



# SHIRE OF JERRAMUNGUP

## NOTICE OF COUNCIL MEETING

**To the President and Councillors,**

Please be advised that an Ordinary Meeting of the Council of the Shire of Jerramungup is to be held on

Wednesday, 17 June 2020  
At the Council Chambers,  
Jerramungup  
Commencing at 2:00pm

### **Council Meeting Procedures**

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting under “public question time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceeding, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council’s Code of Conduct, policies and decisions of the Shire.

Martin Cuthbert  
**CHIEF EXECUTIVE OFFICER**  
11 June 2020

## AGENDA

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## **OUR GUIDING VALUES**

Progressive, Prosperous and a Premium Place to Live and Visit

### **DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Shire of Jerramungup (Shire) for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular, and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any Elected Member or officer of the Shire during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire.

The Shire warns that anyone who has any application lodged with the Shire must obtain and should only rely on written confirmation of the outcome of the application and any conditions attaching to the decision made by the Shire in respect of the application.

## **NOTES FOR MEMBERS OF THE PUBLIC**

### **PUBLIC QUESTION TIME**

The Shire of Jerramungup extends a warm welcome to you in attending any Shire meeting. The Shire is committed to involving the public in its decision making processes whenever possible. The ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective. The Shire sets aside a period of 'Public Question Time' to enable a member of the public to put questions. Questions should only relate to the business of the Shire and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Presiding Member may either answer the question or direct it to an officer to answer, or it will be taken on notice.

Any comments made by a member of the public become a matter of public record as they are minuted by Council. Members of the public are advised that they are deemed to be held personally responsible and legally liable for any comments made by them that might be construed as defamatory or otherwise considered offensive by any other party.

### **MEETING FORMALITIES**

Local government Council meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation. Members of the public shall ensure that their mobile telephone or audible pager is not switched on or used during any Shire meeting. Members of the public are hereby advised that the use of any electronic, visual or audio recording device or instrument to record proceedings of the meeting is not permitted without the permission of the Presiding Member.

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## NOTES FOR ELECTED MEMBERS

### NATURE OF COUNCIL'S ROLE IN DECISION MAKING

- 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 such as adopting plans and reports, accepting tenders, directing operations, grants, and setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Administrative:** When Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.
- Review:** When Council reviews a decision made by Officers.
- Information:** Includes items provided to Council for information purposed only that do not require a decision of Council (that is for 'noting').

### ALTERNATIVE MOTIONS

Councillors wishing to make alternative motions to officer recommendations are requested to provide notice of such motions in written form to the Executive Assistant prior to the Council meeting.

### DECLARATIONS OF INTERESTS

Elected 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. Section 5.60A of the *Local Government Act 1995* states;

*"a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."*

Section 5.60B states;

*"a person has a proximity interest in a matter if the matter concerns –*

*(a) a proposed change to a planning scheme affecting land that adjoins the person's land; or*

*(b) a proposed change to the zoning or use of land that adjoins the person's land; or*

*(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land."*

Regulation 34C (Impartiality) states;

*"interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."*

## 2020 MEETING DATES

At its Ordinary Meeting of Council on 20 November 2019, Council adopted the following meeting dates for 2020:

January	-	-	Council in Recess
Wednesday	19 February 2020	2.00pm	Council Chambers, Jerramungup
Wednesday	18 March 2020	2.00pm	Council Chambers, Jerramungup
Wednesday	15 April 2020	2.00pm	Emergency Services Shed, Bremer Bay
Wednesday	20 May 2020	2.00pm	Council Chambers, Jerramungup
Wednesday	17 June 2020	2.00pm	Council Chambers, Jerramungup
Wednesday	15 July 2020	2.00pm	Council Chambers, Jerramungup
Wednesday	19 August 2020	2.00pm	Emergency Services Shed, Bremer Bay
Wednesday	16 September 2020	2.00pm	Council Chambers, Jerramungup
Wednesday	21 October 2020	2.00pm	Council Chambers, Jerramungup
Wednesday	18 November 2020	8.30am	Council Chambers, Jerramungup
Wednesday	16 December 2020	8.30am	Emergency Services Shed, Bremer Bay

Council's Audit Committee meet when required. Details of these meetings are advised as appropriate.

## APPLICATION FOR LEAVE OF ABSENCE

In accordance with section 2.25 of the *Local Government Act 1995*, an application for leave requires a Council resolution granting leave requested. Council may grant approval for Leave of Absence for an Elected Member for ordinary Council meetings for up to but not more than six consecutive meetings. The approval of the Minister is required for leave of absence greater than six ordinary Council meetings. This approval must be by Council resolution and differs from the situation where an Elected Member records their apologies for the meeting. A failure to observe the requirements of the Act that relates to absence from meetings can lead to an Elected Member being disqualified should they be absent without leave for three consecutive meetings.

## Shire of Jerramungup

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## **ORDINARY COUNCIL MEETING AGENDA**

### **1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS**

The meeting was opened at .....pm by the Shire President.

### **2.0 RECORD OF ATTENDANCE**

#### **2.1 ATTENDANCE**

**ELECTED MEMBERS:**

**STAFF:**

**VISITORS:**

**GALLERY:**

#### **2.2 APOLOGIES**

#### **2.3 APPROVED LEAVE OF ABSENCE**

#### **2.4 ABSENT**

#### **2.5 DISCLOSURE OF INTERESTS**

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

##### **2.5.1 DECLARATIONS OF FINANCIAL INTERESTS**

##### **2.5.2 DECLARATIONS OF PROXIMITY INTERESTS**

##### **2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS**



### **3.0 APPLICATIONS FOR LEAVE OF ABSENCE**

#### **4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS**

In accordance with regulation 14A of the *Local Government (Administration) Regulations 1996* Council must approve (by Absolute Majority) the attendance of a person, not physically present at a meeting of Council, by audio contact. The person must be in a 'suitable place' as approved (by Absolute Majority) by Council. A 'suitable place' means a place that is located in a townsite or other residential area and 150km or further from the place at which the meeting is to be held.

#### **5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

#### **6.0 PUBLIC TIME**

##### **6.1 PUBLIC QUESTION TIME**

##### **6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS**

#### **7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

Ordinary Council Meeting held 20 May 2020.

**That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chambers, Jerramungup on 20 May 2020 be CONFIRMED**

Special Local Emergency Management Committee Meetings held 25 May 2020 and 8 June 2020.

**That the Minutes of the Special Local Emergency Management Committee Meetings held at the Council Chambers, Jerramungup and via eMeeting, on 25 May 2020 and 8 June 2020 be CONFIRMED.**

#### **8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES**

Nil

**9.0 REPORTS****9.1 TECHNICAL SERVICES****9.1.1 WORKS REPORT FOR MAY 2020**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Murray Flett, Manager of Works
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	10 June 2020
<b>Attachments:</b>	Road Construction Schedule May 2020
<b>Authority/Discretion:</b>	Information

**SUMMARY:**

For Council to note the works completed for the prior month.

**BACKGROUND:****Road Construction**

This month the Construction crew finished upgrade works on Marnigarup East Road which had been postponed until the works in Bremer Bay that required sealing were completed prior to commencement of the sealing program. These works have significantly improved traffic safety with the worst of the clay sections being gravel sheeted. The crew also constructed the sand pad and improved truck access to the newly installed 130,000ltr tank on Millers Point Road that was installed by DWER to provide stock water to farmers as a result of the Water Deficiency Declaration for the area.

The crew then moved to Cowalellup Road where they commenced pruning vegetation, forming and gravel sheeting a 3km section that continually requires maintenance grading due to the lack of gravel pavement.

Attached is the year to date 2019/2020 construction program.

**Town Services**

The Town Services team have been undertaking preliminary site works prior to commencement of the rehabilitation project on the Meechi Road realignment. The revegetation works will commence next month if weather conditions are more favourable. They have also collected additional native seed from the site which will be direct seeded to complement the mosaic tube stock planting.

The crew has also undertaken seal edge repairs and patching pot holes in our older sealed roads where required prior to the onset of winter rains. Spraying and slashing weed infestations in both Bremer Bay and Jerramungup town sites has also kept the crew busy.

**Road Maintenance**

Due to the very dry conditions, routine maintenance grading has consisted of cutting off the corrugations to make the running surface smoother. Once we receive winter rains a full winter grade can be undertaken.

At this time of year, please be aware of the ever changing road conditions and drive accordingly as the pavement can deteriorate very quickly.

**CONSULTATION:**

Internal.

**COMMENT:**

This report is for information only to advise Council on the previous months works activities.

**STATUTORY ENVIRONMENT:**

There are no statutory implications for this report.

**STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2016 – 2026; Aspiration 3.4 – Service and Infrastructure Provision: To lobby, advocate for and deliver a first class transport and telecommunications network.

Objectives:

3.4.1 – Continued improvements on the local road network.

**FINANCIAL IMPLICATIONS:**

The works completed are included in the 2019/2020 Shire of Jerramungup budget.

**WORKFORCE IMPLICATIONS:**

This report provides an overview of the outside workforce operations for the previous month.

**POLICY IMPLICATIONS:**

Policy implications do not apply to this report and it is the opinion of the author that policy development is not required.

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVE the works report for May 2020.**

**9.2 CORPORATE SERVICES****9.2.1 ACCOUNTS FOR PAYMENT – MAY 2020**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>Author:</b>	Sarah Van Elden, Finance Officer
<b>Responsible Officer:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	10 June 2020
<b>Attachments:</b>	a) List of Accounts Paid to 31 May 2020 b) Credit Card Statement 27 April 2020– 27 May 2020
<b>Authority/Discretion:</b>	Information

**SUMMARY:**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of May 2020.

**BACKGROUND:**

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's municipal and trust funds. In accordance with regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Office is to be provided to Council.

**CONSULTATION:**

Internal consultation within the Finance Department.

**COMMENT:**

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2019-20 Annual Budget as adopted by Council at its meeting held 17 July 2019 (Minute No. OCM190706 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month of May 2020. Lists detailing the payments made are appended as an attachment.

<b>FUND</b>	<b>VOUCHERS</b>	<b>AMOUNTS</b>
<b>Municipal Account</b>		
Last Cheque Used	28173	
EFT Payments	17187 - 17272	\$1,160,566.34
Direct Deposits		\$25,150.33
<b>Municipal Account Total</b>		<b>\$1,185,716.67</b>
<b>Trust Account</b>		
<b>Trust Account Total</b>		<b>\$0.00</b>
<b>Grand Total</b>		<b>\$1,185,716.67</b>

**CERTIFICATE**

This schedule of accounts as presented, which was submitted to each member of the Council, has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have

been duly certified as to the receipt of goods and the rendition of services and as to prices computation, and costings and the amounts shown have been paid.

#### **STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulations 1996*

#### **12. Payments from municipal fund or trust fund, restrictions on making**

*12(1) A payment may only be made from the municipal fund or a trust fund—*

- (a) if the local government has delegated to the Chief Executive Officer 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.*

*The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.*

#### **13. 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 subregulation (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.*

#### **STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2016 - 2026; Aspiration 2.5 – Civic Leadership to provide strong civic leadership and governance systems that are open and transparent and ethical.

Objectives:

2.5.2 – Maintain a highly accountable and transparent governance network and decision making process.

#### **FINANCIAL IMPLICATIONS:**

All expenditure from the municipal fund was included in the annual budget as adopted or revised by Council.

#### **WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

Finance Policy FP5 – Corporate Credit Card

Finance Policy FP6 – Procurement of Goods and Services

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council, pursuant to regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, NOTES the Chief Executive Officer’s list of accounts paid under delegated authority being;**

- a) The List of Accounts Paid to 31 May 2020 as detailed in Attachment 9.2.1(a).**
- b) The Credit Card Statement 27 April 2020 – 27 May 2020 as detailed in attachment 9.2.1(b).**

**9.2.2 MONTHLY FINANCIAL REPORT – MAY 2020**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Tamara Pike, Senior Finance Officer
<b>Responsible Officer:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	10 June 2020
<b>Attachments:</b>	Monthly Financial Report for the period ending 31 May 2020
<b>Authority/Discretion:</b>	Information

**SUMMARY:**

For Council to note the statement of financial activity for the period ended 31 May 2020 as required by the *Local Government Act 1995* ('the Act').

Pursuant to section 6.4 of the *Local Government Act 1995* and regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* ('the Regulations'), a local government is to prepare, on a monthly basis, a statement of financial activity that reports on the Shire's financial performance in relation to its adopted/amended budget.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 31 May 2020.

**BACKGROUND:**

At its meeting held 17 July 2019 (Minute No. OCM190706 refers), Council adopted the annual budget for the 2019-20 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year to date position to 30 June 2020 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following detail is included in the financial report:

- The annual budget estimates.
- The operating revenue, operating income, and all other income and expenses.
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period.
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period.
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result.
- Include an operating statement.
- Any other required supporting notes.

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting on 17 July 2019, the Council adopted (Minute No. OCM190706 part 1.6 refers) the following material variance reporting threshold for the 2019-20 financial year:

### 1.6 Adoption of Material Variance for Monthly Reports – Financial Management regulation 34

That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2019/2020 financial year for monthly reporting purposes.

#### CONSULTATION:

Internal consultation within the Finance Department and Council's financial records.

In accordance with section 6.2 of the *Local Government Act 1995*, the annual budget was prepared having regard to the Strategic Community Plan, prepared under section 5.56 of the *Local Government Act 1995*.

#### COMMENT:

The financial report contains annual budget estimates, actual amounts of expenditure, revenue and income to the end of the month. It shows the material differences between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council abreast of the current financial position.

All expenditure included in the financial statements is incurred in accordance with Council's adopted budget or subsequent approval in advance.

#### STATUTORY ENVIRONMENT:

Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:

#### **34. Financial activity statement required each month (Act s. 6.4)**

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail—*

- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
- (b) *budget estimates to the end of the month to which the statement relates;*

*and*

- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the month to which the statement relates.*

(2) *Each statement of financial activity is to be accompanied by documents containing—*

- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
- (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) *such other supporting information as is considered relevant by the local government.*

(3) *The information in a statement of financial activity may be shown—*

- (a) *according to nature and type classification; or*
- (b) *by program; or*
- (c) *by business unit.*

(4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be—*



- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

**STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2016 - 2026; Aspiration 2.5 – Civic Leadership: To provide strong civic leadership and governance systems that are open and transparent and ethical.

Objectives:

2.5.2 – Maintain a highly accountable and transparent governance network and decision making process.

**FINANCIAL IMPLICATIONS:**

Expenditure for the period ending 31 May 2020 has been incurred in accordance with the 2019-20 budget parameters, which have been structured on financial viability and sustainability principles.

Details of any budget variation in excess of \$10,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

AP4 – Regional Price Preference

FP1 – Capitalisation and Depreciation of Non-Current Assets

FP2 – Rates and Accounts Collection

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVES the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 31 May 2020 in accordance with section 6.4 of the *Local Government Act 1995*.**

**9.2.3 2020/2021 PROPOSED FEES AND CHARGES**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	11 June 2020
<b>Attachments:</b>	2020/2021 Proposed Fees and Charges
<b>Authority/Discretion:</b>	Executive

**SUMMARY:**

This item addresses setting Council's fees and charges for the 2020/2021 financial year. The proposed fees and charges are provided as an attachment and the recommendation seeks to adopt the fees and charges for advertising.

**BACKGROUND:**

In preparation for the 2020/2021 budget period the attached proposed fees and charges are submitted for Council adoption. By adopting the fees and charges prior to the budget any applicable advertising can be undertaken and the new charges can be incorporated into the draft budget workings.

The attachment provides a listing of Council's fees and charges and comparatives to the current financial year.

Council's fees and charges contain clauses that allow fees set by external bodies to override those advertised and published by Council.

**CONSULTATION:**

Internal consultation within the Finance Department and Council's financial records.

Fees and Charges as set by external statutory bodies.

**COMMENT:**

As a result of the impact of COVID-19, it is recommended that there will be no increase to Council's Fees and Charges for 2020/2021.

The 2020/2021 schedule of fees and charges has been formulated using the 2019/2020 year as a basis.

When the annual budget agenda report is presented in July, Council will still set additional fees and charges for rates for rural and townsite properties.

All expenditure included in the financial statements is incurred in accordance with Council's adopted budget or subsequent approval in advance.

**STATUTORY ENVIRONMENT:*****Local Government Act 1995******Subdivision 2 — Fees and charges******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.*

*(3) Fees and charges are to be imposed when adopting the annual budget but may be —*

- (a) imposed\* during a financial year; and*
- (b) amended\* from time to time during a financial year. \* Absolute majority required.*

#### **6.17. Setting the 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;*
- (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;*
- (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.*

#### **6.19. Local government to give notice of fees and charges**

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of-*

*(a) its intention to do so; and*

*(b) the date from which it is proposed the fees or charges will be imposed.*

**STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2016 - 2026; Aspiration 2.5 – Civic Leadership: To provide strong civic leadership and governance systems that are open and transparent and ethical.

Objectives:

2.5.2 – Maintain a highly accountable and transparent governance network and decision making process.

**FINANCIAL IMPLICATIONS:**

The State Government has requested a freezing of all fees and charges for the coming financial year. There will be a moderate impact on the 2020/2021 budget by our inability to increase our Fees and Charges in line with inflation. Not increasing income from fees and charges and rent will impact the Shire financially in its ability to progress with asset maintenance.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

Significant Accounting Policies as detailed within the Monthly Financial Report.

**VOTING REQUIREMENT:**

Absolute majority.

**OFFICER RECOMMENDATION:**

**That Council, BY AN ABSOLUTE MAJORITY, adopt the attached schedule of fees and charges for the 2020/2021 financial year effective as of 1 July 2020.**

### 9.3 DEVELOPMENT SERVICES

#### 9.3.1 ADOPTION OF UPDATED BAL CONTOUR MAPPING

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Noel Myers, Manager of Development
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	8 June 2020
<b>Attachments:</b>	Jerramungup and Bremer Bay Townsite Bushfire Prone Vegetation Mapping and BAL Contour Plan Review
<b>Authority/Discretion:</b>	Administrative

#### SUMMARY:

The purpose of this report is for Council to adopt the updated Bushfire Attack Level (BAL) Contour Plans for Jerramungup and Bremer Bay which is utilised to assign a BAL rating to residential development within these town sites.

#### BACKGROUND:

- Local Planning Policy No.22 BAL Contour Plan for Jerramungup and Bremer Bay was adopted to aid applicants in preparing information for lodging development applications by providing a BAL Contour Plan over the Shire's two town sites.
- Clause 5.2 d) of Policy No.22 identifies that the BAL Contour Plans are to be reviewed annually in order to respond to any town site mitigation actions completed in the previous year.

#### CONSULTATION:

No external consultation was undertaken. The update is a technical assessment by an accredited Level 3 Bushfire Consultant and the new plans are published on the Shire's website.

#### COMMENT:

Local Planning Policy No.22 has been prepared having regard to the overarching Bushfire Policy Framework that was released in 2015 to guide development in bushfire prone areas.

The BAL Mapping review is essentially a technical assessment undertaken by an accredited Level 3 Bushfire Consultant. The annual review of that mapping is undertaken to reflect changes to the bushfire risk following completion of mitigation works and /or changes to the overarching bushfire framework that does occur intermittently.

#### STATUTORY ENVIRONMENT:

- Local Planning Scheme No.2
- Local Planning Policy No.16 – Outbuildings
- Planning and Development (Local Planning Schemes) Regulations 2015

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the WAPC.

#### STATUTORY ASSESSMENT:

- Deemed Provisions within the Planning and Development (Local Planning Schemes) Amendment regulations 2015;
- Shire of Jerramungup Bushfire Risk Management Plan 2017 – 2022

- Shire of Jerramungup Local Planning Scheme No.2;
- Stata Planning policy 3.7 and supporting Guidelines; and Australian Standard 3959: Construction of buildings within bushfire prone areas.

**STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2016 - 2026;  
Aspiration 2.4 - Emergency Management

To ensure that the Shire of Jerramungup is seen as an industry leader in emergency management and preparedness

Objective:

2.4.4 Continue the delivery of fire mitigation strategies across the Shire

**FINANCIAL IMPLICATIONS:**

Annual provision is made through the Shire's fire mitigation budget to annually review the BAL Mapping.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

Policy is updated in accordance with matters set out within section 5.2 – General Requirements of the Policy.

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That COUNCIL;**

- 1. ADOPTS the updated Jerramungup and Bremer Bay Town site Bushfire Prone Vegetation Mapping and BAL Contour Plan Review prepared by Bio Diverse Solutions; and**
- 2. UPDATES Local Planning Policy No.22 – BAL Contour Plan for Jerramungup and Bremer Bay Planning Policy by adopting the updated mapping referred to in Item 1 above.**

## 9.4 EXECUTIVE SERVICES

### 9.4.1 INFORMATION BULLETIN MAY 2020

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	10 June 2020
<b>Attachments:</b>	May 2020 Information Bulletin
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

To advise Council on the information items for May 2020 including actions that have been undertaken in relation to decisions of Council and actions performed under delegated authority.

#### BACKGROUND:

There is no specific requirement to report on actions performed under delegated authority to Council. However, to increase transparency this report has been prepared for Council and includes actions performed under delegated authority for the month of May 2020.

#### CONSULTATION:

Internal, all officers that have been deemed responsible for enacting each Council decision has provided an update on its status.

#### COMMENT:

The Status of Council Decisions report is an important administrative tool used by the Shire to monitor the implementation of Council decisions. Any Council decision that has not yet been fully implemented will remain on the list until it has been completed.

Once the minutes of each Council meeting have been completed, the Executive Assistant uploads each decision of Council into the spreadsheet and allocates it to the relevant Shire office for actioning and comment. The spreadsheet is accessible by all relevant Shire officers.

The Shire enters into various agreements by affixing its Common Seal. The *Local Government Act 1995* states that the Shire is a body corporate with perpetual succession and a Common Seal. Those documents that are to be executed by affixing the Common Seal or signed by the Shire President and the Chief Executive Officer are reported to Council for information on a regular basis.

#### STATUTORY ENVIRONMENT:

##### *Local Government (Administration) Regulations 1996*

##### **19. Delegates to keep certain records (Act s. 5.46(3))**

*Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —*

- a) how the person exercised the power or discharged the duty; and*
- b) when the person exercised the power or discharged the duty; and*
- c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.*

**STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2016 – 2026; Aspiration 2.5 – Civic Leadership: To provide strong civic leadership and governance systems that are open and transparent and ethical.

Objectives:

2.5.2 – Maintain a highly accountable and transparent governance network and decision making process

**FINANCIAL IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

Policy implications do not apply to this report and it is the opinion of the author that policy development is not required.

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of May 2020.**



#### 9.4.2 DELEGATIONS OF AUTHORITY – REVIEW

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	GV.AU.1
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	9 May 2020
<b>Attachments:</b>	Draft Register of Delegated Authority
<b>Authority/Discretion:</b>	Executive

#### SUMMARY:

For Council to meet its statutory compliance requirement to review the delegation of specified powers and duties to the Chief Executive Officer and other employees in accordance with the provisions of the *Local Government Act 1995* (the Act).

#### BACKGROUND:

In accordance with sections 5.16 and 5.42 of the Act, a local government can delegate certain functions to a committee of Council, or to the Chief Executive Officer. A variety of other legislation also permits the delegations of functions to the Chief Executive Officer, as well as other officers. The Chief Executive Officer's statutory powers and duties under the Act and any powers or duties delegated by the Council can be further delegated by the Chief Executive Officer to other officers of Council. Delegation details must be recorded in a register, which is available for inspection by the public.

Sections 5.18 and 5.46 of the *Local Government Act 1995* require that at least once every financial year, delegations are to be reviewed by the delegator. The Council reviewed its delegations in the 2018/2019 financial year (Minute No. OCM190308 refers). It is important for the Register of Delegated Authority to be reviewed each year to ensure Council is meeting its statutory compliance obligations.

#### CONSULTATION:

Executive Management Team

Internal Shire staff

#### COMMENT:

A register of delegations of authority is essential in order to inform the public of the activities, functions, powers and duties of the local government as well as meeting the requirements of section 5.46 of the *Local Government Act 1995*.

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the Shire. The use of delegated authority means the large volume of routine work of a local government can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

The annual review process does not preclude the Council from granting new delegations to the Chief Executive Officer if and when required, nor for it to review existing delegations at any time during the course of the financial year.

The Shire of Jerramungup's register of delegations of authority was last reviewed by Council in March 2019 and is now due for review. The register of delegations of authority underwent a significant amendment both in format and content during the 2018/2019 year, therefore there are no noted amendments to the tabled register of delegations of authority from the previous review currently before Council.

Council may choose at their discretion to remove any delegations.

## **STATUTORY ENVIRONMENT:**

### **Local Government Act 1995**

#### **5.16. Delegation of some powers and duties to certain committees**

(1) *Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.*

*\* Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

(3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984—*

(a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*

(b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*

(4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

#### **5.17. Limits on delegation of powers and duties to certain committees**

(1) *A local government can delegate—*

(a) *to a committee comprising council members only, any of the council's powers or duties under this Act except—*

(i) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and*

(ii) *any other power or duty that is prescribed;*

*And*

(b) *to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*

(c) *to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of—*

(i) *the local government's property; or*

(ii) *an event in which the local government is involved.*

(2) *A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*

#### **5.18. Register of delegations to committees**

*A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.*

#### **5.42. Delegation of some powers and duties to CEO**

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

- (a) *this Act other than those referred to in section 5.43.*
- (b) *the Planning and Development Act 2005 section 214(2), (3) or (5)*

*\* Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

**5.43. Limits on delegations to CEO**

*A local government cannot delegate to a CEO any of the following powers or duties—*

- (a) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

**5.44. CEO may delegate powers and duties to other employees**

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty—*
  - (a) *The CEO’s power under this section to delegate the exercise of that power or the discharge of that duty; and*
  - (b) *the exercise of that power or the discharge of that duty by the CEO’s delegate,**are subject to any conditions imposed by the local government on its delegation to the CEO.*
- (4) *Subsection (3) (b) does not limit the CEO’s power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4)—*  
*conditions includes qualifications, limitations or exceptions.*

**5.45. Other matters relevant to delegations under this Division**

- (1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984—*
- (a) *A delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
  - (b) *Any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) *Nothing in this Division is to be read as preventing—*
- (a) *A local government from performing any of its functions by acting through a person other than the CEO; or*
  - (b) *A CEO from performing any of his or her functions by acting through another person.*

**5.46. Register of, and records relevant to, delegations to CEO and employees**

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

**Regulation 19 of the Local Government (Administration) Regulations relates to records to be kept of delegations exercised.**

**19. Delegates to keep certain records (Act s. 5.46(3))**

*Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of—*

- (a) *how the person exercised the power or discharged the duty; and*
- (b) *when the person exercised the power or discharged the duty; and*
- (c) *the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.*

**Building Act 2011 section 127**

**Bush Fires Act 1954 section 48**

**Cat Act 2011 section 44**

**Dog Act 1976 section 10AA**

**Food Act 2008 section 118**

**Public Health Act 2016 section 21**

**Road Traffic (Events on Roads) Regulations 1991**

**STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2016 – 2026; Aspiration 2.5 – Civic Leadership. To provide strong civic leadership and governance systems that are open and transparent and ethical.

Objectives:

2.5.2 – Maintain a highly accountable and transparent governance network and decision making process.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

Policy implications do not apply to this report and it is the opinion of the author that policy development is not required.

**VOTING REQUIREMENT:**

Absolute Majority

**OFFICER RECOMMENDATION:**

That Council, BY AN ABSOLUTE MAJORITY:

1. **NOTES** completion by Council as the Delegator, the 2019/2020 annual statutory review of the Register of Delegations of Authority, in accordance with sections 5.18 and 5.46 of the *Local Government Act 1995*, section 47(2) of the *Cat Act 2011* and section 10AB of the *Dog Act 1976*.
2. **REVOKES** the Register of Delegations of Authority contained in the Shire of Jerramungup Register of Delegations of Authority dated March 2019, under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976* and *Graffiti Vandalism Act 2016*; *Building Act 2011*, *Bush Fires Act 1954* and *Food Act 2008*.
3. **APPROVES** the local government functions as listed in the amended Register of Delegations of Authority 2019/2020 forming Attachment 1 to report 9.4.1, in accordance with section 5.17 and 5.42 of the *Local Government Act 1995*, acknowledging the relevant heads of power in addition to the *Local Government Act 1995*:
  - *Building Act 2011* – section 127
  - *Bush Fires Act 1954* – section 48
  - *Cat Act 2011* – section 44
  - *Dog Act 1976* – section 10AA
  - *Food Act 2008* – section 118
  - *Public Health Act 2016* – section 21
  - *Road Traffic (Vehicles) Act 2012*
  - *Graffiti Vandalism Act 2016* – section 16

**9.4.3 REVIEW OF CORPORATE BUSINESS PLAN 2020-2024**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	10 June 2020
<b>Attachments:</b>	Draft Corporate Business Plan 2020-2024
<b>Authority/Discretion:</b>	Executive

**SUMMARY:**

Council is requested to consider the adoption of the Shire of Jerramungup's Corporate Business Plan 2020-2024.

**BACKGROUND:**

All local governments in Western Australia are required to develop a Plan for the Future as prescribed under section 5.56(1) of the *Local Government Act 1995* (Act). In 2011, amendments were made to the *Local Government (Administration) Regulations 1996* (Regulations), specifically the inclusion of regulation 19BA which in summary states that a Plan for the Future is to incorporate a Strategic Community Plan and a Corporate Business Plan.

The Strategic Community Plan provides the long term view (10 plus year timeframe) for the Shire and sets out the vision, aspirations and objectives of the community. Council adopted the initial Strategic Community Plan at the Ordinary Meeting of Council held 21 November 2012, (Minute No. OC121107 refers).

The Corporate Business Plan is responsible for translating the strategic direction of the Shire, articulated within the Strategic Community Plan, into specific priorities and actions at an operational level. The Corporate Business Plan also draws together actions contained within the Long Term Financial Plan, Capital Works Programs and various informing strategies. It provides a medium term snapshot of operational actions and priorities to inform the annual planning and budgeting process.

**CONSULTATION:**

Senior Staff

**COMMENT:**

The content of the Corporate Business Plan has been reviewed by staff with no major changes recommended given that the Integrated Planning and Reporting Framework will be reviewed during 2020-21 financial year.

As per the requirement the Corporate Business Plan has been updated to be a rolling four year document, with 2020-2021 being the final year of the adopted Plan. A local government is to review its current Corporate Business Plan every year, of which reference is made to the Corporate Business Plan annually when developing the annual budget.

**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**

**19BA. Terms used**

*In this Part —*

*corporate business plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;*

*strategic community plan means a plan made under regulation 19C that, together with a corporate business plan, forms a plan for the future of a district made in accordance with section 5.56.*

**19CA. Information about modifications to certain plans to be included (Act s.5.53(2)(i))**

- (1) *This regulation has effect for the purposes of section 5.53(2)(i).*
- (2) *If a modification is made during a financial year to a local government’s strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.*
- (3) *If a significant modification is made during a financial year to a local government’s corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.*

**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 subregulation (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.*

**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.*

**STRATEGIC IMPLICATIONS:**

The Corporate Business Plan has been developed based on the priority areas and aspirations expressed by the community as contained within the Strategic Community Plan.

It is important to note that the Integrate Planning and Reporting Framework will be undergoing a Major Review in 2020-2021 financial year.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Corporate Business Plan, once adopted by Council, will provide guidance on the priorities for resource allocations for the next four (4) years.

Officers are currently preparing the Draft 2020-2021 Annual Budget with consideration given to the COVID-19 pandemic which includes a zero-dollar rate increase for that period. The difference between the attached Corporate Business Plan will be managed through Council budget deliberations.



It must be noted that a majority of capital projects outlined within the Corporate Business Plan are reliant on external funding. If external funding is not forthcoming, projects could be delayed or will not be completed.

**WORKFORCE IMPLICATIONS:**

The Corporate Business Plan will set direction for staff over the next four years.

**POLICY IMPLICATIONS:**

Policy implications do not apply to this report and it is the opinion of the author that policy development is not required.

**VOTING REQUIREMENT:**

Absolute Majority

**OFFICER RECOMMENDATION:**

**That Council, BY AN ABSOLUTE MAJORITY, ADOPTS the Shire of Jerramungup Corporate Business Plan 2020-2024 as contained within Attachment 1.**

**9.4.4 DROUGHT COMMUNITIES PROGRAMME FUNDING OPPORTUNITY**

<b>Location/Address:</b>	Shire of Jerramungup
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	10 June 2020
<b>Attachments:</b>	<ul style="list-style-type: none"> <li>a) Drought Communities Programme – Guidelines</li> <li>b) Drought Communities Programme – FAQ's</li> <li>c) Draft Scope of Works – Project Priorities</li> </ul>
	<b>CONFIDENTIAL</b>
<b>Authority/Discretion:</b>	Executive

**SUMMARY:**

The Drought Communities Programme (DCP), for which the Shire of Jerramungup is eligible and which is coordinated by the Australian Government's Department of Infrastructure, Regional Development and Cities (DIRDC), has been designed to deliver benefits to targeted drought-affected regions of Australia.

Shire staff are seeking Councils endorsement of the proposed scope of works, which has been developed as part of the application for funding in response to identified community needs.

**BACKGROUND:**

On 28 January 2020, the Australian Government announced that the DCP, which has been designed to deliver benefits to targeted drought-affected regions of Australia, will be extended and made available to an additional 52 Councils around Australia. A total of \$47 million will be provided, with Councils of less than 1,000 people eligible for us to \$500,000 and those with a larger population eligible up to \$1 million.

35 West Australian Local Governments, including the Shire of Jerramungup, have been identified as eligible for the program due to rainfall deficiency data from the Bureau of Meteorology and population and industry data where there is a particular reliance on agriculture.

Eligible projects must relate to economic, social and cultural infrastructure, safety and accessibility upgrades, and/or town facility developments and upgrades. Such projects must be expected to lead to local employment, contribute to economic activity of the community/region and/or lead to the retention of business, services and facilities.

Council received advice that it is eligible for funding of up to one million dollars under the drought communities program. The advice contained the following information about the program:

The objective of the DCP is to deliver benefits in Declared Council areas, by supporting investment in local infrastructure initiatives. Funding will be targeted at infrastructure projects that provide employment for people whose work opportunities have been impacted by drought; stimulate local community spending; use local resources, businesses and suppliers; and/or provide a long-lasting benefit to communities and the agricultural industries on which they depend. The desired outcomes of the DCP are:

- Increased employment in regions by providing work for locals and/or farmers and farm labourers/staff/contractors whose employment opportunities have been affected by drought;
- Improved levels of economic activity in regions;
- Increased productivity in regions; and
- Better retention of businesses, services and facilities.

Eligible projects must relate to economic, social and cultural infrastructure, safety and accessibility upgrades, and/or town facility developments and upgrades. These infrastructure projects must be expected to:

- Lead to the employment of locals and/or focus on employing farmers and farm labourers/staff/contractors; and/or
- Contribute to the economic activity of communities/regions; and/or
- Lead to the retention of businesses, services and facilities.

DCP funding cannot be used for:

- Payment of salaries for existing staff or contractors, although projects may be carried out by existing workforces;
- Computer software or hardware that is not an integral part of the funded capital project;
- A Council's core or business-as-usual operations, which council rates and other government funding usually funds;
- Purchases of land, buildings, vehicles or mobile capital equipment (eg trucks and earthmoving equipment);
- Expenditure incurred prior to the announcement that the project has been successful in its proposal for funding;
- Staging events, exhibiting a display or for filming;
- Undertaking studies or investigations; or
- The development of private or commercial ventures, including licensed areas of registered clubs.

Further information on the DCP Guidelines is available at:

[https://www.regional.gov.au/regional/programs/files/DCP\\_Guidelines\\_2018.pdf](https://www.regional.gov.au/regional/programs/files/DCP_Guidelines_2018.pdf)

Using Council Strategic Plans, several projects have been developed that meet the criteria of the DCP.

The timeframe for adoption of the plans is as follows:

- May/June Identify Projects and initial scope of works
- June Adoption of projects at June Council Meeting
- July Application submittal for approval, incorporation into budget process
- August Detailed Design
- Sept – June 2021 Implementation

#### **CONSULTATION:**

Elected Members

Executive Staff

DCP Grant Programme Guidelines have been followed in the preparation of the funding application, with support and advice about project eligibility provided by the DIRDC.

#### **COMMENT:**

The City of Albany has coordinated a group of 10 Local Governments from within the Great Southern region to work in collaboration to seek synergies in project management, economies of scale and to use the combined intelligence and experience of the group to gain the most effective outcome from the funding and also to leverage other funding opportunities.

Shire staff have been in discussion with community groups and Elected Members in regards to eligible identified needs. As outlined in the attached draft Scope of Works, funding is proposed for a range of projects including: upgrades to various halls (toilets, kitchens, etc.), installing new and reinstating remote water supplies, holding a community event, standpipe swipe card system and the reinstatement of FM radio within the Shire.

The budget estimates are provisional and also includes the cost of the development of an Adverse Events Plan which is a mandatory requirement for the application.

#### **STATUTORY ENVIRONMENT:**

There is no specific legislation applicable to this report.

Applying for this funding will require Council to enter into a grant agreement with the Commonwealth. This will be a standard form Commonwealth grant agreement. Funds will not be payable until the signed agreement is executed.

#### **STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2016 – 2026; Aspiration 2.1 – Community Sport and Recreation: To recognise that sport and recreation is a significant part of the community network and support its growth and development.

Objectives:

2.1.1 – Continue support for community lead sporting infrastructure improvements and strong sporting clubs.

2.1.2 – Lobby for redevelopment of the Jerramungup School Pool.

2.1.4 – Partner with the community to develop modern facilities for youth.

Aspiration 2.2 – Improved Livability: To develop initiatives and programs, supported by high quality infrastructure that improves lifestyle outcomes and makes the Shire of Jerramungup an attractive place to live.

Objectives:

2.2.1 – Support local cultural activities and events.

Aspiration 2.5 – Civic Leadership: To provide strong civic leadership and governance systems that are open and transparent and ethical.

Objectives:

2.5.4 – Foster strong partnerships with community groups to deliver a broad range of high quality and valued services.

Aspiration 3.1 – Industry Development: To provide an attractive environment for industry development and expansion.

Objectives:

3.1.1 – Implement the Shire’s Economic Growth Project Plan.

3.1.4 – Improved access to water.

Aspiration 3.2 – Economic Diversity: To support initiatives which develop strong, diverse and resilient local businesses.

Objectives:

3.2.1 – Continue the development of the Bremer Bay Town Centre including the town square and designs for the civic centre.

3.2.2 – Implement policies and initiatives to support local small business and agricultural prosperity.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

Policies provide direction for all Shire of Jerramungup employees.

**POLICY IMPLICATIONS:**

Policy implications do not apply to this report and it is the opinion of the author that policy development is not required.

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council ENDORSES the priority projects totalling \$1,000,000 for funding by the Drought Communities Programme as attached to this report.**

**10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED  
(CONFIDENTIAL MATTERS)**

**11.0 COUNCILLOR REPORTS**

**12.0 NEW BUSINESS OF AN URGENT NATURE**

**13.0 CLOSURE**

**13.1 DATE OF NEXT MEETING**

The next ordinary meeting of Council will be held Wednesday, 15 July 2020, commencing at 2.00pm, in the Council Chambers, 8 Vasey Street, Jerramungup.

**13.2 CLOSURE OF MEETING**

The Presiding Member closed the meeting at .....pm

These minutes were confirmed at a meeting held

.....

Signed: .....

Presiding Person at the meeting at which these minutes were confirmed

Date: .....