

SHIRE OF JERRAMUNGUP



MINUTES

COUNCIL ORDINARY MEETING

16th MARCH 2016

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SHIRE OF JERRAMUNGUP

ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS,
JERRAMUNGUP ON WEDNESDAY 16th MARCH 2016, COMMENCING AT 2.03PM.

1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The President declared the meeting open at 2:03pm

2. **RECORD OF ATTENDANCE**

Cr R Lester	President
Cr R Parsons	Member
Cr W Bailey	Member
Cr C Daniel	Member
Cr B Trevaskis	Member
Cr J Leenhouders	Member

Mr B Bailey	Chief Executive Officer
Mr C Miller	Engineering Officer
Mr M Flett	Engineering Officer
Miss E Hyde	Executive Assistant

3. **APOLOGIES**

Cr J Iffla	Deputy President
Mrs C Solomon	Deputy Chief Executive Officer

4. **LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil

5. **PUBLIC QUESTION TIME**

Nil

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

7. **PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

8. **DECLARATIONS OF FINANCIAL INTEREST**

Cr Bailey declared an indirect financial interest in Item 9.2 - Minutes of the CEO Appointment and Review Committee Minutes. The nature of the interest is the Chief Executive Officer is a member of his family.

Mr Bailey declared a financial interest in Item 9.2 - Minutes of the CEO Appointment and Review Committee. The nature of the interest is that it relates to his employment contract.

9. CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held 17th February 2016

OC160301 Moved Cr Trevaskis / Seconded Cr Daniel

That the Minutes of the Ordinary Meeting of Council held 17th February 2016 be confirmed.

Carried 6-0

OC160302 Moved Cr Leenhouders / Seconded Cr Parsons

That the meeting be closed to the public to discuss Confidential Item 9.2 - Minutes of the CEO Appointment and Review Committee.

Carried 6-0

2:05pm Cr Bailey and Mr Bailey left the meeting.

9.2 CEO Appointment and Review Committee held 16th March 2016

OC160303 Moved Cr Daniel / Seconded Cr Parsons

That the Minutes and recommendations of the CEO Appointment and Review Committee Meeting held 16th March 2016 be confirmed and endorsed.

Carried 5-0

OC160304 Moved Cr Parsons / Seconded Cr Leenhouders

That the meeting be reopened to the public.

Carried 5-0

2:07pm Mr Bailey returned to the meeting.

W O R K S

2:10pm Cr Bailey returned to the meeting.

SUBMISSION TO:	Works
AGENDA REFERENCE:	10.1.1
SUBJECT:	Works Report
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	
AUTHOR:	Chris Miller
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th March 2016

ATTACHMENT

Attachment 10.1.1(a) – Jerramungup, Bremer Bay & rural road maintenance report
Attachment 10.1.1(b) – Road construction program schedule

ROAD CONSTRUCTION

Bitumen works for both Don Ende Drive and Devils Creek Road were completed in the first week of February with the crew sealing both roads with a 14mm single coat seal.

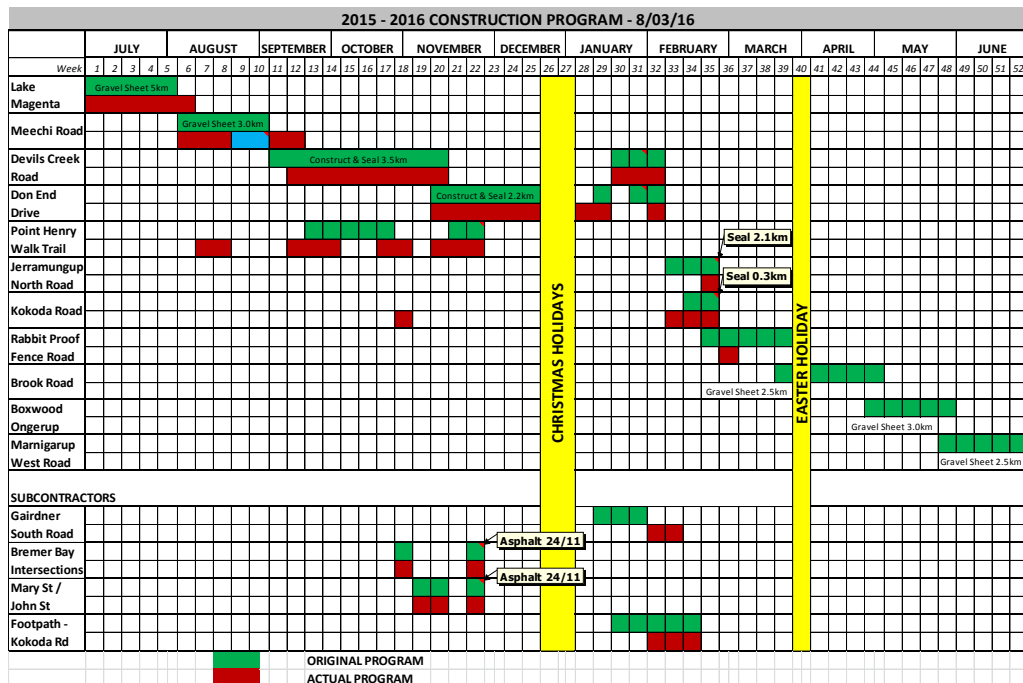
Well done to the crew on completing a six year upgrade of Devils Creek Road, sealing from South Coast Highway to Pabelup Drive in the Fitzgerald River National Park.

Since the completion of Devils Creek Road and Don Ende Drive the construction crew has mobilised to Jerramungup and completed a trim and tidy up of the formation and sealed with a single 14mm coat in late February.

The sealing of Don Ende Drive and Jerramungup North Road to the Bremer Bay and Jerramungup airstrips will be a significant advantage for St Johns Ambulance volunteers allowing a smoother and safer transition for patients to the airstrips.

Subcontractors 'Western Stabilisers' have also carried out pavement repairs on Gairdner South Road as part of the Regional Road Group funding. Pavement repairs were carried out from the Bremer Bay Road to Swamp Road completing the first stage of a five year upgrade.

Refer below for the completed 2015 / 2016 construction program:



ROAD MAINTENANCE

Throughout February the road maintenance team continued on their cycle around the Shire, focusing on the School bus routes throughout January and February, the arterial heavy haulage routes for gypsum and lime and clearing of back-slopes and drainage offshoots ready for the upcoming winter season.

Due to the significant rains the crew will also focus on spraying and weed control on all rural roads ensuring shoulders and drains are clean ready for winter grading operations.

Over the coming months, once sufficient ground moisture is available the crew will start to winter grade, building the crowns back up in roads and ensuring they have sufficient cross fall.

Traffic counters were set up on our main arterial routes over the harvest / holiday period, the table below summarises the data collected;

Road	Peak Period (week)	Average daily volume for the peak period (vehicles/day)	Highest Daily Count (total vehicles/day)
Borden Boxwood	28 th - 4 th Jan	324	452
Jacup Nth	14 th - 21 st Dec	200	267
Devils Creek	16 th - 23 rd Nov	178	233
Gairdner South	28 th - 4 th Jan	171	232
Needilup Nth	12 th - 19 th Oct	121	198
Jerramungup Nth	16 th - 23 rd Nov	111	143
Cameron	7 th - 14 th Dec	81	116
Meechi	9 th - 16 th Nov	77	123
Swamp	16 th - 23 rd Nov	77	122
Brook	7 th - 14 th Dec	60	73
Rabbit Proof Fence	19 th - 26 th Oct	57	78
Marnigarup West	16 th - 23 rd Nov	45	63

TOWN SERVICES

The town services team has been focusing on Kokoda Road works and footpath construction throughout February.

With the help of local subcontractors, a concrete footpath has been constructed which extends the length of Kokoda Road and links up Memorial Road with Spitfire Avenue.

The crew has also completed some minor surface correction and then re-sealed the road with a 10mm seal at the same time as Jerramungup North Road.

Over the coming months the team will be carrying out an upgrade and refurbishment of the Jerramungup Cemetery grounds (funded by the Kokoda Op-Shop) as well as their ongoing maintenance of parks and gardens in both Bremer Bay and Jerramungup

STATUTORY REQUIREMENTS

Nil

STRATEGIC IMPLICATIONS

This item relates to the following component from the Shire of Jerramungup Strategic Community Plan 2012 – 2025;

Aspiration 10: A community where transport infrastructure is constructed and maintained using best practice principals.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

WORKFORCE IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

COMMENTS

Nil

RECOMMENDATION

That Council adopt the February works report.

OC160305 Moved Cr Leenhouders / Seconded Cr Trevaskis

That Council adopt the February works report.

Carried 6-0

FINANCE

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.1
SUBJECT:	Accounts Payable
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	
AUTHOR:	Kiara Leeson
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	1 st March 2016

ATTACHMENT

List of Accounts Paid to 29th February 2016

BACKGROUND

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	27976	
	EFT 11632 – 11732	\$ 479,645.71
	EFT 11734 – 11734	\$ 106.86
	EFT 11737 – 11749	\$ 28,647.23
	Cheque 27977 – 27980	\$ 9,032.33
	Cheque 27981	CANCELLED
	Cheque 27982 – 27984	\$ 4,409.11
	Direct Deposit	\$ 21,575.65
Municipal Account Total		\$543,416.89
Trust Account		
	EFT 11631 – 11631	\$2,508.00
	EFT 11733 – 11733	\$20.00
	EFT 11735 – 11736	\$2,500.00
Trust Account Total		\$5,028.00
<u>Grand Total</u>		<u>\$548,444.89</u>

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.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the schedule of direct debits and accounts payable, totalling \$548,444.89 submitted to the Full Council on 16th March 2016 be endorsed.

SIGNATURES

Author

Chief Executive Officer

OC160306 Moved Cr Parsons / Seconded Cr Daniel

That the schedule of direct debits and accounts payable, totalling \$548,444.89 submitted to the Full Council on 16th March 2016 be endorsed.

SIGNATURES

Author

Chief Executive Officer

Carried 6-0

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.2
SUBJECT:	Monthly Financial Report
LOCATION/ADDRESS:	Shire of Jerramungup
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th March 2016

SUMMARY

This report presents the monthly financial report to Council which is provided as an attachment to the agenda. The recommendation is to receive the monthly financial report.

ATTACHMENT

Attachment 10.2.2 - Monthly Financial Report – Period Ending 29th February 2016

BACKGROUND

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail

- 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, and
- Any other required supporting notes.

CONSULTATION

Council financial records.

COMMENT

This 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.

STATUTORY REQUIREMENTS

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that financial activity statement reports are provided each month reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month.

The report is to be presented at either the next Ordinary meeting after the end of the month, or if not prepared in time to the next Ordinary meeting after that meeting.

STRATEGIC IMPLICATIONS

This item relates to the following component from the Shire of Jerramungup Strategic Community Plan 2012 – 2025;

Aspiration 11: A community where revenue is maximised and rating methodology is fair, equitable and transparent.

FINANCIAL IMPLICATIONS

As detailed within the Monthly Financial Report

POLICY IMPLICATIONS

Accounting policies as detailed within the Monthly Financial Report

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receive the Monthly Financial Report for the period ending 29th February 2016 in accordance with Section 6.4 of the Local Government Act 1995.

OC160307 Moved Cr Leenhouders / Seconded Cr Trevaskis

That Council receive the Monthly Financial Report for the period ending 29th February 2016 in accordance with Section 6.4 of the Local Government Act 1995.

Carried 6-0

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.3
SUBJECT:	Budget Review 2016
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Shire of Jerramungup
FILE REFERENCE:	
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th March 2016

SUMMARY

This item addresses Council's annual statutory budget review and gives an indication and projection of the end of year financial position. Based on current expenditure patterns and review of major projects the forecast end of year position is expected to be a moderate surplus. The recommendation seeks to adopt the budget review and allocate an additional \$80,000 to Jerramungup North Road and up to \$40,000 to pavement repairs and shoulder grading on sections of road in Point Henry.

ATTACHMENT

Attachment 10.2.3 - Budget Review Report

BACKGROUND

Under Regulation 33A (2) and (3) of the *Financial Management Regulations*, a budget review is to be undertaken by Senior Staff, the results of which are to be presented to Council within 30 days of completion and then forwarded to the Department of Local Government and Regional Development, along with Council's determination.

A budget review was undertaken by the Chief Executive Officer and Deputy Chief Executive Officer using figures to 31st January 2016. The attached financials take on a similar format to Council's monthly statements. The results are hereby reviewed and submitted to be adopted by Council.

CONSULTATION

Senior Officers
Council Financial Accounts

COMMENT

These projections are estimates done to the best of the abilities of the staff involved consulting with current accounts, forecasted expenditures and current budgets. These estimates do not guarantee that the 2015/2016 projected results will match the end of year result as there are many external influences through the remainder of the financial year that can have a bearing on Council's capacity for expenditure.

Contained in the attachments in Note 2 is discussion regarding areas of material variance within the budget forecasts for this financial year. In summary the end of year position is expected to result in a surplus of approximately \$229,000 and most

income/expenditure classifications are forecast for achieving budget. There are variances at account levels and these are discussed in the budget review report.

Summary:

In summary the overall income and expenditure pattern is tracking well this financial year with most projects forecast to be complete prior to 30th June 2016. The most significant source of savings is in employee costs due to staff position vacancies and a staff restructure carried out within the financial year. The recommendation of this report seeks to allocate these savings into roadworks projects. A number of significant items are discussed below for information purposes.

In August 2015 a Structural Engineer was engaged to complete a report on the condition of the Jerramungup swimming pool which discovered major works are required to ensure the continued use of the pool. Department of Education approved a budget of \$250,000 to undertake the works before 30th June 2016. Under the Department of Sport & Recreation Community Pools Revitalisation Project, Council applied for a \$32,000 grant for 2015/16 which will go towards reinstating the toddler's pool when the major works are undertaken at the end of April 2016. The Shire is expected to have confirmation of the funding from DSR in next couple of weeks. These expenses are budgeted for completion this financial year and this is reflected in the budget review however depending on the progress of the project it may carry forward to next financial year.

The Shire was approached in November 2015 by DFES to enter into a joint agreement between the Shires of Jerramungup and Ravensthorpe to appoint a Bushfire Risk Planning Coordinator. The position was fully funded by DFES with the contract expiring 30th June 2016. The Shire received \$157,976 to fund the new position. The Shire purchased a 2016 Mitsubishi Triton for the Bushfire Risk Planning Coordinator, under a lease contract with a buy back option in mid July 2016. If DFES continue to fund the position in 2016/17, Council will continue to lease the vehicle. A \$50,000 provision has been made in the budget review to transfer the balance of funds to restricted cash at 30th June 2016 to isolate the funds for next financial year if the program continues. If the program ceases at 30th June 2016 then these funds will be returned to DFES.

Council approved \$6,500 for the connection of the Bremer Bay cemetery to water supply on Wellstead Road however an agreement was made with the bore owner on Wellstead Road to continue to access water supplies for this financial year. This was due to the final quotes for the project well exceeding the budgeted amount for the project and value for money not being evident in the total financial outlay. This money was utilised to install a bore at Fisheries Beach. Council can reconsider the cemetery irrigation project in 2016/17.

Council identified a cash contribution of up to \$130,000 in the 2015/2016 annual budget as a contribution towards the new Synthetic Green at the Bremer Bay Sports Club. This utilises the full 2.5% annual policy allocation and draws additional funds from the Community Recreation Reserve to fund the balance. Depending on the projects timing the expenditure or portions of may be incurred in the 2016/2017 financial year. The approved CSRFF application was for \$112,914 and the project is now forecast to be delivered by October 2016. There is no cash impact on this timing delay and depending on when Council's funds are required any balance will be transferred to the Community Recreation Reserve in June 2016.

With the surplus expected to be approximately \$229,000 it is recommended that Council allocate and additional \$80,000 of materials / contracts funds towards a second coat seal on Jerramungup North Road, the first coat has just been completed a second seal will contrast the road to the required standard to accommodate heavy vehicles. It also recommended that Council allocate an additional \$40,000 of materials / contracts funds towards pavement repairs and shoulder grading required on various sections of roads in Point Henry.

The additional funding from Roads to Recovery this financial year has provided a significant boost to the Road Construction budget however under this program the Shire is also required to maintain its own level of funding towards roads. With a number of projects being delivered under budget to date a further investment towards before the end of the financial year will ensure these targets are met. Council may choose to consider other projects to allocate these funds to but will need to be mindful that our internal staff and machinery are fully utilised throughout the remainder of this financial year and the projects will need to be delivered promptly by external resources.

The remaining surplus will provide a small buffer to accommodate any changes in income/expenditure forecasts and can be allocated to reserve funds towards in June.

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996

Part 3 Annual budget — s. 6.2

33A. Review of budget

- 1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- 2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.
- 3) A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
**Absolute majority required.*
- 4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

STRATEGIC IMPLICATIONS

The Shire's Annual Budget is the primary tool for the implementation of the Strategic Community Plan.

FINANCIAL IMPLICATIONS

End of Year Financial Forecast as attached.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council:

1. Adopt the Budget Review for the financial year 2015/2016 that was conducted in accordance with Regulation 33A (2) and (3) of the Local Government (Financial Management) Regulations 1996.
2. Authorise the sale of the Shire's 'Tipping Body' which has been removed from and no longer required for the Tandem Truck.
3. Allocate an additional \$45,000 in materials and contractors towards a second coat seal on Jerramungup North Road.
4. Allocate an additional \$45,000 in materials and contractors towards a second coat seal on White Trail Road.
5. Allocate an additional \$40,000 in materials and contractors towards pavement repairs and shoulder grading on various sections of road in Point Henry.

OC160308 Moved Cr Daniel / Seconded Cr Bailey

That Council:

1. **Adopt the Budget Review for the financial year 2015/2016 that was conducted in accordance with Regulation 33A (2) and (3) of the Local Government (Financial Management) Regulations 1996.**
2. **Authorise the sale of the Shire's 'Tipping Body' which has been removed from and no longer required for the Tandem Truck.**
3. **Allocate an additional \$45,000 in materials and contractors towards a second coat seal on Jerramungup North Road.**
4. **Allocate an additional \$45,000 in materials and contractors towards a second coat seal on White Trail Road.**
5. **Allocate an additional \$40,000 in materials and contractors towards pavement repairs and shoulder grading on various sections of road in Point Henry.**

Carried by Absolute Majority 6-0

**HEALTH,
BUILDING
&
TOWN PLANNING**

SUBMISSION TO:	Health, Building & Town Planning
AGENDA REFERENCE:	10.3.1
SUBJECT:	Review of Local Planning Scheme & Building Act delegations
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	Delegations Register
AUTHOR:	Planning Officer, Craig Pursey
DISCLOSURE OF ANY INTEREST:	The author has an interest in that certain delegations will fall under his area of responsibility.
DATE OF REPORT:	3 rd March 2016

SUMMARY

Council is requested to review the existing delegations to staff to administer specific aspects of the Local Planning Scheme.

Due to the recent adoption of the Planning and Development (Local Planning Scheme) Regulations 2015 (the Regulations) the delegations are now required to be adopted against clause 82 of Schedule 2, Part 10 of the Regulations.

The existing delegations appear to have been functioning well and no change is proposed.

ATTACHMENTS

Nil

BACKGROUND

At their meeting of 15th April 2015 Council resolved to delegate to the Chief Executive Officer a series of powers and duties under Clause 11.3 of the Shire of Jerramungup Local Planning Scheme No.2.

The delegations are required to be reviewed at least once every financial year.

In order to achieve compliance the listing of Council's delegations is submitted for approval by Council.

COMMENT

The current delegations have resulted in a more streamlined assessment process with staff being empowered to negotiate with applicants and commit to turnaround times for compliant applications.

No complaints have been received regarding staff application of the delegations under the Local Planning Scheme during the past year.

STATUTORY REQUIREMENTS

Scheme requirements

Local Planning Scheme No.2 (the Scheme) has been amended by default with the adoption of the Planning and Development (Local Planning Scheme) Regulations 2015. These Regulations have effectively removed all administrative clauses from the Shire's Scheme and replaced them with "Deemed Provisions" that are consistent across the state.

Clause 82 of Schedule 2, Part 10 of the Regulations refers to delegation. The planning delegations are now required to be adopted by reference to the new Regulations.

STRATEGIC IMPLICATIONS

The proposal aligns with a variety of the aspirations of the Strategic Community Plan:

Delegations help to facilitate **Aspiration 2:** A growing community that embraces well designed and sustainable development

Aspiration 6: An engaged and informed community, defined by strong civic leadership, sound governance and transparent decision making.

FINANCIAL IMPLICATIONS

There may be small savings to the Shire in the more efficient use of staff resources.

POLICY IMPLICATIONS

Local Planning Policies may be implemented at staff level should applications be fully compliant.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council delegate to the Chief Executive Officer the following powers and duties under clause 82 of Schedule 2, Part 10 of the Planning and Development (Local Planning Schemes) Regulations 2015:

Local Planning Scheme No.2

1. Initiate the necessary public advertising of 'A' planning applications prior to determination by the Council.
2. Initiate the necessary public advertising of planning applications for a 'Use Not Listed' prior to determination by the Council.

3. Approve all 'P' planning applications where the use proposed complies with standards prescribed by Local Planning Scheme No.2 and any relevant Local Planning Policies made under the Scheme.
4. Approve all 'D' planning applications subject to:
 - a) Compliance with the objectives of the Council's Local Planning Policies; and
 - b) Compliance with Local Planning Scheme No.2.
5. Approve planning applications for building envelopes in the 'Rural Residential' zone where:
 - a) No objection being received from neighbouring landowners;
 - b) The building envelope location is not visually prominent when viewed from major roads, roads to beaches, reserve land or beaches; and
 - c) The envelope is not located in Kwongkan Shrubland.
6. Approve planning applications in a Reserve where the proposed use is consistent with the ultimate purpose intended for the reserve.
7. Approve and accept tree planting and landscaping plans required for subdivisional approvals or planning consent conditions where the plans involve the use of local native plant and tree species or other appropriate species.
8. Provide responses to mobile phone carriers in accordance with the Telecommunications Act in respect to:
 - a) The proposed method of community consultation.
 - b) The installation of low impact facilities.
9. Approve requests for boundary setback variations required by the Residential Design Codes, the Town Planning Scheme or relevant Local Planning Policies (where there is power to vary the standards) where the variation will not adversely impact on the amenity of adjoining residences and adjoining owners support has been received.
10. Approve applications for purpose built transportable buildings where the proposed building will not adversely impact on the amenity of adjoining residences and adjoining owners support has been received.
11. Approve applications for Single Houses and outbuildings in the Rural Residential zone where the proposed building(s) fully comply with the requirements of the Local Planning Scheme and/or relevant Local Planning Policies and will not adversely impact on the amenity of adjoining residences.
12. Approve applications for advertisements that fully comply with the requirements of the Local Planning Scheme and/or relevant Local Planning Policies and will not adversely impact on the amenity of the surrounding area.

Subdivision

13. Recommend support to the Western Australian Planning Commission and where delegated by the Commission determine applications for subdivisional proposals

up to five (5) lots where these proposals comply with Local Planning Scheme No.2 or relevant Local Planning Policy and ensure appropriate and relevant conditions are requested of the Western Australian Planning Commission.

14. Endorse clearance of Freehold Title and Strata title subdivisions on Deposited Plans or Plans of Strata / Survey Strata and strata documents.

Scheme Amendments and Structure Plans

15. Require proponents to modify Local Planning Scheme Amendments and Structure Plan documents to the satisfaction of Council officers prior to them being considered by the Council.
16. Make inconsequential text and grammatical modifications to Scheme Amendments and Structure Plan documentation at any stage of the process.
17. Accept modifications to Scheme Amendments required by the Minister for Planning and Infrastructure unless they are in direct conflict with the Council's intentions following the consideration of submissions. This will include accepting the Minister's decision not to require modifications which were requested by the Council following consideration of submissions.

Appeals

18. Provide responses to the State Administrative Tribunal in respect to applications for a review lodged against a refusal of planning consent, unacceptable conditions imposed on an approval of planning consent or supporting statements for the Western Australian Planning Commission in respect to a subdivision application decision made by the Commission. This also includes advising the Tribunal if mediation is an option to consider for the appeal process.

Legal Proceedings

19. The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions and legal proceedings for breaches of the Town Planning Scheme in accordance with Part 13 of the Planning and Development Act 2005 on behalf of the Council.

OC160309 Moved Cr Leenhouders / Seconded Cr Bailey

That Council delegate to the Chief Executive Officer the following powers and duties under clause 82 of Schedule 2, Part 10 of the Planning and Development (Local Planning Schemes) Regulations 2015:

Local Planning Scheme No.2

- 1. Initiate the necessary public advertising of 'A' planning applications prior to determination by the Council.**
- 2. Initiate the necessary public advertising of planning applications for a 'Use Not Listed' prior to determination by the Council.**

- 3. Approve all 'P' planning applications where the use proposed complies with standards prescribed by Local Planning Scheme No.2 and any relevant Local Planning Policies made under the Scheme.**
- 4. Approve all 'D' planning applications subject to:**
 - a) Compliance with the objectives of the Council's Local Planning Policies; and**
 - b) Compliance with Local Planning Scheme No.2.**
- 5. Approve planning applications for building envelopes in the 'Rural Residential' zone where:**
 - a) No objection being received from neighbouring landowners;**
 - b) The building envelope location is not visually prominent when viewed from major roads, roads to beaches, reserve land or beaches; and**
 - c) The envelope is not located in Kwongkan Shrubland.**
- 6. Approve planning applications in a Reserve where the proposed use is consistent with the ultimate purpose intended for the reserve.**
- 7. Approve and accept tree planting and landscaping plans required for subdivisional approvals or planning consent conditions where the plans involve the use of local native plant and tree species or other appropriate species.**
- 8. Provide responses to mobile phone carriers in accordance with the Telecommunications Act in respect to:**
 - a) The proposed method of community consultation.**
 - b) The installation of low impact facilities.**
- 9. Approve requests for boundary setback variations required by the Residential Design Codes, the Town Planning Scheme or relevant Local Planning Policies (where there is power to vary the standards) where the variation will not adversely impact on the amenity of adjoining residences and adjoining owners support has been received.**
- 10. Approve applications for purpose built transportable buildings where the proposed building will not adversely impact on the amenity of adjoining residences and adjoining owners support has been received.**
- 11. Approve applications for Single Houses and outbuildings in the Rural Residential zone where the proposed building(s) fully comply with the requirements of the Local Planning Scheme and/or relevant Local Planning Policies and will not adversely impact on the amenity of adjoining residences.**
- 12. Approve applications for advertisements that fully comply with the requirements of the Local Planning Scheme and/or relevant Local Planning Policies and will not adversely impact on the amenity of the surrounding area.**

Subdivision

- 13. Recommend support to the Western Australian Planning Commission and where delegated by the Commission determine applications for subdivisional proposals up to five (5) lots where these proposals comply with Local Planning Scheme No.2 or relevant Local Planning Policy and ensure appropriate and relevant conditions are requested of the Western Australian Planning Commission.**
- 14. Endorse clearance of Freehold Title and Strata title subdivisions on Deposited Plans or Plans of Strata / Survey Strata and strata documents.**

Scheme Amendments and Structure Plans

- 15. Require proponents to modify Local Planning Scheme Amendments and Structure Plan documents to the satisfaction of Council officers prior to them being considered by the Council.**
- 16. Make inconsequential text and grammatical modifications to Scheme Amendments and Structure Plan documentation at any stage of the process.**
- 17. Accept modifications to Scheme Amendments required by the Minister for Planning and Infrastructure unless they are in direct conflict with the Council's intentions following the consideration of submissions. This' will include accepting the Minister's decision not to require modifications which were requested by the Council following consideration of submissions.**

Appeals

- 18. Provide responses to the State Administrative Tribunal in respect to applications for a review lodged against a refusal of planning consent, unacceptable conditions imposed on an approval of planning consent or supporting statements for the Western Australian Planning Commission in respect to a subdivision application decision made by the Commission. This also includes advising the Tribunal if mediation is an option to consider for the appeal process.**

Legal Proceedings

- 19. The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions and legal proceedings for breaches of the Town Planning Scheme in accordance with Part 13 of the Planning and Development Act 2005 on behalf of the Council.**

Carried by Absolute Majority 6-0

A D M I N

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.1
SUBJECT:	Economic Growth Project Plan
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	Not applicable
FILE REFERENCE:	
AUTHOR:	Brent Bailey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	7 th March 2016

SUMMARY

The Shire of Jerramungup has been developing an Economic Growth Project Plan since mid-2015. This item seeks to receive the Draft Economic Growth Project Plan and advertise it for public comment before final adoption.

ATTACHMENT

Attachment 10.4.1 - Draft Economic Growth Project Plan

BACKGROUND

Since mid-2015 the Elected Group and Executive team have participated in workshops and dialogue with consultants – Core Business Australia to develop a document which will guide the Shire’s direction to foster and promote economic development within the Shire. This process has explored existing economic environment conditions, opportunities for growth and key alignments to the State Planning Strategy and local Great Southern Regional Blueprint.

The development of this plan will align with and inform the development of the new Community Strategic Plan and major priorities identified in the document will need to be considered for resourcing in Council’s Corporate Business Plan.

CONSULTATION

Great Southern Regional Blueprint

Core Business Australia

Public Submissions to be invited on the Draft Economic Growth Project Plan

Further input and comment on the Draft Economic Growth Project Plan will also be sought from Key State Government Departments.

COMMENT

The Draft Economic Growth Project Plan has been developed under the headings highlighted in the State Government’s State Planning Strategy. As most projects and directions for Economic Growth will require some degree of input or resources from the State Government it is important that these links are clearly established in the Economic Growth Project Plan. The document is also broken into projects / directions which are delivered by the Shire and those which are the responsibility of other agencies which require an advocacy role by the Shire.

These tables which show this alignment are provided in pages 10-15 and each project identified is expanded on through the balance of the plan.

Major projects which are to be delivered by the Shire are centred on tourism development, and economic infrastructure development in Bremer Bay. Key advocacy projects are more focused on transport links into the Shire, potential resources and mining impacts, health services, telecommunications and appropriate land supply for industry and affordable residential uses.

The direction and groundwork provided in this document will provide the Shire's executive team with a consolidated tool to pursue funding and advocacy roles with the aim of improving economic drivers within the Shire. Implementation of many of the projects will also require substantial internal or external resources to move projects forward. It will be important to cater for resourcing requirements in the Corporate Business Plan and annual budgets to yield value out of the work done to date.

STATUTORY REQUIREMENTS

Nil

STRATEGIC IMPLICATIONS

Aspiration 9: An economically diverse community where primary industry is supported by a strong secondary and service industry

Activity: Develop Economic Development Strategy

FINANCIAL IMPLICATIONS

The Economic Growth Project Plan identifies a wide range of projects for further development in order to foster and grow Economic Development in the Shire of Jerramungup. Further resources will be required to take each project identified further.

The development of this draft plan cost \$25,500 in external contractors.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Endorse the Draft Shire of Jerramungup Economic Growth Project Plan 2015-2020.
2. Advertise locally the Draft Shire of Jerramungup Economic Growth Project Plan 2015-2020 for public submissions for period of 21 days.

OC160310 Moved Cr Bailey / Seconded Cr Leenhouders

That Council:

1. **Endorse the Draft Shire of Jerramungup Economic Growth Project Plan 2015-2020.**
2. **Advertise locally the Draft Shire of Jerramungup Economic Growth Project Plan 2015-2020 for public submissions for period of 21 days.**

Carried 6-0

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.2
SUBJECT:	Further Term - Lease Proposed Chemist
LOCATION/ADDRESS:	Lot 24 (#9) Memorial Road, Jerramungup
NAME OF APPLICANT:	Mr Han Wui and Mr Thuc Huynh
FILE REFERENCE:	
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th March 2016

SUMMARY

This item is to authorise the Chief Executive Officer and Shire President to execute a lease agreement with a proposed additional further term totalling 14 years between the Shire of Jerramungup and Mr Han Wui for a portion of Lot 24 Memorial Road, Jerramungup.

ATTACHMENT

Attachment 10.4.2 – Chemist Lease

BACKGROUND

At the July 2015 Ordinary meeting it was resolved;

That Council,

1. *Advertises its intent to enter into a lease between the Shire of Jerramungup and Mr Han Wui and Mr Thuc Huynh for Lot 24 Memorial Road Jerramungup in accordance with Section 3.58(3) of the Local Government Act 1995.*
2. *Endorse the fundamental terms of an initial proposed lease being:*
 - a) *An initial 3 year peppercorn lease period followed by a market rent rate up to \$250 per week rent for a period of 3 years with one further three year option and annual rent increases of 2%; and*
 - b) *Full payment of rates, utilities and charges associated with the building for the term of the lease.*
3. *Delegates authority to the Chief Executive Officer and Shire President to execute the lease agreement provided no adverse submissions are received during the advertising period.*
4. *Approach the Minister for Lands in order to:*
 - a) *Change the purpose of Reserve 25164 to 'the Use and Requirements of the Shire of Jerramungup' including 'health' and 'civic' land uses;*
 - b) *Grant the power to lease for up to 21 years to the Shire of Jerramungup for Reserve 25164;*
5. *Approve the proposed Shop (pharmacy) at Lot 24 (#9) Memorial Road, Jerramungup subject to the following conditions:*

- a) *A formal lease being in place for the subject building.*
- b) *Development shall be carried out in full and fully implemented in accordance with the details submitted with the planning application.*
- c) *Occupation of the 'Shop' (pharmacy) shall not commence until the details of the colour and extent of any external painting have been submitted to the Shire and have been approved in writing.*
- d) *Any signage will be the subject of a separate planning application and should ideally be located within the existing signage envelopes located on the building already.*
- e) *The applicant is responsible for the ongoing maintenance of the building to the satisfaction of the Chief Executive Officer.*

The proponent has requested a variation to the lease documentation of the proposed further term. As per Council resolution the lease provisions approved an initial 3 year lease with two further 3 year options totalling 9 years. The proponent would like to enter into the lease agreement for a total of 14 years.

to provide greater assurance of their initial investment in the renovations required in the building. The additional terms will still be charged at a market rent so there is no

CONSULTATION

Mr Han Wui

COMMENT

Due to the agreed maintenance and building improvements required prior to commencement and the finances that will go towards the operation of the business the proponent would like assurance that these costs can be spread out over a longer guaranteed time period. The request for an extension of the further term is not unreasonable and the additional timeframe will still be charged at full market rent.

Accordingly it is recommended that Council approve the term totalling 14 years which will also provide a greater security for the community to access pharmaceutical services over this period.

STATUTORY REQUIREMENTS

All statutory requirements for the proposed lease have been fulfilled following Council's resolution at the Ordinary Meeting of Council held July 2015. No submissions were received objecting to the proposed lease.

STRATEGIC IMPLICATIONS

The proposal aligns with a variety of the aspirations of the Strategic Community Plan:

Aspiration 2: A growing community that embraces well designed and sustainable development

FINANCIAL IMPLICATIONS

All costs in preparing the lease should be borne by the applicant.

WORKFORCE IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Approve the proposed term and further term of the lease between the Shire of Jerramungup and Mr Han Wui and Mr Thuc Huynh for Lot 24 Memorial Road, Jerramungup to allow for a total of 14 years.
 - Approve Initial Term: 6 years, First Further Term: 3 years, Second Further Term: 5 years.
2. Authorise the Shire President and Chief Executive Officer to execute the lease agreement subject to the Shire gaining consent from the Minister for Lands.

OC160311 Moved Cr Parsons / Seconded Cr Trevaskis

That Council:

1. **Approve the proposed term and further term of the lease between the Shire of Jerramungup and Mr Han Wui and Mr Thuc Huynh for Lot 24 Memorial Road, Jerramungup to allow for a total of 14 years.**
 - **Approve Initial Term: 6 years, First Further Term: 3 years, Second Further Term: 5 years.**
2. **Authorise the Shire President and Chief Executive Officer to execute the lease agreement subject to the Shire gaining consent from the Minister for Lands.**

Carried 6-0

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.3
SUBJECT:	Cat Sterilisation
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	Not applicable
FILE REFERENCE:	
AUTHOR:	Brent Bailey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	4 th March 2016

SUMMARY

The purpose of the report is to consider a request from the Fitzgerald Biosphere Group to provide a free year cat registration for cat owners participating in their sterilisation program. The item recommends that the request is supported with a \$20 concession towards Cat Registration.

ATTACHMENT

Attachment 10.4.3 - Letter from Fitzgerald Biosphere Group

BACKGROUND

The Fitzgerald Biosphere Group have been successful in gaining funding to undertake a Cat Sterilisation program in the Shire of Jerramungup and have requested that the Shire waive the annual registration fee for owners participating in the program. The program being undertaken has the capacity to sterilise up to 25 cats.

CONSULTATION

Fitzgerald Biosphere Group

COMMENT

The Cat Sterilisation project had great success in 2012 where sterilisation was undertaken on 27 cats. To enhance the wider benefits of this program and to encourage wider registration of cats within the Shire the partnership between the Shire and the FBG on this project is supported at officer level.

Since November 2013 when Cat Registration came into effect there has been 19 cat registrations in total and it is likely that many more remain unregistered within the Shire. Participation in this project is likely to encourage further responsible cat ownership and registration of cats.

It is recommended that a \$20 discount is provided towards the Cat Registration which will allow owners to also select a 3 year or lifetime registration option.

STATUTORY REQUIREMENTS

6.12. Power to defer, grant discounts, waive or write off debts

1. Subject to subsection (2) and any other written law, a local government may —
 - a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - b) waive or grant concessions in relation to any amount of money; or
 - c) write off any amount of money, which is owed to the local government.

** Absolute majority required.*

STRATEGIC IMPLICATIONS

Aspiration 4: An environmentally astute community where human needs are met while conserving our natural and built environment.

Key Component – Partnerships with Key Agencies

FINANCIAL IMPLICATIONS

The current annual registration fee for a sterilised cat is \$20.00. A maximum forgoing of income under this program would amount to \$500.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council provide a \$20 concession on Cat Registration fees for cats which are sterilised and microchipped in the 2016 FBG Cat Sterilisation and Microchipping Clinic.

OC160312 Moved Cr Daniel / Seconded Cr Bailey

That Council provide a \$20 concession on Cat Registration fees for cats which are sterilised and microchipped in the 2016 FBG Cat Sterilisation and Microchipping Clinic.

Carried 6-0

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.4
SUBJECT:	Compliance Audit Return 2015
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	Shire of Jerramungup
FILE REFERENCE:	
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	3 rd March 2015

SUMMARY

This agenda item discusses the compliance audit return for 2015. The recommendation is to adopt the compliance return.

ATTACHMENT

Attachment 10.4.4 - Compliance Audit Return 2015

BACKGROUND

The compliance return is a statutory requirement which Council is to complete each year evaluating areas of compliance with the Local Government Act 1995 and relevant regulations. The compliance period ranges from 1st January 2015 to 31st December 2015.

Council is to receive and adopt the Compliance Audit Return after it has been reviewed by the Audit Committee. An Audit Committee Meeting is scheduled to be conducted prior to the March Council meeting.

CONSULTATION

Executive Officers
Audit Reports

COMMENT

In carrying out the compliance return for 2015 there were no areas of non-compliance identified.

STATUTORY REQUIREMENTS

Local Government Audit Regulations 1996

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.

- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

15. Compliance audit return, certified copy of etc. to be given to Executive Director

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
- (2) In this regulation — *certified* in relation to a compliance audit return means signed by —
 - (a) the mayor or president; and
 - (b) the CEO.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council receive and adopt the Compliance Audit Return for 2015.

OC160313 Moved Cr Trevaskis / Seconded Cr Bailey

That Council receive and adopt the Compliance Audit Return for 2015.

Carried by Absolute Majority 6-0

COUNCILLOR REPORTS

11. COUNCILLOR REPORTS

Cr Parsons

Attended a Land Use Planning training seminar

Cr Daniel

Attended a WALGA Zone Meeting in Tambellup

Attended a community strategic planning workshop

Attended a Councillor strategic planning workshop

Attended a Land Use Planning training seminar

Attended a Strategy and Managing Risk training seminar

Cr Leenhouwers

Attended the Bremer Bay Killer Whale Expedition

Attended a community strategic planning workshop

Attended a Land Use Planning training seminar

Attended a Strategy and Managing Risk training seminar

Cr Lester

Attended the Annual Doctors Review

Attended a community strategic planning workshop

Attended a Councillor strategic planning workshop

Attended a Land Use Planning training seminar

Attended a Strategy and Managing Risk training seminar

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY LEAVE OF THE PRESIDING MEMBER

12.1 From Officers

Nil

12.2 From Elected Members

Nil

13. NEXT MEETING/S

13.1 Ordinary Meeting – to be held Wednesday 20th April 2016 commencing 2.00pm at the Town Hall, Bremer Bay.

14. CLOSURE

The President declared the meeting closed at 3:02pm.