



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, 15 July 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
9 July 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 atpm 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

Fitzgerald Biosphere Group – Therese Bell to give a presentation to Council on weed eradication and FBG actions.

7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Ordinary Council Meeting held 17 June 2020.

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chambers, Jerramungup on 17 June 2020 be CONFIRMED

Bremer Bay Community Development Committee Meeting held 3 June 2020.

That the Minutes of the Bremer Bay Community Development Committee Meeting held at the Town Hall, Bremer Bay, on 3 June 2020 be CONFIRMED

Bush Fire Advisory Committee Meeting held 22 June 2020.

That the Minutes of the Bush Fire Advisory Committee Meeting held at the Council Chambers, 8 Vasey Street, Jerramungup, on 22 June 2020 be CONFIRMED

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Adopt the following recommendations from the Bush Fire Advisory Committee meeting held 22 June 2020:

1. That the following appointments for the Shire of Jerramungup be gazetted;

ELECTION OF OFFICE BEARERS

Chief Bush Fire Control Officer

Mr David Edwards was elected to the position of Chief Bush Fire Control Officer for a one year term.

Deputy Chief Bush Fire Control Officers

Mr Alex Jones and Mr Paul Hislop were declared elected to the positions of Deputy Chief Bush Fire Control Officer.

Chief Fire Weather Officer

Mr David Edwards was declared elected to the position of Chief Fire Weather Officer.

Deputy Chief Fire Weather Officers

Mr Alex Jones and Mr Paul Hislop were declared elected to the position of Deputy Chief Fire Weather Officer.

Brigade Fire Weather Officers

Boxwood Hill BFB	Mr Stuart Hocking
Bremer Bay VFES	Mr Wes Thomas
Gairdner BFB	Mr Craig Hall
Jacup BFB	Mr Michael Lester
Jerramungup VFES	Mr Paul Hislop
Needilup BFB	Mr Clint Pocock

Fire Control Officers for 2019/20 Season

Due to Covid-19 restrictions majority of Bush Fire Brigades have decided to roll over current positions into the 2020/21 Bushfire Season.

Mr Ron Pocock advised Mr Mark Tapscott (Needilup 4) is stepping down as Fire Control Officer and Mt Peter Daniels has been nominated by the Needilup BFB to take over.

Both Bremer Bay and Jerramungup VFES to confirm FCO's with upcoming AGM's at the start of July.

Dual Fire Control Officers

Jerramungup/Ravensthorpe	Mr Peter Wisewould
Jerramungup/Kent	Mr Clint Pocock
Jerramungup/Lake Grace	Mr Paul Hislop
Jerramungup/Gnowangerup	Mr Nathan Brown
Jerramungup/Albany	Mr Stuart Hocking

2. The Jerramungup Bushfire Advisory Committee move to recommend transferring Lots 1, 2 & 1738 Borden-Bremer Bay Road from Fire Zone 3 to Fire Zone 4.

3. **The Jerramungup Bushfire Advisory Committee move to recommend Option 1 as the preferred option to realign the current Fire Zone 5 Pt Henry to encompass the Bremer Bay town site and to be known as Fire Zone 5 Bremer Bay/Pt Henry.**

4. **The Jerramungup Bushfire Advisory Committee move to recommend changing Minimum Training Standards for Bush Fire Volunteers to complete Bushfire Safety Awareness and Bush Firefighting Skills streams under the Bush Fire Service Training Program.**

5. **The Jerramungup Bushfire Advisory Committee move to set the following Restricted and Prohibited Burning Times for the 2020/21 Bushfire Season:**

Zones 1, 2, 3, 4 – Shire of Jerramungup		Zone 5 – Pt Henry Peninsula	
Restricted	1 Oct 20 – 31 Oct 2020	Restricted	1 Sept 20 – 31 Oct 2020
Prohibited	1 Nov 20 – 7 Feb 2021	Prohibited	1 Nov 20 – 6 April 2021
Restricted	8 Feb 21 – 30 Apr 2021	Restricted	7 April 21 – 31 May 2021

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

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Murray Flett, Manager of Works
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	1 July 2020
Attachments:	Road Construction Schedule June 2020
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:**Road Construction**

This month the construction crew finished works on Cowalellup Road then moved to Jerramungup North Road which they also completed in June. Both these jobs consisted of pruning the overhanging vegetation along the backslopes, forming and gravel sheeting 3km sections that continually required maintenance grading.

The works included the extension of 2 culverts on both roads and the installation of 2 new culverts on Cowalellup Road with 1 new culvert being installed on Jerramungup North Road at locations that scour badly when it rains.

Completing both these projects within 1 month shows the importance of sourcing gravel onsite and not having to cart each load of gravel over a long lead.

The crew should also be commended on the quantity and quality of the works they have completed this month with limited staff members.

The Shire also took delivery of a new UD prime mover that replaced the old Isuzu Giga which has been used on both the water tanker and side tipper which has greatly increased productivity.

Several of the works crew staff also assisted Stabilisation Technology in undertaking cement stabilised pavement repairs on several local roads by carting additional gravel for these works.

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

Town Services

The Town Services team, with the assistance of a local Bremer Bay contractor, have undertaken landscaping of the newly completed Independent Living Units in Bremer Bay. The works look amazing and have really enhanced these units and all involved in this project are to be acknowledged for the great work they have done.

Once the landscaping is finished, the team will be continuing with the Meechi Road rehabilitation project on the section of old farmland at the new curve realignment.

The crew are still 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 is continuing.

Road Maintenance

Recent patchy rains have left some moisture in the road pavement which has improved conditions for routine maintenance grading. The crew can now undertake full winter grades and not just cut off the corrugations to make the running surface smoother.

Given the recent rain events we have had, 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 June 2020.

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

Location/Address:	N/A
Name of Applicant:	N/A
Author:	Sarah Van Elden, Finance Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	3 July 2020
Attachments:	a) List of Accounts Paid to 30 June 2020 b) Credit Card Statement 27 May 2020– 27 June 2020
Authority/Discretion:	Information

SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer’s delegated authority during the month of June 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 June 2020. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28173	
EFT Payments	17273 – 17401	\$1,254,352.38
Direct Deposits		\$29,255.37
Municipal Account Total		\$1,283,607.75
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$1,283,607.75

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 30 June 2020 as detailed in Attachment 9.2.1(a).**
- b) The Credit Card Statement 27 May 2020 – 27 June 2020 as detailed in attachment 9.2.1(b).**

9.2.2 MONTHLY FINANCIAL REPORT – JUNE 2020

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Tamara Pike, Senior Finance Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	8 July 2020
Attachments:	Monthly Financial Report for the period ending 30 June 2020
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 30 June 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 30 June 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.

The statements presented are interim until such time as the annual financial statements are audited and adopted by Council. Other changes may occur that will vary these statements following from the audit and published at a later date.

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

The following items are worthy of noting:

A prepayment of the 2020/2021 Financial Assistance Grants totalling \$720,283 was received in the 2019/2020 financial year. Financial Assistance Grants (FAGs) are provided from the State Government through the WA Local Government Grants Commission (WALGGC). This funding is not tied to any particular projects, rather they are provided to assist to maintain Councils road network and other operational costs.

The 2020/2021 budget has been prepared to reflect the advance payment being included in the carried forward surplus at 30 June, and the balance of the Shire's allocation shown as revenue to be received during the year.

The following reserve transfers did not occur this financial year due to the following circumstances;

- \$50,000 Plant reserve transfer - the purchase of the town services vehicle and the installation of the Bremer Bay swipe card system was deferred due to the additional expenditure projected for the recruitment of a Doctor through the budget review process.
- \$20,000 Long Service Leave reserve transfer did not occur as the former longstanding employee delayed his long service leave with his current employer.
- \$21,670 Point Henry Fire Levy reserve transfer did not occur as mitigation works were funded through the mitigation activity fund.
- \$645,000 General Building Reserve transfer did not occur as the Key Worker Accommodation Housing project will be carried over to the 2020/2021 financial year.
- \$95,000 Bremer Bay Retirement Units Reserve did not occur as the Seniors Independent Living Units project will be carried over to the 2020/2021 financial year.

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 30 June 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 30 June 2020 in accordance with section 6.4 of the *Local Government Act 1995*.

9.3 DEVELOPMENT SERVICES

9.3.1 RELOCATED TRANSPORTABLE DWELLING

Location/Address:	Lot 701 (No.5) Hakea Close Bremer Bay
Name of Applicant:	Poett Building Co.
File Reference:	A22907
Author:	Noel Myers, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	2 July 2020
Attachments:	Plans/Site Plans
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for Council to consider the application proposing the installation of a 3 bedroom, two bathroom relocated (prefabricated) transportable single storey dwelling on 5 Hakea Close, Bremer Bay.

The application complies with the Residential Design Codes and Council Policy and planning approval is only required as the building is a second hand, pre-constructed dwelling and will be transported to the lot from another site.

The application is recommended for approval subject to conditions.

BACKGROUND:

Zoning

Subject lot is Zoned Residential R15/30 under the Shire of Jerramungup Town Planning Scheme No.2 (“the Scheme”).

CONSULTATION:

Advertising of the application has been undertaken in accordance with the requirements of Local Planning Policy 15 – Transportable Buildings. Clause 9.1 of that Policy requires all applications for transportable buildings be advertised for public comment for 14 days.

Local Planning Policy 11 – A Guide on Public Consultation for Development Applications provides direction as to the manner and form in which consultation should be undertaken.

Given that the application proposes the use of a second hand transportable dwelling, the level of consultation that applies is Level 2. Level 2 applies when a development may have an impact on a streetscape and therefore requires consultation with all surrounding landowners. Given Hakea Close is a relatively short road, all landowners in that street have been notified by way of direct mail out.

At the time of preparing this report the consultation period had not been completed. In order to assist to progress the application it is the recommendation of the Administration that Council delegate authority to the CEO to issue the approval upon the conclusion of the consultation period and on the basis that no sustainable planning objections arise from the consultation. Should an objection arise that cannot reasonably be either dismissed on planning grounds or satisfactorily resolved the matter would be brought back to Council at the next available meeting for determination.

COMMENT:

An application has been lodged for approval to install a single storey, second hand prefabricated, transportable dwelling. The property is presently located on a rural property and will be transported to the subject lot.

The plans submitted also identify that it is proposed to construct an Outbuilding at the rear of the property. That building complies with the requirements of the Scheme and also Council policy and therefore is not a matter that Council needs to deliberate upon.

Site Description

The existing lot is located approximately at the midway point and on the eastern side of the road. The land is vacant and cleared and falls approximately 2m from the front boundary toward the rear boundary.

Scheme Requirements

In accordance with Clause 5.10 of the Scheme;

1. All transported buildings require planning approval.
2. Council shall not grant approval for a transported building if it is in a heritage area.
3. The building is to comply with the Scheme, the Residential Design Codes and any local laws.
4. Planning approval will only be granted where in the opinion of Council the building is in a satisfactory condition and will not detrimentally affect the amenity of the locality.

In this case the building proposed to be relocated is in good repair and a report from a structural engineer has been provided attesting to the buildings current condition and suitability for transport. Photographs of the building’s façade and internals have been provided which confirm the building as being of a type and design that is suitable for placement in an urban environment.

Statutory Requirements

Under Clause 8.2 of the Scheme and Clause 61 (1) (c) of the Local Planning Scheme Regulations, planning approval is not required for single houses in the residential zone unless, among others and relevant to this proposal, the application involves a variation to the Residential Design Codes (which is not the case).

The single house only requires planning approval as it has been pre-constructed and has to be transported to the site. Under Clause 5.10 ‘transported buildings’ require planning approval.

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

Residential Design Codes

The application has been assessed in accordance with the Residential Design Codes and complies with all site requirements as summarised below.

- *Setback Compliance based on R15 requirements*

Setback	Required	Proposed (Residence)	Compliance
Front setback	6 metres	4.5m (min) 6.0m average	Complies
Side Setback (north)	1.5 metres	1.5 metres	Complies
Side Setback (south)	1.5 metres	5.2 metres	Complies
Rear	6 metres	14.5 metres	Complies
Privacy – rear deck	7.5 metres	>7.5 metres @ 45°	Complies

Local Planning Policy No.15 – Transported Buildings

The proposed residence has been assessed in accordance with the Policy requirements for residential lots as follows;

Policy Requirement	Officer Comment	Compliance
<p>7.1 – Structural Quality</p> <p>The onus is on the applicant to demonstrate that any second hand transported building is structurally sound</p>	<p>Applicant has provided inspection report from practicing Structural Engineer certifying the building was a purpose built Fleetwood transportable building, is in good condition and is suitable for transport.</p>	<p>Complies</p>
<p>7.2 - Appearance</p> <p>Council needs to be satisfied that the external appearance of a transported building is equivalent to that of a new dwelling or that its appearance is not discernible from existing development in the street.</p>	<p>Plans and photographs demonstrate that the building is of a type that is suitable for the location.</p> <p>The façade of the building incorporates a full length verandah, openings to habitable rooms and the front entry to the building. The roof pitch and external cladding is similar to a number of existing dwellings in the street.</p>	<p>Complies.</p>
<p>7.3 - Streetscape</p> <p>Any transported building needs to complement and fit in with the existing streetscape in terms of the quality of elevations, roof pitch, building height, scale and bulk.</p>	<p>The dwelling will have a reasonably similar appearance to several of the existing dwellings in the street and replicates the built form of the dwelling immediately to the north.</p> <p>The dwelling has a low pitched roof and is rectangular in shape, typical of transported dwellings.</p> <p>Prefabricated transportable dwellings are a regular feature throughout the immediate and wider townsite and whilst aesthetics are subjective; the elevations are considered to be of a reasonable quality.</p> <p>The geometry of the road way combined with the varying natural and modified ground levels together with the mixed building forms suggests that the proposed building will not impart any significant adverse impact upon the streetscape that would preclude support to the project.</p>	<p>Complies.</p>
<p>7.4 - Upgrading of Transported Dwellings</p> <p>Policy identifies that the use of new transported dwellings is preferred over use of second hand transported dwellings but also acknowledges that some second hand transported dwellings can be in excellent</p>	<p>The building is currently in good repair and does not require any major upgrading to its external appearance. Once sited onto the property the building will be sympathetic and consistent with the existing streetscape which displays a variety of built forms.</p> <p>Given that the building does not require any substantial upgrades, there would</p>	<p>Complies.</p>

<p>condition or can be upgraded/renovated so that its external appearance is not discernible from existing development in the street.</p>	<p>be no requirement for the applicant to lodge a bond or to impose a time limited condition on any planning approval issued.</p>	
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Summary

Having regard to the matters as set above, the application has been assessed to meet with the requirements of the Scheme and Planning policies and is recommended for approval subject to conditions as set out in the Officer Recommendation.

STATUTORY ENVIRONMENT:

- Shire of Jerramungup Town Planning Scheme No.2;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- Residential Design Codes of WA
- Local Planning Policy 11 – Consultation
- Local Planning Policy 15 –Transportable dwellings

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:

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 - Absolute Majority where indicated.

OFFICER RECOMMENDATION:**That COUNCIL;**

1. **APPROVES the application for a single house on Lot 701 (No.5) Hakea Close, Bremer Bay subject to the following conditions;**
 - (a) All stormwater from roofed and paved areas shall be collected and disposed of on-site to the satisfaction of Council.
 - (b) Vehicle parking shall be constructed in accordance with the approved plan (minimum 2 car parking spaces as per Clause 6.5.1 A1(i) of the Residential Design Codes) to the satisfaction of Council.
 - (c) Prior to occupation or use of the development, vehicle crossovers shall be constructed in bitumen, asphalt, in-situ concrete, concrete or clay brick pavers in accordance with the Shire of Jerramungup crossover guidelines to the satisfaction of Council.
 - (d) No clothes drying devices shall be erected or clothes dried outside which is visible from a street or public place.
 - (e) The proposed screening of the rear verandah is to comply with the Residential Design Codes of WA - Design Element 5.4.1 C1.2. Details are to be the proposed screening are to be provided and submitted for approval prior to the issue of the Building Permit and be subject to the satisfaction of the Chief Executive Officer.
2. **That Council by ABSOLUTE MAJORITY delegates authority to the Chief Executive Officer to issue Development Approval upon the conclusion of the consultation period on the basis that there are no sustainable planning objections arising from the consultation.**

Should an objection arise that cannot reasonably be either dismissed on planning grounds or satisfactorily resolved the matter would be brought back to Council at the next available meeting for determination.

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN JUNE 2020

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	3 July 2020
Attachments:	June 2020 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for June 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 June 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 June 2020.

9.4.2 MANAGEMENT AGREEMENT – ADVANCE HOUSING

Location/Address:	Lot 3 Yandil Street Bremer Bay, Lot 770 Roderick Street Bremer Bay, Lot 158 Derrick Street, Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	8 July 2020
Attachments:	RTA Form 1AA and addenda
Authority/Discretion:	Executive

SUMMARY:

This item addresses the endorsement of a management agreement with Advance Housing in the form of a RTA Form 1AA with appropriate addenda to continue to manage residential properties located at Lot 158 Derrick Street, Jerramungup and Lot 770 Roderick Street, Bremer Bay.

The construction of five new Independent Living Units located at Lot 3 Yandil Street, Bremer Bay is due to be completed by the end of July 2020 for occupation, the new agreement includes the newly constructed units.

The recommendation is to endorse the RTA Form 1AA with appropriate addenda and authorise the Chief Executive Officer and Shire President to execute the document.

BACKGROUND:

The Shire of Jerramungup provides an able aged care facility located at Lot 158 Derrick Street, Jerramungup and Lot 770 Roderick Street, Bremer Bay consisting of 6 units at each location. The properties were constructed under a Joint Venture Funding arrangement between the Shire and the Department of Housing.

Advance Housing have managed the units since 27 October 2014 and is responsible for the tenancy agreements, collecting bond/rent, regular inspections, building maintenance, gardening, insurance and providing for future works and development.

The Management Agreement between the Shire and Advance Housing for the units located at Lot 158 Derrick Street, Jerramungup and Lot 770 Roderick Street, Bremer Bay expired 27 October 2019.

Council received funding through the Federal Government through the Building Better Regions Fund (BBRF) and State Government through the Regional Aged Accommodation Program (RAAP) to construct five new independent Living Units (ILU) at Lot 3 Yandil Street, Bremer Bay. These newly constructed units are due for completion at the end of July 2020 ready for occupancy.

It is recommended that the newly constructed units be managed by Advance Housing.

CONSULTATION:

Consultation has been carried out with the Chief Executive Officer of Advance Housing to develop this agreement.

COMMENT:

Advance Housing is a community based not-for-profit organisation located in Albany. Advance Housing continue to manage 60 properties across the wider Great Southern region on behalf of Shires and Incorporated Associations, these include Shires of Jerramungup, Gnowangerup, Lake Grace, Ravensthorpe and Katanning, in total Advance Housing manage approximately 400 properties.

Advance Housing is registered as a Department of Housing Preferred Provider for the Great Southern region of WA. Advance Housing is committed to providing well maintained homes of a high standard that improve their tenant's quality of living.

In consultation with the Chief Executive Officer of Advance Housing we have undertaken a full review of the arrangement which expired on 27 October 2019. The Shire was unable to continue the management agreement in its current form due to progressive shifts in the regulatory environment around property management. Advance Housing are keen to continue working with the Shire to achieve the same ends, but in a way that is able to be compliant in the long term.

Advance Housing was provided with legal advice and the best option for the future is for Advance Housing to take a long-term lease. Any lease needs to be in the form of a RTA Form 1AA with appropriate addenda to reflect the subletting approach and community housing purpose.

The suggested approach would involve;

- A minimum 10 year lease to be in the form of a RTA Form 1AA with appropriate addenda on the properties on a peppercorn basis.
- Advance Housing would manage all tenancies under the same arrangements as our social and affordable tenancy requirements with the State Government. This includes rent setting and eligibility assessments.
- Advance Housing would be responsible for all cyclical and capital renewal maintenance programs from within any rent collected and reserves already held.
- The Shire would only need to provide financial support for any major structural issues that may arise over time that are not covered as part of the normal asset renewal cycle.
- Advance Housing will be responsible for all insurances.
- The current reserves held by Advance Housing for the properties would need to be released for their use for any future maintenance and renewal programs for the properties in scope.

If the Shire do not wish to continue the relationship, Advance Housing will need to plan for the cessation of the existing arrangement and the return of properties as soon as possible to avoid any compliance issues. Advance Housing are eager to maintain our relationship and work with the Shire to continue to work together to house the most vulnerable in our community.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

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

Aspiration 2.3 – Health and Happy Community: To promote and deliver programs, initiatives and infrastructure that contribute to a healthier, happier community.

Objectives 2.3.4 – Investigate the provision of housing for visiting professional services.

FINANCIAL/BUDGET IMPLICATIONS:

Funds held in the Bremer Bay and Jerramungup Retirement Units Reserve will be utilised in the event financial support is sought from the Shire for any major structural issues that may arise over time that are not covered as part of the normal asset renewal cycle.

WORKFORCE IMPLICATIONS:

The agreement with Advance Housing offsets the requirement for Council to provide staffing in this area.

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;

- **Authorise the Shire President and Chief Executive Officer to execute the RTA Form 1AA with appropriate addenda for the six aged care units located at Lot 770 Roderick Street, Bremer Bay and Lot 158 Derrick Street, Jerramungup and the five independent living units located at Lot 3 Yandil Street, Bremer Bay to Advance Housing commencing 31 July 2020 and continuing for ten years.**

**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, 19 August 2020, commencing at 2.00pm, in the Emergency Services Shed, Bremer Bay.

13.2 CLOSURE OF MEETING

The Presiding Member closed the meeting atpm

These minutes were confirmed at a meeting held

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Signed:

Presiding Person at the meeting at which these minutes were confirmed

Date: