



# 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, 16 October 2019  
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**  
10 October 2019

## 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.”*

**2019 MEETING DATES**

At its Ordinary Meeting of Council on 19 December, 2018, Council adopted the following meeting dates for 2019:

|           |                   |        |                                     |
|-----------|-------------------|--------|-------------------------------------|
| January   | -                 | -      | Council in Recess                   |
| Wednesday | 20 February 2019  | 2.00pm | Council Chambers, Jerramungup       |
| Wednesday | 20 March 2019     | 2.00pm | Council Chambers, Jerramungup       |
| Wednesday | 17 April 2019     | 2.00pm | Emergency Services Shed, Bremer Bay |
| Wednesday | 15 May 2019       | 2.00pm | Council Chambers, Jerramungup       |
| Wednesday | 19 June 2019      | 2.00pm | Council Chambers, Jerramungup       |
| Wednesday | 17 July 2019      | 2.00pm | Council Chambers, Jerramungup       |
| Wednesday | 21 August 2019    | 2.00pm | Emergency Services Shed, Bremer Bay |
| Wednesday | 18 September 2019 | 2.00pm | Council Chambers, Jerramungup       |
| Wednesday | 16 October 2019   | 2.00pm | Council Chambers, Jerramungup       |
| Wednesday | 20 November 2019  | 8.30am | Council Chambers, Jerramungup       |
| Wednesday | 18 December 2019  | 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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Wednesday 16 October 2019

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## **ORDINARY COUNCIL MEETING AGENDA**

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

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

### **2.0 RECORD OF ATTENDANCE**

#### **2.1 ATTENDANCE**

**ELECTED MEMBERS:**

**STAFF:**

**VISITORS:**

**GALLERY:**

#### **2.2 APOLOGIES**

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

Cr Andrew Price, Councillor

#### **2.4 ABSENT**

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

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

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

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

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

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



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

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

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

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

Nil

#### **6.0 PUBLIC TIME**

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

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

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

Ordinary Council Meeting held 18 September 2019.

**That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chambers, Jerramungup, on 18 September 2019 be CONFIRMED**

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

Nil

## 9.0 REPORTS

### 9.1 TECHNICAL SERVICES

#### 9.1.1 WORKS REPORT FOR SEPTEMBER 2019

|                                    |   |
|------------------------------------|---|
| <b>Location/Address:</b>           | N/A                                       |
| <b>Name of Applicant:</b>          | N/A                                       |
| <b>File Reference:</b>             |   |
| <b>Author:</b>                     | Murray Flett, Manager of Works            |
| <b>Responsible Officer:</b>        | Martin Cuthbert, Chief Executive Officer  |
| <b>Disclosure of any Interest:</b> | Nil                                       |
| <b>Date of Report:</b>             | 8 October 2019                            |
| <b>Attachments:</b>                | Road Construction Schedule September 2019 |
| <b>Authority/Discretion:</b>       | Information                               |

#### SUMMARY:

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

#### BACKGROUND:

##### Road Construction

During the month of September, the Construction crew completed forming and gravel re-sheeting the last 5km section of Lake Magenta Road. This completes the gravel re-sheeting works for this road which has significantly improved the pavement integrity of this major commodity route.

The crew then shifted to Brook Road and commenced forming and gravel re-sheeting the next 3km section of this road.

Two of the crew, with the assistance of a local contractor, also completed carting sand fill material for the Independent Living Units house pads in Bremer Bay. Wauters Enterprises were the successful tenderer for these units and preliminary works are well underway.

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

##### Town Services

The crew have been undertaking some more fire mitigation works in various locations around Jerramungup Town site to reduce fuel loads prior to the onset of summer, which has also improved the amenity of the area.

The crew have also completed upgrade works of the Jerramungup street scape and the area is looking fantastic with the removal of dead wood and the injection of new plantings.

The crew have also completed works around the recently renovated Paperbarks toilet block, adjacent play area and retaining walls which looks amazing and is a credit to the team.

##### Road Maintenance

The dry conditions have not been favourable for maintenance grading. The crew are still focussing on maintaining the running surface, offshoot drains, back-slopes, the inside of curves and sight lines at intersections to improve driving conditions for the road user.

Gravel patching has been undertaken on various roads to rectify blowouts in the road pavement and all road users are urged to drive accordingly given the ever changing road conditions.

#### 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 September 2019.**

**9.2 CORPORATE SERVICES****9.2.1 ACCOUNTS FOR PAYMENT – SEPTEMBER 2019**

|                                    |  |
|------------------------------------|--|
| <b>Location/Address:</b>           | N/A  |
| <b>Name of Applicant:</b>          | N/A  |
| <b>Author:</b>                     | Sarah Van Elden, Finance Officer   |
| <b>Responsible Officer:</b>        | Charmaine Solomon, Deputy Chief Executive Officer  |
| <b>Disclosure of any Interest:</b> | Nil  |
| <b>Date of Report:</b>             | 8 October 2019   |
| <b>Attachments:</b>                | <ul style="list-style-type: none"> <li>a. List of Accounts Paid to 30 September 2019</li> <li>b. Credit Card Statement 27 August 2019 – 27 September 2019</li> </ul> |
| <b>Authority/Discretion:</b>       | Information  |

**SUMMARY:**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of September 2019.

**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 September 2019. Lists detailing the payments made are appended as an attachment.

| <b>FUND</b>                    | <b>VOUCHERS</b> | <b>AMOUNTS</b>        |
|--------------------------------|-----------------|-----------------------|
| <b>Municipal Account</b>       |                 |                       |
| Last Cheque Used               | 28172           |                       |
| EFT Payments                   | 16438 - 16516   | \$1,202,059.52        |
| Direct Deposits                |                 | \$26,938.20           |
| <b>Municipal Account Total</b> |                 | <b>\$1,228,997.72</b> |
| <b>Trust Account</b>           |                 |                       |
| <b>Trust Account Total</b>     |                 | <b>\$0.00</b>         |
| <b>Grand Total</b>             |                 | <b>\$1,228,997.72</b> |

**CERTIFICATE**

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

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

#### **STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulations 1996*

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

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

- (a) if the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from those funds—by the CEO: or*
- (b) otherwise, if the payment is authorised in advance by a resolution of the council.*

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

#### **13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**

*(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared—*

- (a) the payee's name; and*
- (b) the amount of the payment; and*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

*(2) A list of accounts for approval to be paid is to be prepared each month showing—*

- (a) for each account which requires council authorisation in that month—*
  - (i) the payee's name; and*
  - (ii) the amount of the payment; and*
  - (iii) sufficient information to identify the transaction; and*
- (b) the date of the meeting of the council to which the list is to be presented.*

*(3) A list prepared under subregulation (1) or (2) is to be—*

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) recorded in the minutes of that meeting.*

#### **STRATEGIC IMPLICATIONS:**

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

Objectives:

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

#### **FINANCIAL IMPLICATIONS:**

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

#### **WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

Finance Policy FP5 – Corporate Credit Card

Finance Policy FP6 – Purchasing

**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 September 2019 as detailed in Attachment 9.2.1(a).**
- b) **The Credit Card Statement 27 August 2019 – 27 September 2019 as detailed in attachment 9.2.1(b).**

**9.2.2 MONTHLY FINANCIAL REPORT – SEPTEMBER 2019**

|                                    |  |
|------------------------------------|--|
| <b>Location/Address:</b>           | N/A  |
| <b>Name of Applicant:</b>          | N/A  |
| <b>File Reference:</b>             |  |
| <b>Author:</b>                     | Tamara Pike, Senior Finance Officer                              |
| <b>Responsible Officer:</b>        | Martin Cuthbert, Chief Executive Officer                         |
| <b>Disclosure of any Interest:</b> | Nil  |
| <b>Date of Report:</b>             | 10 October 2019  |
| <b>Attachments:</b>                | Monthly Financial Report for the period ending 30 September 2019 |
| <b>Authority/Discretion:</b>       | Information  |

**SUMMARY:**

For Council to note the statement of financial activity for the period ended 30 September 2019 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 September 2019.

**BACKGROUND:**

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

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

The following detail is included in the financial report:

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

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

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

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

**CONSULTATION:**

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

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

**COMMENT:**

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

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

**STATUTORY ENVIRONMENT:**

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

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

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

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

*and*

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

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

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

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

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

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

- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) *recorded in the minutes of the meeting at which it is presented.*



- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

**STRATEGIC IMPLICATIONS:**

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

Objectives:

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

**FINANCIAL IMPLICATIONS:**

Expenditure for the period ending 30 September 2019 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 – Purchasing

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 September 2019 in accordance with section 6.4 of the *Local Government Act 1995*.**

**9.3 DEVELOPMENT SERVICES**

Nil

## 9.4 EXECUTIVE SERVICES

### 9.4.1 INFORMATION BULLETIN SEPTEMBER 2019

|                                    |  |
|------------------------------------|--|
| <b>Location/Address:</b>           | N/A                                      |
| <b>Name of Applicant:</b>          | N/A                                      |
| <b>File Reference:</b>             |  |
| <b>Author:</b>                     | Martin Cuthbert, Chief Executive Officer |
| <b>Responsible Officer:</b>        | Martin Cuthbert, Chief Executive Officer |
| <b>Disclosure of any Interest:</b> | Nil                                      |
| <b>Date of Report:</b>             | 9 October 2019                           |
| <b>Attachments:</b>                | September 2019 Information Bulletin      |
| <b>Authority/Discretion:</b>       | Information                              |

#### SUMMARY:

To advise Council on the information items for September 2019 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 September 2019.

#### 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 September 2019.**

**9.4.2 CHRISTMAS/NEW YEAR OPENING HOURS**

|                                    |  |
|------------------------------------|--|
| <b>Location/Address:</b>           | Shire of Jerramungup                     |
| <b>Name of Applicant:</b>          | Shire of Jerramungup                     |
| <b>File Reference:</b>             | N/A                                      |
| <b>Author:</b>                     | Martin Cuthbert, Chief Executive Officer |
| <b>Responsible Officer:</b>        | Martin Cuthbert, Chief Executive Officer |
| <b>Disclosure of any Interest:</b> | Nil                                      |
| <b>Date of Report:</b>             | 8 October 2019                           |
| <b>Attachments:</b>                | Nil                                      |
| <b>Authority/Discretion:</b>       | Review                                   |

**SUMMARY:**

The purpose of this report is for Council to consider the closure of Council facilities over the Christmas/New Year period.

**BACKGROUND:**

In previous years there has been a variation of the Shire's normal operating hours during the Christmas/New Year period to close between Christmas and New Year's Day. The following public holidays fall during this period:

|                |           |                  |
|----------------|-----------|------------------|
| Christmas Day  | Wednesday | 25 December 2019 |
| Boxing Day     | Thursday  | 26 December 2019 |
| New Year's Day | Wednesday | 1 January 2020   |

**CONSULTATION:**

All Shire of Jerramungup staff.

**COMMENT:**

It is proposed that the Shire of Jerramungup Administration offices (including the Bremer Bay office) will close at 12.00pm on Tuesday, 24 December 2019 and re-open at 8.30am on Monday, 6 January 2020. This will be a total of eight and a half days, made up of three public holidays (Christmas Day, Boxing Day and New Year's Day) and five and a half annual leave or RDO days.

The Works Crew are proposing to finish work for 2019 on Friday 20 December, and re-commencing work on Monday, 6 January 2020.

The closure will be advertised on the Shire website, Facebook, Council Buzz, Administration Notice Boards, local newspapers and a sign will be placed on the front door of the Administration Centres.

The Chief Executive Officer will compile a register of Works Crew and other staff who will be available for on-call duties throughout the closure. This information will be provided to Elected Members in case of emergency or urgent works are required.

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

Objectives: 2.5.5 – Attract and retain a highly competent local workforce.

**FINANCIAL IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

The Chief Executive Officer is the position tasked with the responsibility of overall workforce management and leadership for the Shire of Jerramungup.

**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 NOTES the closure of Council facilities as follows:**

- 1. Shire's Administration Centre's at Jerramungup and Bremer Bay from 12.00pm Tuesday, 24 December 2019 to 8.30am on Monday 6 January 2020; and**
- 2. Shire Depot's from Friday, 20 December 2019, to Monday, 6 January 2020.**

**9.4.3 CSRFF APPLICATION - JERRAMUNGUP SWIMMING POOL 2019/2020**

|                                    |   |
|------------------------------------|---|
| <b>Location/Address:</b>           | N/A   |
| <b>Name of Applicant:</b>          | N/A   |
| <b>File Reference:</b>             |   |
| <b>Author:</b>                     | Charmaine Solomon, Deputy Chief Executive Officer   |
| <b>Responsible Officer:</b>        | Martin Cuthbert, Chief Executive Officer  |
| <b>Disclosure of any Interest:</b> | Nil   |
| <b>Date of Report:</b>             | 8 October 2019  |
| <b>Attachments:</b>                | Project Budget & Funding expenditure sheet –<br>Jerramungup Swimming Pool CSRFF application |
| <b>Authority/Discretion:</b>       | Executive   |

**SUMMARY:**

This item seeks Councils confirmation of expenditure towards the Community Sport and Recreation Facilities Fund (CSRFF) application for the Jerramungup Swimming Pool.

**BACKGROUND:**

Each year the Department of Local Government, Sport and Cultural Industries calls for grant applications under its CSRFF program.

The Jerramungup Swimming Pool project application includes the following scope:

- Replacement of the existing swimming pool and associated infrastructure due to the existing facility reaching the end of its useful life
- To commence in the 2021/2022 financial year
- Total project budget – \$4,200,000
- Total funding request from Council – \$1,400,000
- Total funding request from Department of Education – \$1,400,000

Further detailed information on both projects is provided in the attachments.

**CONSULTATION:**

Department of Education

Department of Local Government, Sport and Cultural Industries

**COMMENT:**

The Jerramungup Swimming Pool Project has been thoroughly reviewed and is backed by feasibility studies and costings from a qualified quantity surveyor.

The swimming pool project requires a significant investment from Council to achieve the project and also relies on a significant contribution from the Department of Education. On the 17 September 2019 the Department of Education committed \$1.4million (33.333% of the total project costs).

Council's funding commitment will most likely require borrowings to offset shortfalls from the Community Recreation Reserve and annual budget allocations. Additional federal funding and community funding streams will also be pursued in the lead up to the project's delivery.

**STATUTORY ENVIRONMENT:**

Nil

**STRATEGIC IMPLICATIONS:**

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

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

**FINANCIAL/BUDGET IMPLICATIONS:**

Council has forecast a 2.5% annual contribution of rates revenue to CSRFF projects in the Long Term Financial Plan. The 2.5% allocation equates to approximately \$81,000 in the 2019/2020 financial year.

**WORKFORCE IMPLICATIONS:**

There are no additional workforce implications as a result of these projects.

**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;**

- 1. Authorise a contribution of up to \$1.4 million (ex GST) for the Jerramungup Swimming Pool project cost in 2020/2021 budget on the condition that the project is successful in achieving funding from the Department of Local Government, Sport and Cultural Industries.**



**10.0 COUNCILLOR REPORTS**

**11.0 NEW BUSINESS OF AN URGENT NATURE**

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

**13.0 CLOSURE**

**13.1 DATE OF NEXT MEETING**

The next ordinary meeting of Council will be held Wednesday, 20 November 2019, commencing at 8.30am, in the Council Chambers, 8 Vasey Street, Jerramungup.

**13.2 CLOSURE OF MEETING**

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

These minutes were confirmed at a meeting held

.....

Signed: .....

Presiding Person at the meeting at which these minutes were confirmed

Date: .....