



Shire of
Perenjori
Embrace Opportunity

MINUTES
for the
SPECIAL MEETING
OF COUNCIL

25 MARCH 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 Special Meeting of Council held on Thursday 25 March 2021, at the Shire of Perenjori Council Chambers, 56 Fowler Street, Perenjori WA 6620 commenced at 2:00 pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Presiding Member declared the meeting open at 2:00 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:

Shire President read the opening prayer.

3. DISCLAIMER READING:

As printed.

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

4.1 ATTENDANCE:

MEMBERS:

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

STAFF:

Mario Romeo – Chief Executive Officer
Wayne Scheggia – Executive Advisor

DISTINGUISHED VISITORS: Nil.

MEMBERS OF THE PUBLIC: Nil.

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. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:

Nil.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS:

Nil.

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

Taken as read.

9. 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.”

No declarations of interest were made.

10. ADOPTION OF COMPLIANCE AUDIT RETURN

Applicant:	Shire of Perenjori
File:	ADM0057
Disclosure of Interest:	Nil
Author:	Mario Romeo - Chief Executive Officer
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	10 (a) Compliance Audit Return 2020

Executive Summary:

This Item recommends that the Audit Committee accepts the attached Compliance Audit Return.

Background:

Local Governments are required to carry out a compliance audit in relation to the period 1 January to 31 December each year relative to the requirements set out in the attached document.

The return is completed online via the Department of Local Government (DLG) website and provided to the Audit Committee prior to being referred to the Council for adoption.

The return addresses various compliance matters with which local government CEO'S must advise the Department they have complied with or explain why a matter was not compliant.

Statutory Environment:

Local Government (Audit) Regulations 1996 clause 14 requires adoption of the Return prior to providing it to the Department of Local Government.

Policy Implications:

Nil.

Legal Compliance:

Nil.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Risk ensuring compliance with Acts and Regulations ensuring accountability to the Council and community.	The level of risk is dependent on the implications of compliance or non-compliance.	Each relevant employee reports on matters of compliance for their area of responsibility.

Consultation:

Accountant.

Financial Implications:

Nil.

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.

CEO Comment:

One significant non – compliance item in the report is Audit Reg 17 (optional question No 2) has not been completed. Also, the Shire is still awaiting the finalisation of the 2019/20 Financial Report (finance question No 5). This was submitted to AMD (our Auditors) prior to the deadline of September 30th, 2020 but had to be revised due to regulatory changes. The regulatory changes were to come into effect on the 1st July 2019 in relation to the value for crown land and any revaluation on plant & equipment type assets. The regulatory changes were gazetted on the 7th November 2020. Whilst the result had an insignificant impact on our organisations reporting it (in our view) has been the main reason for the delay in finalisation of our 2019/20 financial statements, along with many other local government entities.

Voting Requirements: Absolute Majority

No Change. OR:

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

10.1 ADOPTION OF COMPLIANCE AUDIT RETURN 2020

COMMITTEE RECOMMENDATION

THAT the 2020 Compliance Audit Return be endorsed, and it be submitted to the Department of Local Government, Sport & Cultural industries by the 31st March 2021.

10.2 ADOPTION OF COMPLIANCE AUDIT RETURN 2020

COUNCIL DECISION

THAT the 2020 Compliance Audit Return be endorsed, and it be submitted to the Department of Local Government, Sport & Cultural industries by the 31st March 2021.

Moved: Cr D Bradford Seconded: J Sutherland Cr Motion put and carried: 7/0

11. LOCAL ROADS & COMMUNITY INFRASTRUCTURE PROGRAM

Applicant:	Shire of Perenjori
File:	ADM 0832
Disclosure of Interest:	Nil
Author:	Ken Markham – Manager Infrastructure Services
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Nil

Please note that this item was deferred from the Ordinary Council Meeting held on 18 March 2021.

Executive Summary:

This report outlines the allocations made to the Shire of Perenjori as part of the Federal Government's COVID19 response packages and seeks Council's endorsement of the proposed expenditure program, noting that expenditure must be completed by December 2021.

Background:

The last Federal Budget incorporated a range of expenditure programs which were designed to combat the impacts of the COVID19 pandemic on the Australian economy. The most significant of these for Local Governments was the Local Roads & Community Infrastructure Program.

Two allocations under this program have been made to Local Governments. The Shire of Perenjori was allocated \$571,000.00 in the first tranche, and \$396,417.00 in the second distribution.

Statutory Environment:

Federal Budget allocations.

Local Roads & Community Infrastructure Program requirements.

Policy Implications:

Nil.

Budget Implications:

Nil.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Financial management and grant compliance	Low	Advice from Department of Local Government, WALGA and Treasury. Early engagement with funding agencies and auditors.

Consultation:

CEO, (former) Commissioner, Accountant, MIS, Council.

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 first tranche of funding (\$571,000.00) was made to Perenjori as part of the initial Federal COVID19 response, prior to the election of the new Council.

Discussions with the (former) Commissioner, informed by an analysis of our strategic planning and an assessment of our capability, resulted in the following projects being identified as appropriate and achievable by the June 2021 expenditure deadline;

- Replacement of footpath and kerbing along Fowler Street- \$237,256
- Installation of CCTV at various locations in Perenjori - \$60,000
- Installation of concrete footpath along Livingstone Street - \$79,500
- Installation of concrete footpath along Crossing Street- \$70,000
- Reseal Britt Street and replace kerbing- \$125,000

The second tranche of funds was allocated to the Shire of Perenjori late December 2020 and officers have provisionally allocated the following list of projects to the \$396,417.00 of funding;

- **Installation of three shelters at Camel soak - \$20,000**
- **Installation of two shelters at Maya - \$12,000**
- **Installation of BBQ, Shelter and table/seating at Latham Community centre - \$18,000**
- **Refurbishment of Oval public toilets- \$20,000**
- **Refurbishment of Main Street toilets- \$70,000**
- **Replacement of Caravan park fencing- \$65,000**
- **Refurbishment of Perenjori Sports club male toilets- \$26,252**
- **Upgrade/ refurbishment of camp kitchen at caravan park- \$25,000**
- **Installation of two shelters and table/seating Fowler street- \$20,000**
- **Refurbishment of ablutions at caravan park- \$40,000**
- **Replacement of two tennis court surfaces- \$80,165**

Under the terms of the grants, funds must be expended by December 2021 or Council risks losing the allocation.

Any project submitted will need to be approved by the Department of Infrastructure, Transport, Regional Development and Communication before they can be undertaken.

It is important that Council confirms the project allocations so that these works can be progressed within the available timeframe to meet our accountability requirements.

Voting Requirements: Simple Majority

11.1 LOCAL ROADS & COMMUNITY INFRASTRUCTURE PROGRAM

OFFICER RECOMMENDATION

THAT the following project allocations against the Local Roads & Community Infrastructure Program grant funds Phase 2 be endorsed.

- **Installation of three shelters at Camel soak - \$20,000**
- **Installation of two shelters at Maya - \$12,000**
- **Installation of BBQ, Shelter and table/seating at Latham Community centre - \$18,000**
- **Refurbishment of Oval public toilets- \$20,000**
- **Refurbishment of Main Street toilets- \$70,000**
- **Replacement of Caravan park fencing- \$65,000**
- **Refurbishment of Perenjori Sports club male toilets- \$26,252**
- **Upgrade/ refurbishment of camp kitchen at caravan park- \$25,000**
- **Installation of two shelters and table/seating Fowler street- \$20,000**
- **Refurbishment of ablutions at caravan park- \$40,000**
- **Replacement of two tennis court surfaces- \$80,165**

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council determined to vary the officer recommendation to accommodate representations by the local community.

11.2 LOCAL ROADS & COMMUNITY INFRASTRUCTURE PROGRAM

COUNCIL DECISION

THAT the following project allocations against the Local Roads & Community Infrastructure Program grant funds Phase 2 be endorsed.

- **Installation of three shelters at Camel soak - \$20,000**
- **Installation of two shelters at Maya - \$12,000**
- **Installation of BBQ, Shelter and table/seating at Latham Community centre - \$18,000**
- **Refurbishment of Oval public toilets- \$20,000**
- **Refurbishment of Main Street toilets- \$70,000**
- **Replacement of Caravan park fencing- \$65,000**
- **Refurbishment of Perenjori Sports club male toilets- \$26,252**
- **Upgrade/ refurbishment of camp kitchen at caravan park- \$25,000**
- **Installation of two shelters and table/seating Fowler street- \$20,000**
- **Refurbishment of ablutions at caravan park- \$40,000**
- **Refurbishment of Latham Hall - \$80,165**

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

11.3 COUNCIL DECISION

THAT consideration be given to the establishment of “Mini-Golf” facilities at Latham as part of the 2021/22 budget process.

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

12. CONFIDENTIAL REPORTS

Nil.

13. REPORTS OF COMMITTEES AND MEMBERS

Nil.

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

15. NOTICE OF MOTIONS

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

Nil.

16. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

Nil.

17. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 2:20 pm.

18. NEXT MEETING:

The next Ordinary Meeting of Council will be held on 22 April 2021, commencing at 3:00 pm at the Shire of Perenjori Council Chambers 56 Fowler Street, Perenjori WA 6620.