



Shire of
Perenjori
Embrace Opportunity

MINUTES
for the
SPECIAL MEETING
OF COUNCIL

30 JULY 2020



NOTICE OF A SPECIAL MEETING OF COUNCIL

Dear Council Member

Pursuant to Section 5.25(1)(g) of the Local Government Act 1995 and Regulation 12(3) of the Local Government (Administration) Regulations 1996, Public Notice is hereby given that:

A Special Meeting of Council will be held on Thursday 30 July 2020 at 4:00 PM in the Shire of Perenjori Council Chambers, 56 Fowler Street Perenjori.

The purpose of the meeting is to consider:

1. Adoption of the Draft 2020/21 Budget
2. Rates & Differential Rates for 2020/21
3. Adoption of Proposed Fees and Charges 2020/21
4. Bushfire Risk Management Plan – Grant Agreement

Mario Romeo
CHIEF EXECUTIVE OFFICER

Date: 27 July 2020

TABLE OF CONTENTS

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:	5
2. OPENING PRAYER:	5
3. DISCLAIMER READING:	5
4. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:	5
4.1 ATTENDANCE:	5
5. PUBLIC QUESTION TIME:	6
5.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE:	6
5.2 QUESTIONS WITHOUT NOTICE:	6
6. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:	6
7. PETITIONS/DEPUTATIONS/PRESENTATIONS:	6
8. ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED:	6
9. DECLARATION OF INTEREST:	6
10. FINANCE REPORTS	7
10.1 DRAFT BUDGET 2020/21 FOR ADOPTION	7
10.2 DRAFT FEES AND CHARGES 2020/21 FOR ADOPTION	18
11. GOVERNANCE	22
11.1 BUSHFIRE RISK MANAGEMENT PLAN – GRANT AGREEMENT	22
12. CONFIDENTIAL REPORTS	25
13. REPORTS OF COMMITTEES AND MEMBERS	25
14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	25
15. NOTICE OF MOTIONS	25
16. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL	25
17. CLOSURE OF MEETING	25
18. NEXT MEETING:	25

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 30 July 2020, at the Shire of Perenjori Council Chambers, 56 Fowler Street, Perenjori WA 6620.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Presiding Member declared the meeting open at 4:00 pm and welcomed those in attendance.

Welcome to Country: -

As per the Shire of Perenjori Policy (N° 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 Commissioner Paul Omodei read the opening prayer.

3. DISCLAIMER READING:

As printed.

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

4.1 ATTENDANCE:

MEMBERS:

Hon. Paul Omodei - Commissioner

STAFF:

Mario Romeo – Chief Executive Officer

Ken Markham – Manager Infrastructure Services

Deb Barndon - Accountant

Wayne Scheggia – Executive Advisor

Bianca Plug – Executive Assistant

DISTINGUISHED VISITORS: Nil

MEMBERS OF THE PUBLIC: John Lawson

LEAVE OF ABSENCE: Nil

APOLOGIES: Brian Baxter (Freeman)

Joanne Hirsch

Paddy King

5. PUBLIC QUESTION TIME:

5.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE:

5.2 QUESTIONS WITHOUT NOTICE:

Q. John Lawson

Has the Shire received any nominations for the Election yet?

A. Commissioner P. Omodei

No. Nominations for the 2020 election don't open until Thursday 3 September. The Shire will make the community well aware of the election process in the lead up to the Election.

6. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:

I would like to thank all staff for their efforts with the 2020/21 Budget. The Shire is in a stable position moving into the future for the new Council coming in.

Last week I participated in an interview with the Geraldton Guardian providing an update on where the Shire of Perenjori is at.

A candidate briefing session will be held on Wednesday August 19 at the Shire of Perenjori offices, commencing at 4:00 pm. Representatives from the Electoral Commission will discuss the electoral process and I will give an insight into the daily functioning of the Council, as well as what to expect in terms of the time required, personal commitment and corporate responsibilities. This will be an opportunity for those interested in standing for Council to gain further information and ask questions.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS:

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

Matters Behind Closed Doors

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

A matter affecting an employee or employees

The personal affairs of any person;

A matter that if disclosed, would reveal –

A trade secret; or

Information that has a commercial value to a person; or

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

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 Declaration of Interests were made.

10. FINANCE REPORTS

10.1 DRAFT BUDGET 2020/21 FOR ADOPTION

Applicant:	Shire of Perenjori
File:	ADM 0339
Disclosure of Interest:	Nil
Author:	Mario Romeo - Chief Executive Officer
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Draft Budget 2020/21

Executive Summary:

Council is asked to consider the draft budget for the 2020/21 financial year.

Background:

Annual budgets are historically prepared by to reflect decisions taken by Council, in fulfilling strategic priorities, administering the Shires responsibilities and ensuring the efficient and effective management of Shire assets. On the 16th April 2020 WA Parliament passed the Local Government Amendment (COVID-19 RESPONSE) Act 2020 (LGAC-19RA2020) that came into effect on the 21 April 2020. This Act provided the power to enable the Minister to modify or suspend provisions of the Local Government Act 1995 and Regulations whilst a State of Emergency declaration is in force within WA in response to the COVID-19 pandemic. Specific to the adoption of Annual budget's the (LGAC-19RA2020) provides for modifications in the preparation of the Annual Budget including:

- Clause7: Section 6.2 modified to take into account the consequences of the COVID-19 Pandemic in budget preparation.
- Clause12: Section 6.36 Waiving the requirement to advertise differential rates when maintaining the rate in the dollar at the same level as 2019/20.

This budget has been prepared in accordance with LGAC-19RA2020.

Expected Budget Surplus:

The 2020/21 budgeted surplus is estimated to be \$68,995 calculated as follows

Current Assets	
Unrestricted cash	\$375,736
Restricted Cash	\$2,999,720
Receivables	\$87,382
Inventory	\$8,562
Total	\$3,471,400
Current Liabilities	
Payables + Provisions	\$976,119
Net Current Assets	\$2,495,281
Less total adjustment to net current assets	
Less total adjustments to net current assets	(\$2,426,286)
Estimated Surplus/(Deficiency C/Fwd	\$68,995

The budget has been developed by the administration to reflect decisions taken by Council in response to the LGA (COVID-19 Response) Act 2020, the Shires strategic priorities and ensuring the efficient and effective management of the Shires Assets.

The Shire has not changed its Differential Rates for 2020/21 from 2019/20.

Differential General Rates	Rate in \$	Minimum Rates	Levy
UV General (Rural)	1.9000	UV General (Rural)	349.00
UV Mining	34.2550	UV Mining	349.00
GRV General (Townsites)	8.2712	GRV General (Townsites)	349.00
GRV Mining	8.2712	GRV Mining	349.00
UV Exploration Mining	25.5000	UV Exploration Mining	349.00

Projected Rate Income:

Category	2019/20 - Actual income	2020/21 - Projected Income
UV Rural General Rates	\$1,871,531	\$1,950,003
GRV General Rates	\$107,625	\$95,777
UV Rural Minimum Rates	\$3,490	\$3,490
GRV Minimum Rates	\$12,564	\$12,564
GRV Mining Rates	\$239,807	\$260,047
GRV Mining Minimum Rates	\$1,745	\$1,745
UV Mining Rates	\$665,010	\$708,667
UV Mining Minimum Rates	\$349	\$349
Exploration	\$30,444	\$16,847
Exploration Minimum	\$5,933	\$5,235
Total (Before Discount)	\$2,938,498	\$3,054,722
Expected Rates Revenue After Projected Discount	\$2,705,435	\$2,817,722

A minor shift in Rate Income has resulted from changes in valuations across the shire as determined by the Valuer General.

Rates Discounts

A 10% discount is offered to all rate payers who pay their rates in a lump sum by the first instalment date.

Financial Assistance Grants (FAGS) – General Purpose

FAGS grants are Federal Grants to Local Government delivered via a State based Local Government Grants Commission. Funding is distributed in two components, the first of which is General Purpose funding. General Purpose funding which is delivered by a complex series of calculations based around "horizontal equalisation" to ensure that small local governments retain the capacity to deliver services.

	2017-18	2018-19	2019-20	2020-21
FAGS Grant	\$104,987	\$1,058,885	\$1,844,468	\$644,468*
Total	\$104,987	\$1,058,885	\$1,844,468	\$644,468

***Advance payment received \$644,468. Remainder of 2020/21 expected Financial Assistance Grant pending (no official notification to date).**

Financial Assistance Grants (FAGS) – Untied Road Grant

Untied Road Grants are provided based on the asset preservation model. The information provided by Local Governments to Main Roads through the Roman's Road Database is collated by the Grants Commission. The funding is required to maintain that asset base is calculated to ensure Local Governments receive a share based on their proportion of the asset base.

	2017-18	2018-19	2019-20	2020-21
Untied Road Grant	\$797,582	\$871,517	\$1,472,374	\$557,374*
Total	\$797,582	\$871,517	\$1,472,374	\$557,374

*** Advance payment received \$557,374. Remainder of 2020/21 expected Untied Road Grant pending (no official notification to date).**

Significant Projects in 2020-21 Include:

Funding Proposals for Projects

Account	Reserve	Council	Other funds income	Total Expend
Admin Building	\$0.00	\$35,000	\$0.00	\$35,000
Housing Project	\$0.00	\$14,000	\$0.00	\$14,000
Housing Expenditure	\$0.00	\$43,500	\$0.00	\$43,500
Underground Power – Fowler St	\$0.00	\$150,000	\$0.00	\$150,000
Perenjori Pavilion	\$0.00	\$302,860	\$0.00	\$302,860
PJ Sports Facility	\$0.00	\$72,521	\$0.00	\$72,521
Caravan Park	\$0.00	\$50,000	\$0.00	\$50,000
Business Incubator	\$0.00	\$20,000	\$0.00	\$20,000
Caron Dam Roof	\$0.00	\$0.00	\$500,000	\$500,000

Roads Program

The roads program for 20/21 has been developed at \$3,686,255 and includes:

- Direct Grant of \$203,574
- Regional Road Group funding of \$725,717
- Roads to Recovery funding of \$534,940
- LR & CIP Funding of \$511,756
- Council funds of \$795,268
- Untied Roads Fund \$915,00

Plant Replacement Program

Plant replacement is in accordance with the 10-year plan and includes:

PLANT	ASSET NAME	YEAR	COST	EXPECTED TRADE
PE6	Volvo Grader	20/21	\$350,000	\$70,000
PE184	Cleaners Vehicle	20/21	\$24,000	\$8,000
PE159	Volvo Vibe Roller	20/21	\$156,000	\$60,000
PE216	Skid Steer Loader	20/21	\$72,000	\$17,000
PE215	HINO – Mech Truck	20/21	\$48,000	\$18,000
PE07	Mitsubishi Triton	20/21	\$29,000	\$0.00
PE103	Kabota Ride-On Mower	20/21	\$19000	\$2,000

Debentures

The budget is proposing one new loan to support the re-roofing of the Caron Dam, for \$500,000. Prior to this a business case evaluating all potential scenarios for the supply of water for road works will be conducted.

Operational Expenses

Overall operational costs have been maintained at a similar level to 2019/20 as there is no significant change in the operating parameters of the shire, with improvements in cost management practices and purchasing efficiencies being undertaken..

Staffing

There is no increase to permanent staffing levels with an estimated increase of 1.8% in Salaries across staffing positions to cover for agreed increases annually in the Enterprise Agreement conditional to satisfactory performance.

Elected Members Fees and Allowances

The Salary and Allowances Tribunal released the review on the 9th April 2019.

The following is an extract of the Salaries and Allowances Tribunal's determination <https://www.sat.wa.gov.au/LocalGovernmentCEOsandElectedMembers/Pages/Local-Govt-CEO-and-Elected-Members-Determination-with-effect-from-1-July-2019.aspx>

Schedule 1: LOCAL GOVERNMENT BAND ALLOCATIONS

The following table shows the band that the Shire of Perenjori sits under.

Perenjori Shire	Band 4
-----------------	--------

6.2 COUNCIL MEETING ATTENDANCE FEES – PER MEETING

(1) The ranges of fees in Table 4 and Table 5 apply where a local government or regional local government decides by an absolute majority to pay a council member a fee referred to in section 5.98(1)(b) of the LG Act for attendance at a council meeting.

Table 4: Council meeting fees per meeting – local governments.

For a council member other than the mayor or president			For a council member who holds the office of mayor or president	
Band	Minimum	Maximum	Minimum	Maximum
4	\$91	\$238	\$91	\$490

Table 5: Council meeting fees per meeting – regional local governments.

For a council member other than the chair			For a council member who holds the office of chair	
All regional local governments	Minimum	Maximum	Minimum	Maximum
	\$91	\$238	\$91	\$490

6.3 COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES – PER MEETING

- (1) The ranges of fees in Table 6 and Table 7 apply where a local government or regional local government decides to pay a council member a fee referred to in –
- (a) section 5.98(1)(b) of the LG Act for attendance at a committee meeting; or
- (b) section 5.98(2A)(b) of the LG Act for attendance at a meeting of a type prescribed in regulation 30(3A) of the LG Regulations.

Table 6: Committee meeting and prescribed meeting fees per meeting – local governments.

For a council member (including the mayor or president)		
Band	Minimum	Maximum
4	\$46	\$119

Table 7: Committee meeting and prescribed meeting fees per meeting – regional local governments.

For a council member (including the chair)		
All regional local governments	Minimum	Maximum
	\$46	\$119

7.2 ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT OR CHAIR

- (1) The ranges of allowances in Table 10 apply where a local government sets the amount of the annual local government allowance to which a mayor or president is entitled under section 5.98(5) of the LG Act.
- (2) The range of allowances in Table 11 apply where a regional local Government sets the amount of the annual local government allowance to which a chair is entitled under section 5.98(5) of the LG Act.

Table 10: Annual allowance for a mayor or president of a local government.

For a mayor or president		
Band	Minimum	Maximum
4	\$513	\$20,063

Table 11: Annual allowance for a chair of a regional local government.

For a chair		
All regional local governments	Minimum	Maximum
	\$513	\$20,063

The adopted Meeting Fees and Allowances for 2019/20 and the proposed for 2020/21 are shown in the following tables:

1) Council Meeting Attendance Fees – Per Meeting:

RECIPIENT	2019/20	Proposed
President	\$410	\$420
Councillor (other than President)	\$210	\$220

2) Committee Meeting and Prescribed Meeting Attendance Fees – Per Meeting:

RECIPIENT	2019/20	Proposed
Council member including President	\$119	\$119

3) Annual Allowance for a President:

Note: Due to the appointment of the Commissioner by the Minister for Local Government, the Commissioner fees and allowances have been identified separately in the Budget. The total cost being \$48,500 The Commissioner's appointment is until October 2020 when a new Council will be elected.

RECIPIENT	2019/20	Proposed
President	\$20,063	\$20,063

4) Annual Allowance for a Deputy President.

RECIPIENT	Current
Deputy President	25 per cent of President Rate. Totalling: \$5,016

5) Expenses to be Reimbursed:

Travel costs to be calculated at the same rate applicable to the reimbursement of travel costs in the same or similar circumstances of *Schedule F* of the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission as at the date of this determination.

Statutory Environment:

Local Government Act 1995 S6.2 sets out the requirement for an annual budget as follows:

6.2. Local government to prepare Annual Budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.
* *Absolute majority required.*
- (2) In the preparation of the annual budget the local government is to have regard to the contents of the Community Strategic Plan made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
 - (a) the expenditure by the local government;
 - (b) the revenue and income, independent of general rates, of the local government; and
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate —
 - (a) particulars of the estimated expenditure proposed to be incurred by the local government;
 - (b) detailed information relating to the rates and service charges which will apply to land within the district including —
 - (i) the amount it is estimated will be yielded by the general rate; and
 - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
 - (c) the fees and charges proposed to be imposed by the local government;
 - (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
 - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
 - (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
 - (g) such other matters as are prescribed.
- (5) Regulations may provide for —
 - (a) the form of the annual budget;
 - (b) the contents of the annual budget; and
 - (c) the information to be contained in or to accompany the annual budget.

Policy Implications:

Nil.

Financial Implications:

Specific financial implications are as outlined in the detail section of this report and as itemised in the draft 2020/2021 budget attached for adoption for the future and strategic planning documents adopted by Council.

Strategic Implications:

The draft 2020/21 budget has been developed based on the Community Strategic Plan documents in conjunction with initiatives implemented by Council's response to the COVID-19 Pandemic.

Risk Management:

Risk Statement	Level of Risk	Risk Mitigation Strategy
By not adopting the 2020/21 Annual Financial Budget the Shire of Perenjori would be non-compliant with section S6.2 of the <i>Local Government Act 1995</i> .	High.	Adoption of the 2020/21 Draft Budget.
Not adopting the 2020/21 Rates renders the Shire of Perenjori non-compliant and without income for 2020/21.	High.	Adoption of 2020/21 Rates.

Consultation:

Consultation with Western Australian Local Government Association, the Department of Local Government and Local Governments in the Region have informed the formation of the budget.

Precedents:

Nil.

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.*

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 or exceed their potential.*

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.*

CEO Comment:

Efforts from all staff have assisted with getting the budget to a balanced point which required a great deal of communication and consultation from all.

Voting Requirements: Absolute Majority

Change to Officer Recommendation

No Change. OR:

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

10.1.1 DRAFT BUDGET 2020/21 FOR ADOPTION

COUNCIL DECISION

THAT:

Part A – Municipal Fund Budget for 2020/2021

Pursuant to the provisions of section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, the council adopt the municipal fund budget as contained in Attachment 10.1 of this agenda for the Shire of Perenjori for the 2020/21 financial year which includes the following:

- **Statement of Comprehensive Income by Nature and Type**
- **Statement of Comprehensive Income by Program**
- **Statement of Cash Flows**
- **Rate Setting Statement**
- **Notes to and Forming Part of the Budget**
- **Budget Program Schedules**
- **Transfers to/from Reserve Accounts**

Voting Requirements - Absolute Majority

Moved: Commissioner P. Omodei

Motion put and Carried 1/0

Part B – General and Minimum Rates, Instalment Payment Arrangements

- 1) For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general rates and minimum payments on Gross Rental and Unimproved Values.

1.1 Differential General rates:

Differential General Rates	Cents in the \$
Rural (UV)	1.9000
Mining (UV)	34.2550
Mining (GRV)	8.2712
Townsite (GRV)	8.2712
Exploration	25.5000

1.2 Minimum Rates:

Minimum Rates	Per Assessment
Rural (UV)	349.00
Mining (UV)	349.00
Townsite (GRV)	349.00
Exploration	349.00

- 2) Pursuant to sections 6.45 and 6.50 of the *Local Government Act 1995* and regulation 64(2)(3) of the *Local Government (Financial Management) Regulations 1996*, Council nominates the following due dates for the payment in full by instalments:

Full Payment and First Instalment Due Date	Wednesday	16 September 2020
Second Quarterly Instalment Due Date	Monday	16 November 2020
Third Quarterly Instalment Due Date	Monday	18 January 2021
Fourth Quarterly Instalment Due Date	Thursday	18 March 2021

- 3) Pursuant to Section 6.46 of the *Local Government Act 1995*, the Council offers a discount of 10% to ratepayers who have paid their rates in full, including, waste and service charges and any arrears, on or before 16th September 2020.
- 4) Pursuant to section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$10 for each instalment after the initial instalment is paid.

- 5) Pursuant to section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, the Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option and the payments are overdue.
- 6) Pursuant to section 6.51(1) and subject to section 6.51(4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, the Council adopts an interest rate of 8% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

Voting Requirements - Absolute Majority

Moved: Commissioner P. Omodei

Motion put and carried 1/0

Part C – Elected Members' Fees and Allowances for 2020/2021

- 1) Pursuant to section 5.99 of the *Local Government Act 1995* and regulation 34 of the *Local Government (Administrations) Regulations 1996*, council adopts the following schedule of payments to elected members:

2) Council Meeting Attendance Fees – Per Meeting

RECIPIENT	Minimum	Maximum	Proposed
President	\$91	\$490	\$420
Councillor (other than President)	\$91	\$238	\$220

3) Committee Meeting and Prescribed Meeting Attendance Fees – Per Meeting

RECIPIENT	Minimum	Maximum	Proposed
Council member including President	\$46	\$119	\$119

4) Annual Allowance for a President

RECIPIENT	Minimum	Maximum	Proposed
President	\$513	\$20,063	\$20,063

5) Annual Allowance for a Deputy President

RECIPIENT	Minimum	Maximum	Proposed
Deputy President	\$513	25% of President	\$5,015.75

6) Expenses to be Reimbursed

Travel costs to be calculated at the same rate applicable to the reimbursement of travel costs in the same or similar circumstances under *Schedule F* of the *Public Service Award 1992* issued by the Western Australian Industrial Relations Commission as at the date of this determination.

Voting Requirements - Absolute Majority

Moved: Commissioner P. Omodei

Motion put and carried 1/0

Part D – Material Variance Reporting for 2018/2019

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and *AASB 1031 Materiality*, the level to be used in statements of financial activity in 2020/2021 for reporting material variances shall be 10% or \$10,000 whichever is the greater.

Voting Requirements - Absolute Majority

Moved: Commissioner P. Omodei

Motion put and carried 1/0

10.2 DRAFT FEES AND CHARGES 2020/21 FOR ADOPTION

Applicant:	Shire of Perenjori
File:	ADM 0039
Disclosure of Interest:	Nil
Author:	Mario Romeo - Chief Executive Officer
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Draft Fees & Charges 2020/21

Executive Summary:

Council is asked to consider the draft fees and charges for the 2020/21 financial year.

Background:

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

During the review of Council's Fees and Charges only two areas were identified as needing adjustments.

Recreation & Culture:

The Perenjori Aquatic Centre has identified the need to implement an Aqua Aerobics discount card allowing patrons to attend 10 sessions for the price of 9. This addition is \$90.00 based on the \$10.00 individual session fee.

Building & Planning:

The Shire of Perenjori has raised several building fees to reflect the regulations imposed by the Department of Mines, Industry Regulation and Safety. Fees were previously \$97.70 and have now been raised to \$105.00 as per the *Building Regulations 2019-20*.

At the Ordinary Council Meeting on 21 May 2020 Council adopted the COVID 19 Financial Hardship Policy to assist and support the community to meet the financial challenges arising from the COVID 19 pandemic. As a reflection of this policy Council acknowledged that the community has faced unprecedented challenges arising from COVID 19 and recognises that these challenges may result in financial hardship for some community members.

As such, it is proposed that all other fees and charges remain the same as the 2019/20 financial year.

Statutory Environment:

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

6.16. Imposition of fees and charges

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

* Absolute majority required.

- (2) A fee or charge may be imposed for the following —

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

6.17. Setting level of fees and charges

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

6.18. Effect of other written laws

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

Policy Implications:

Nil.

Budget Implications:

Nil.

Strategic Implications:

Nil.

Legal Compliance:

Nil.

Risk Management:

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

Consultation:

MIS

Aquatic Centre Manager

PECC Coordinator

Caravan Park Manager

Head Cleaner

Accounts officer

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 and maintains current and future community needs.

Area 2: Industry and Business Development – Our economy

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

Area 3: People and Place – Our Community

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

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

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

CEO Comment:

A review has been undertaken of the fees and charges with careful consideration to the current financial challenges faced by the community during the COVID 19 Pandemic. It is intended that by not increasing the fees and charges the Shire of Perenjori offers fair, consistent and dignified support to community members during these unprecedented times.

Voting Requirements: Absolute Majority

Change to Officer Recommendation

No Change. OR:

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

12.3.1 DRAFT FEES & CHARGES 2020/21 FOR ADOPTION

COUNCIL DECISION

THAT pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges included as attachment 12.3 of this Agenda.

Moved: Commissioner P. Omodei

Motion put and carried 1/0

11. GOVERNANCE

11.1 BUSHFIRE RISK MANAGEMENT PLAN – GRANT AGREEMENT

Applicant:	Shire of Perenjori
File:	ADM 0819
Disclosure of Interest:	Nil
Author:	Mario Romeo - Chief Executive Officer
Responsible Officer:	Mario Romeo - Chief Executive Officer
Attachments:	Draft Bushfire Risk Management Planning Program Grant Agreement

Executive Summary:

This item seeks Council's endorsement to participate in the implementation of a Bushfire Risk Management Program in conjunction with the Department of Fire & Emergency Services (DFES and for the recruitment of a Bushfire Risk Planning Coordinator (BRPC) to support the Shires of Chapman Valley, Morawa and Perenjori with bushfire planning. For Councils information a copy of the Draft Bushfire Risk Management Planning Program Grant Agreement is provided at *Attachment (11.1)* As stated in Schedule 1 of the Draft Grant Agreement the purpose of the grants funds is as follows:

"The Approved Purpose of the Grant is to enable the Organisation to purchase and/or lease services and items and pay the salary of the Bushfire Risk Planning Coordinator (BRPC), as described in Annex A, to undertake and complete Bushfire Risk Management Planning (BRMP) activities."

Schedule 1 also specifies the responsibility of the local government authorities (the Organisation) i.e.

"Responsibilities of the Organisation

- a) The Organisation will deliver on the milestones contained in the BRM Plan Milestone Report (Annex B) and will submit an updated report by the last working day of each month.
- b) The Organisation agrees that the BRPC position will be employed under and administered by the Grantee, for the period covered by this Agreement.
- i) The Organisation must cooperate fully with Grantor in respect of the administration of this Agreement.
- i) The Organisation must properly provide for the care, safety, security and protection of all Records as defined herein, (whether created by Grantor, the Organisation or any other person) that are in their custody or control.
- e) Unless the Grantor agrees otherwise in writing, the Organisation must provide everything necessary to enable it to fully comply with all of its obligations under this Agreement.
- f) The Organisation must take out and maintain insurance in relation to all insurable liabilities of the Organisation under this Agreement, as specified in Schedule 1 of this Agreement.
- g) The Organisation agrees to use local or regional human resources, products and services for the BRM Program wherever possible.
- h) The Organisation must obtain oversight of the BRPC's daily activities to ensure they work within the terms of this Agreement.

- i) The Organisation must nominate a suitable employee to manage the BRPC's obligations, as identified in this Agreement, and must provide their contact details to the Grantor. "

The Program will run for two (2) years over which period the BRMPs will be completed for each participating LGA. Upon completion of the BRMP a local government authority will be eligible to seek State Government funding assistance to implement the Plan. Such funding is not available if the BRMP has not been completed and endorsed by Council.

Background:

The Bushfire Risk Management Planning Program has been in operation across the State for a few years with the higher priority bushfire prone local government areas being accommodated in the first instance. The Shire's of Chapman Valley, Morawa and Perenjori are now scheduled to receive funding under the Program to establish a Bushfire Risk Management Planning (BRMP) for each participating Shire.

Statutory Environment:

There is no legislation obligating for a local government authority to have a BRMP in place, yet it is considered "best practice" to have such a Plan.

Policy Implications:

Council has a number of Policies and Management Procedure relevant to the bushfire and emergency areas of the Shire. However; none of these are affected by, or will effect, the proposed establishment of a BRMP. The BRMP will be designed to assist the Shire in determining areas needing attention in the future and assist with seeking State Government funding to implement recommendation within the Plan.

Budget Implications:

Nil.

Legal Compliance:

Nil.

Risk Management:

There will be no cash contribution required of the LGAs so there is an insignificant risk associated with the project financially. However; not having an endorsed BRMP could place the Shire in a higher risk of not conforming to best practice for bushfire mitigation and prevention.

Consultation:

Mr. Craig Smith, Superintendent, Operations Command, Midwest and Gascoyne for DFES, Maurice Battilana, Chief Executive Officer Shire of Chapman Valley and Rob Paull, Chief Executive Officer Shire of Morawa.

Financial Implications:

The understanding is the proposed BRMP will not place a financial burden or obligation on the Shire, rather the Plan will give the Shire some direction regarding bushfire control and prevention. It is also important to understand Planning legislation deals separately with land developments, subdivision, etc. for bushfire control & mitigation.

The concern is with the BRMP being too onerous and recommendations unachievable from a resource perspective. Therefore, it is important the final BRMP endorsed by Council is not resource hungry. Conversely the BRMP should not be watered-down and ignore issues of significance simply due to resource concerns. The final BRMP needs to genuinely identify the issues and if necessary clearly state if the implementation of any specific recommendation is within, or outside, the Shire resource capability.

Precedents:

Nil.

Strategic Community Plan:

Area 1 Infrastructure and Natural Assets

Goal: A community that develops and lives sustainably in a thriving natural and quality built environment, which meets and maintains current and future community needs. strengthen the Shire's position as an innovative, independent local government providing excellence in all areas of governance, management and leadership.

Area 4 Investing in Community Capacity

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

Area 5: Investing in Councils Capacity – Our Leadership

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

CEO Comment:

Mr. Craig Smith, Superintendent, Operations Command, Midwest and Gascoyne for DFES has been in discussions with all three LGA CEO's to gauge interest in participating in the Program. All three LGAs (i.e. Morawa or Perenjori) having indicated their willingness to participate. The Shire of Chapman Valley have indicated to DFES if neither of the other two LGAs were prepared to auspice the grant funds the Shire of Chapman Valley would be happy to take on this role (subject to their Council endorsement).

Action:

That Council agrees to participate in the implementation of a Bushfire Risk Management Program in conjunction with the Department of Fire & Emergency Services (DFES) and for the recruitment of a Bushfire Risk Planning Coordinator (BRPC) to support the Shires of Chapman Valley, Morawa and Perenjori with bushfire planning.

Voting Requirements: Simple Majority

Change to Officer Recommendation:

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

Wording amended in section (2.) of the below officer recommendation as per the Commissioners request.

11.1.1 BUSHFIRE RISK MANAGEMENT PLAN – GRANT AGREEMENT 2020

COUNCIL DECISION

THAT the Commissioner endorse:

- 1. Participation of the Shire of Perenjori in the Department of Fire and Emergency Services (DFES) Bushfire Risk Management Plan Grant Program and authorise the Chief Executive Officer (CEO) to finalise the Grant Agreement with DFES for this project.**
- 2. The CEO advise the Shire of Chapman Valley CEO that we agree for them to auspice the grant funding.**

Moved: Commissioner P. Omodei

Motion put and carried 1/0

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 Commissioner P. Omodei declared the meeting closed at 4.28 pm.

18. NEXT MEETING:

The Presiding Officer advises that the date of the next Ordinary Meeting of Council will be 20 August 2020, commencing at 5:30 pm at the Shire of Perenjori Council Chambers 56 Fowler Street, Perenjori WA 6620.