certain emergency management activities. Under resolution 35/2021, the SEMC has:

- approved the Shire of Perenjori to cancel Local Emergency Management Committee (LEMC) meetings for the remainder of 2021;
- noted the exemption of the Shire of Perenjori from the requirement to complete the Annual and Preparedness Report Capability Survey in 2021; and
- authorised the Mid West District Emergency Management Committee (DEMC) to adjust the meeting dates for the remainder of 2021, if required.

These allowances are granted in recognition of the increased workload on local government and their emergency management partners in the area and to allow emergency management efforts to remain focused on supporting the community in recovery.

Following the completion of the recovery process there will be a review of the collective experiences of the emergency management sector to understand the lessons learnt from cyclone Seroja and review documents within the State Emergency Management Framework.

Input from affected local governments will be key in improving the framework to better support communities and drive locally informed emergency management practices in the future.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Legal Compliance:

Nil.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Low level of coordination amongst local level emergency agencies.	Low.	Maintain local communications on emergency management issues.

Consultation:

CEO.

Financial Implications:

Nil.

Precedents:

Nil.

Strategic Community Plan:

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.

Comment:

This represents an acknowledgement that reporting requirements can be onerous for small local governments. There is always a high level of informal communication between emergency management operatives and this will continue outside of formal reporting requirements.

Voting Requirements: Simple Majority

No Change.

16.3.1 EMERGENCY REPORTING EXEMPTIONS

OFFICER RECOMMENDATION

THAT the report be noted.

16.3.2 EMERGENCY REPORTING EXEMPTIONS

COUNCIL DECISION

THAT the report be noted.

Moved: Cr D Bradford Seconded: Cr L Hepworth Motion put and carried: 7/0

16.4 APPOINTMENT OF FIRE OFFICERS & FIRE BREAK NOTICE

Applicant:	Shire of Perenjori
File:	ADM0070
Disclosure of Interest:	Nil
Author:	Rick Ryan – Community Emergency Services Manager
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Nil

Executive Summary:

The purpose of this report is to:

- (a) Appoint the Shire of Perenjori Bush Fire Control Officers, pursuant to Section 38 of the Bush Fires Act 1954;
- (b) Appoint the Chief Fire Control Officer (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.

Legal Compliance:

Nil.

Risk Management:

It is a requirement to have appointed officers and would leave the Shire very exposed without such responsible people in place to attend to matters as they arise.

Consultation:

Bush Fire Advisory Committee.

Financial Implications:

Nil.

Precedents:

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:

Similar to the CBFCO persons appointed to the roles of Fire Control Officers, each officer should have a good understanding of their roles and fire behaviour in this district.

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. The CBFCO and CESM will monitor the weather and both will review with the other FCO, if there is a need to impose a HVMB the Shire will be advised to send out a notice to imposes a HMB.

Voting Requirements: Simple Majority

No Change.

16.4.1 APPOINTMENT OF FIRE OFFICERS & FIRE BREAK NOTICE

OFFICER RECOMMENDATION

THAT the following bush fire control officers for 2021/22 year be appointed and Ken Markham be appointed as the interim Acting Deputy Chief Bush Fire Control Officer until such time as a permanent appointment to this position.

POSITION	NAME
Chief Bush Fire Control Officer	Phil Page
Deputy Chief Bush Fire Control Officer	Ken Markham
Fire Control Officers & Permit Issuing Officers	Mario Romeo Phil Page Ken Markham Jason King Brian Campbell Mario Romeo CEO Rick Ryan/CESM

16.4.2 APPOINTMENT OF FIRE OFFICERS & FIRE BREAK NOTICE

COUNCIL DECISION

THAT the following bush fire control officers for 2021/22 year be appointed and Ken Markham be appointed as the interim Acting Deputy Chief Bush Fire Control Officer until such time as a permanent appointment to this position.

POSITION	NAME
Chief Bush Fire Control Officer	Phil Page
Deputy Chief Bush Fire Control Officer	Ken Markham
Fire Control Officers & Permit Issuing Officers	Mario Romeo Phil Page Ken Markham Jason King Brian Campbell Mario Romeo CEO Rick Ryan/CESM

Moved: Cr D Bradford Seconded: Cr P Logue Motion put and carried: 7/0

16.5 REGIONAL EARLY EDUCATION AND DEVELOPMENT (REED) PROPOSAL

Applicant:	Shire of Perenjori
File:	ADM0544
Disclosure of Interest:	Nil
Author:	Nola Comerford – Smith – MCCS
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Nil

Executive Summary:

The purpose of this report is for Council to consider transferring management of the Perenjori Early Childhood Centre (PECC) from the Shire of Perenjori to Regional Early Education and Development (REED).

Background:

At the Council Briefing Session on Thursday 10 June 2021 REED representatives presented information on the operations and functions of their early childhood education service. REED is a not-for-profit incorporated association and registered charity which manages over 20 Early Childhood Centres in the Wheatbelt and are considering extending their service into the Mid-West.

REED would be responsible for management of childhood education services which includes all administration processes (including payroll), training, staff attraction & retention, advertising, compliance with Early Childhood Education and Care (ECEC), plus payment of utilities.

Statutory Environment:

Nil.

Policy Implications:

As per *Policy 9008 – Elected Member Representation – Committees, Community*, Council currently have representation on the PECC Advisory Committee, which would no longer be applicable or required.

Legal Compliance:

Nil.

Risk Management:

Minimal. REED are currently successfully managing over 20 childcare services within the Wheatbelt and their professional involvement in management is considered less of a risk factor than the current Shire involvement due to their experience in childcare.

Consultation:

Mario Romeo – CEO
Perenjori Early Childhood Centre
Regional Early Education and Development Inc.
Hanna Jolly – Manager Corporate Services, Shire of Dalwallinu
Louise Sellenger – Administration Manager, Shire of Mukinbudin

Financial Implications:

REED have implied that they would request a peppercorn lease for the PECC building. 2020/2021 year to date expenditure for the PECC of \$266,174 (two hundred and sixty-six thousand, one hundred and seventy-four dollars) includes administration, staff expenses and resources. Housing allocation of \$56,458 (fifty-six thousand, four hundred and fifty-eight dollars) has not been included in this amount as Council may consider continued housing support to ensure staff retainment.

Year to date income through childcare fees total \$90,441 (ninety thousand, four hundred and forty-one dollars).

Council would not be responsible for any wages or administration expenses for the Centre but could consider continuing responsibility for building and garden maintenance.

REED is registered to deliver the Federal Government's Child Care Subsidy, therefore families utilising the service will be eligible to apply for access to the childcare subsidy to reduce expenses for childcare fees.

Precedents:

Nil.

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:

Consultation with other Local Government staff utilising REED management of a Council-owned childcare service offer positive feedback of the arrangement from a Shire-based view and a relief from the burden of regulations and compliance for community-based committees.

Voting Requirements: Simple Majority

No Change.

16.5.1 REGIONAL EARLY EDUCATION AND DEVELOPMENT (REED) PROPOSAL

OFFICER RECOMMENDATION

That Council request the CEO to pursue further negotiations with Regional Early Education and Development Inc. with a view to securing the longer-term operational requirements and legal compliance of the Perenjori Early Childhood Centre.

16.5.2 REGIONAL EARLY EDUCATION AND DEVELOPMENT (REED) PROPOSAL

COUNCIL DECISION

That Council request the CEO to pursue further negotiations with Regional Early Education and Development Inc. with a view to securing the longer-term operational requirements and legal compliance of the Perenjori Early Childhood Centre.

Moved: Cr D Bradford Seconded: Cr C Bryant Motion put and carried: 7/0

16.6 CORPORATE BUSINESS PLAN PERFORMANCE REVIEW

Applicant:	Shire of Perenjori
File:	ADM0468
Disclosure of Interest:	Nil
Author:	Wayne Scheggia – Executive Advisor
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	16.6 (a) Corporate Business Plan Performance Spreadsheet

Executive Summary:

This report presents the June review of the performance of the Corporate Business Plan.

The most significant event during the period has been the occurrence of Tropical Cyclone Seroja on April 11/12.

The initial consequence of the cyclone was the diversion of resources to emergency response and recovery activities.

Organisational performance was impacted insofar as administrative and office activities were disrupted by the initial loss of power supply and telecommunications, whilst the standard program of works and external services was suspended to deal with infrastructure damage, road closures and provide support to emergency services.

The economic impacts of both the cyclone and the ongoing COVID19 pandemic will likely hold some significance for the new Council budget, both in terms of revised works priorities and accounting for increased funding and expenditure.

Background:

Council is required to prepare a Plan for the Future, comprising a ten-year minimum Strategic Community Plan (*currently 2017 – 2027*) and a four-year minimum Corporate Business Plan (*currently 2017- 2021*).

Statutory Environment:

Local Government Act (1995)

5.56. Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Local Government (Administration) Regulations 1996

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.

- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
 - (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
 - (6) Subject to sub regulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
 - (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
- *Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
 - (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
 - (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

[Regulation 19C inserted: Gazette 26 Aug 2011 p. 3483-4.]

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.

- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

[Regulation 19DA inserted: Gazette 26 Aug 2011 p. 3484-5.]

19D. Public notice of adoption of strategic community plan

- (1) If a strategic community plan is adopted, the CEO must —
 - (a) give local public notice that the plan has been adopted; and
 - (b) publish the plan on the local government's official website.
- (2) If modifications to a strategic community plan are adopted, the CEO must —
 - (a) give local public notice that modifications to the plan have been adopted; and
 - (b) publish the modified plan on the local government's official website.

[Regulation 19D inserted: SL 2020/213 r. 21.]

Policy Implications:

Nil.

Legal Compliance:

Nil.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Compliance with legislation, regulation and policy.	Low.	Maintain reporting schedule.

Consultation:

CEO & MIS.

Financial Implications:

Nil.

Precedents:

Nil.

Strategic Community Plan:

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.

Officer Comment:

The attached spreadsheet identifies the strategies and actions for each Community Strategic Plan objective and the year/s of implementation for the four-year life of the Corporate Business Plan. It also identifies the Shire staff member charged with responsibility for implementing any particular action while noting that ultimate responsibility for the staff member concerned rests with the CEO.

As shown on the spreadsheets, the attainment of certain strategies and actions can be hampered by;

- insufficient funding and cost blowouts,
- scheduling difficulties arising from external blockages or narrow windows of opportunity,
- resource constraints (lack of staff time, knowledge, technology or materials).

A set of “traffic lights” alongside these potential areas of constraint quickly flags to staff, Councillors and community members, those Corporate Business Plan actions that may need collective consideration and attention.

During the life of the current plan there have been a number of unforeseen negative impacts on Council's business activities, including;

- the inquiry into the Council and dissolution of the Council
- high staff turnover
- the COVID19 pandemic
- Tropical Cyclone Seroja

A positive impact has been the influx of government funding of approximately \$2M to support the national economic recovery and the advance payment of \$300K from LGIS in anticipation of the pending insurance claim for cyclone damage.

In acknowledging this report as a performance update of the existing plan, it should be noted that work is now underway to formally review the Community Plan and develop a new Corporate Business Plan for the next four-year period.

Voting Requirements: Simple Majority

No Change.

16.6.1 CORPORATE BUSINESS PLAN PERFORMANCE REVIEW

OFFICER RECOMMENDATION

THAT

- 1. the June Corporate Business Plan performance report be noted;**
- 2. a review of the Strategic Community Plan be initiated**
- 3. subsequent to the Strategic Community Plan review, a new Corporate Business Plan be developed.**

16.6.2 CORPORATE BUSINESS PLAN PERFORMANCE REVIEW

COUNCIL DECISION

THAT

- 1. the June Corporate Business Plan performance report be noted;**
- 2. a review of the Strategic Community Plan be initiated**
- 3. subsequent to the Strategic Community Plan review, a new Corporate Business Plan be developed.**

Moved: Cr L Hepworth Seconded: Cr C Bryant Motion put and carried: 7/0

17. CONFIDENTIAL REPORTS

Nil.

18. ORDERING THE COMMON SEAL

Document	Organisation	Purpose	Date
-	-	-	-

19. REPORTS OF COMMITTEES AND MEMBERS

Nil.

20. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

21. NOTICE OF MOTIONS

(for consideration at the following meeting, if given during the meeting).

Nil.

22. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

22.1 NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

- (1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), 'cases of extreme urgency or other special circumstances' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council before the next meeting.

COUNCIL DECISION

THAT Special Urgent Business Item “Northern Country Zone Item” be considered to enable timely inclusion of the recommended item in the Zone agenda.

Moved: Cr L Hepworth Seconded: Cr D Bradford Motion put and carried: 7/0

22.1.1 NORTHERN COUNTRY ZONE ITEM

Applicant:	Shire of Perenjori
File:	ADM0250
Disclosure of Interest:	Nil
Author:	Wayne Scheggia – Executive Advisor
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Nil

Executive Summary:

The purpose of this report is to seek Council approval for an item to be submitted to the Northern Country Zone meeting on June 30th.

Background:

Council recently considered the Auditor General's report on the performance of the Department of Local Government, Sport & Cultural Industries in delivering effective regulation and support to the Local Government sector and was concerned that the report findings indicate failure and poor performance in a number of the Department's statutory requirements, ultimately concluding that effective regulation and support is not being delivered.

In discussing this matter with the President and Deputy President after the meeting it was determined that progressing this matter through the Northern Country Zone would add to Council's advocacy on the issue.

The Zone Chair has requested that Council formally approve the item prior to listing it on the Zone agenda. This requirement has been established to prevent unauthorised issues being placed on the Zone agenda by individuals.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Budget Implications:

Nil.

Risk Management:

Nil.

Consultation:

Shire President, CEO.

Strategic Community Plan:

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.

Comment:

The full text of the proposed item is set out below.

AUDIT OF DEPARTMENT REGULATION AND SUPPORT TO THE SECTOR

The Shire of Perenjori recently considered the Auditor General's report on the performance of the Department of Local Government, Sport & Cultural Industries in delivering effective regulation and support to the Local Government sector and was concerned that the report findings indicate failure and poor performance in a number of the Department's statutory requirements, ultimately concluding that effective regulation and support is not being delivered.

The Auditor General's report demonstrates how the actions – or inactions – of the Department can impact on the capacity of individual local governments to comply with accountability requirements through no fault of their own.

It has long been acknowledged throughout the sector that that the Department is under resourced to deliver effective capacity building and support to the sector and the Auditor General's report substantially vindicates this view.

Whilst blame and criticism are easy responses to make to the report, from our perspective a more productive approach would be to offer support to the Minister in seeking to obtain increased resources within the State Budget to enable the Department to function properly and thereby deliver more effective and useful support to the sector.

In this time of pandemics and extreme weather events the community needs progressive and capable government administration at all levels. The historically narrow focus of the Department of Local Government on regulation and control is not appropriate for 21st Century local government.

Whilst the departmental response to the report is a universal claim that compliance will be achieved by August, the reality is that the sector needs more than simple compliance from the Department. An increased effort is required, particularly in relation to capacity building and support to the sector. There needs to be a refocussing of the Department around enhancing the capacity of local governments and providing support and development opportunities for elected members to enable them to better execute their roles and responsibilities. The resources necessary to bring this about should be a priority response from government in the State Budget.

RECOMMENDATION

- 1. That the State Government be requested to adequately resource the Department of Local Government, Sport & Cultural Industries to enable it to appropriately deliver on its obligations and responsibilities to the sector.**
- 2. That the State Government be requested to address the increased funding of the Department of Local Government as part of the coming State Budget.**

Voting Requirements: Simple Majority

Change to Officer Recommendation

No Change.

22.1.1.1 NORTHERN COUNTRY ZONE ITEM

OFFICER RECOMMENDATION

THAT the proposed zone item be approved.

22.1.1.2 NORTHERN COUNTRY ZONE ITEM

COUNCIL DECISION

THAT the proposed zone item be approved.

Moved: Cr D Bradford Seconded: Cr P Logue Motion put and carried: 7/0

PROCEDURAL MOTION

THAT Special Urgent Business Item “PROJECT RESOURCES” be considered to enable timely inclusion of the recommended resourcing in the 2021/22 Draft Council Budget.

Moved: Cr B Baxter Seconded: Cr P Logue Motion put and carried: 7/0

22.1.2 PROJECT RESOURCES

Applicant:	Shire of Perenjori
File:	Nil
Disclosure of Interest:	Nil
Author:	Wayne Scheggia – Executive Advisor
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Nil

Executive Summary:

The purpose of this report is to seek direction on Council's expectations for resourcing to drive important commercial development opportunities, projects in response to cyclone disaster recovery and projects associated with the COVID19 economic stimulus funding.

Background:

Significant infrastructure and environmental damage was sustained throughout the shire as a result of Tropical Cyclone Seroja, resulting in a significant list of recovery projects to be undertaken. In addition, there is a significant body of work proposed to utilise nearly \$2M of federal stimulus funding to combat the economic impacts of the COVID19 pandemic. Parallel to these requirements, Council is also exploring ways to stimulate and revitalise the town's commercial centre. In order to bring these works to fruition it may be necessary for Council to attain additional resources in terms of project management, planning and contract supervision.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Budget Implications:

Funds may need to be provided in the 2021/22 budget in the order of \$200K.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Project delays	Medium	Map resource needs & make budget provision

Consultation:

Shire President, CEO, MIS.

Strategic Community Plan:

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.

Comment:

Current resourcing levels aren't sufficient to meet the demands of an extensive program of additional works in response to the pandemic stimulus funding and the cyclone recovery, on top of our standard works program. This is particularly relevant in terms of project design and planning, approvals and compliance and project management. In addition, preparing project concepts and development details for works such as the town centre redevelopment, tourism initiatives and other new project ideas is extremely limited within the current staffing compliment.

Voting Requirements: Simple Majority

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following Officer Recommendation was amended to more specifically reflect Councils intention.

21.1.2.1 PROJECT RESOURCES

OFFICER RECOMMENDATION

THAT additional and necessary project management resources be identified by the CEO and included in the draft 2021/22 Council budget for Council consideration.

COUNCIL DECISION

THAT

- 1. Council authorise the CEO to seek expressions of interest immediately to provide project management services to the Perenjori Shire Council for the purposes of design, costing and scope of required works for the establishment / replacement of the Supermarket.**
- 2. Council authorise the CEO to seek expressions of interest immediately to provide project management services to the Perenjori Shire Council for the purpose of completion and delivery of the 2021 COVID projects listed by Council.**

Moved: Cr C King Seconded: Cr D Bradford Motion put and carried: 7/0

COUNCIL DECISION

THAT Special Urgent Business Item “CHANGE IN BANK SIGNATORIES AND CREDIT CARD ALLOCATION” be considered to enable timely inclusion of the new signatory and allocation of the required credit card.

Moved: Cr D Bradford Seconded: Cr P Logue Motion put and carried: 7/0

22.1.3 CHANGE IN BANK SIGNATORIES AND CREDIT CARD ALLOCATION

Applicant:	Shire of Perenjori
File:	Nil
Disclosure of Interest:	Nil
Author:	Bianca Plug – Executive Assistant
Responsible Officer:	Mario Romeo – Chief Executive Officer
Attachments:	Nil

Executive Summary:

This item seeks Council's endorsement to make an alteration to the Bank signatories by adding the new Manager Corporate and Community Services (MCCS) and allocating a Corporate Credit Card to the MCCS.

Background:

It is a requirement for Council to endorse any alterations to the Bank signatories, with the minutes provided to Bankwest verifying such approvals. Two signatures are required on all bank transactions to ensure adequate securities are in place. The current signatures are:

1. Mario Romeo – Chief Executive Officer
2. Ken Markham – Manager Infrastructure Services
3. Debby Barndon – Accountant

The position of Manager Corporate Community Services is responsible for a Corporate Credit Card limit of \$5,000. Access to the credit card facility is an important aspect of modern and efficient purchasing, particularly as a result of the lasting business impacts of the COVID-19 pandemic.

With the appointment of Ms Nola Comerford-Smith to the position of MCCS, the bank requires specific authorisation by Council resolution in order to enable a Corporate Credit Card to be established.

Statutory Environment:

Local Government (Financial) Regulations 1996.

Policy Implications:

Nil.

Legal Compliance:

Nil.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Not having sufficient choices in signatories to accommodation people being away.	Medium(Likelihood: likely, Consequence: Moderate)	Ensure signatories are changed in a timely manner to accommodate changes in staffing.

Consultation:

Accountant.
Accounts Officer.

Financial Implications:

Nil.

Precedents:

Nil.

Strategic Community Plan:

Area 5: Investing in Councils 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.

Officer Comment:

Nil.

Voting Requirements: Absolute Majority

No Change.

22.1.3.1 CHANGE IN BANK SIGNATORIES AND CREDIT CARD ALLOCATION

**OFFICER RECOMMENDATION
THAT:**

1. The following authorised bank signatories be approved for all Shire of Perenjori accounts held with Bankwest:
 - a. Chief Executive Officer – Mario Romeo
 - b. Manager Corporate and Community Services – Ms. Nola Comerford-Smith
 - c. Manager Infrastructure Services – Ken Markham
 - d. Accountant – Deborah Barndon
2. The Manager Corporate and Community Services Ms. Nola Comerford-Smith be authorised for a Bankwest Corporate Credit Card with a limit of \$5,000 and no cash advances.

22.1.3.2 CHANGE IN BANK SIGNATORIES AND CREDIT CARD ALLOCATION

COUNCIL DECISION

THAT:

- 1. The following authorised bank signatories be approved for all Shire of Perenjori accounts held with Bankwest:**
 - a. Chief Executive Officer – Mario Romeo**
 - b. Manager Corporate and Community Services – Ms. Nola Comerford-Smith**
 - c. Manager Infrastructure Services – Ken Markham**
 - d. Accountant – Deborah Barndon**

- 2. The Manager Corporate and Community Services Ms. Nola Comerford-Smith be authorised for a Bankwest Corporate Credit Card with a limit of \$5,000 and no cash advances.**

Moved: Cr P Logue Seconded: Cr C Bryant Motion put and carried: 7/0

23. CLOSURE OF MEETING

The Shire President declared the meeting closed at 3:46 pm.

24. NEXT MEETING:

The Shire President advised that the date of the next Ordinary Meeting of Council will be held on Thursday 15 July 2021, commencing at 3:00 pm 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 17 June 2021.

Signed: _____
Cr Chris King – Presiding Officer

Date: _____

22.1.3.2 CHANGE IN BANK SIGNATORIES AND CREDIT CARD ALLOCATION
COUNCIL DECISION

THAT:

1. The following authorised bank signatories be approved for all Shire of Perenjori accounts held with Bankwest:
 - a. Chief Executive Officer – Mario Romeo
 - b. Manager Corporate and Community Services – Ms. Nola Comerford-Smith
 - c. Manager Infrastructure Services – Ken Markham
 - d. Accountant – Deborah Barndon
2. The Manager Corporate and Community Services Ms. Nola Comerford-Smith be authorised for a Bankwest Corporate Credit Card with a limit of \$5,000 and no cash advances.

Moved: Cr P Logue Seconded: Cr C Bryant Motion put and carried: 7/0

23. CLOSURE OF MEETING

The Shire President declared the meeting closed at 3:46 pm.

24. NEXT MEETING:

The Shire President advised that the date of the next Ordinary Meeting of Council will be held on Thursday 15 July 2021, commencing at 3:00 pm 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 17 June 2021.

Signed: 
Cr Chris King – Presiding Officer

Date: 03/07/2021