



SHIRE OF JERRAMUNGUP

ORDINARY COUNCIL MEETING

**Held at the Council Chambers
Jerramungup
Wednesday, 16 September 2020**

MINUTES

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Shire of Jerramungup

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Ordinary Meeting of Council

Wednesday 16 September 2020

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ORDINARY COUNCIL MEETING MINUTES

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 2:50pm by the Shire President.

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

Cr Robert Lester	Shire President (Chair)
Cr Joanne Iffla	Deputy Shire President
Cr Rex Parsons	Councillor
Cr Bill Bailey	Councillor
Cr Andrew Price	Councillor
Cr Drew Dawson	Councillor

STAFF:

Martin Cuthbert	Chief Executive Officer
Charmaine Solomon	Deputy Chief Executive Officer
Noel Myers	Manager of Development
Rachel Smith	Executive Officer

VISITORS:

Nil

GALLERY:

Nil

2.2 APOLOGIES

Cr Julie Leenhouders
Murray Flett, Manager of Works

2.3 APPROVED LEAVE OF ABSENCE

Nil

2.4 ABSENT

Nil

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

Cr Rex Parsons declared a Financial Interest in item 11.1. The nature of the interest is that he is a Director and Stakeholder of Megatime P/L the proposed lessor.

Cr Bill Bailey declared an Indirect Financial Interest in item 11.1. The nature of the interest is that he owns an onsite caravan at the proposed site.

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

Nil

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

Cr Robert Lester declared an Impartiality Interest in item 9.4.3. The nature of the interest is that he is a member of the Fitzgerald Biosphere Group.

Cr Rex Parsons declared an Impartiality Interest in item 9.4.3. The nature of the interest is that he is a member of the Fitzgerald Biosphere Group.

Cr Joanne Iffla declared an Impartiality Interest in item 9.4.3. The nature of the interest is that she is a member of the Fitzgerald Biosphere Group.

Cr Bill Bailey declared an Impartiality Interest in item 9.4.3. The nature of the interest is that he is a member of the Fitzgerald Biosphere Group.

Cr Drew Dawson declared an Impartiality Interest in item 9.4.3. The nature of the interest is that he is a member of the Fitzgerald Biosphere Group.

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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**

Nil

6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Nil

7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Ordinary Council Meeting held 19 August 2020.

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Emergency Services Shed, Bremer Bay on 19 August 2020 be CONFIRMED

MOTION: OCM200901

MOVED: Cr Dawson

SECONDED: Cr Iffla

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Emergency Services Shed, Bremer Bay on 19 August 2020 be CONFIRMED

CARRIED: 6/0

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Nil

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR AUGUST 2020

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Murray Flett, Manager of Works
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	4 September 2020
Attachments:	Road Construction Schedule August 2020
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

Road Construction

This month the Construction crew completed gravel re-sheeting on Rabbit Proof Fence Road then moved to Brook Road where they pruned the overhanging vegetation and formed up the pavement. They then commenced gravel sheeting the next 3km section from Rabbit Proof Fence Road heading west towards South Coast Highway. These works will significantly improve the skid resistance along this section by covering those clay sections with inferior surface texture whilst also reducing the maintenance required on this section of road.

Attached is the year to date 2020/2021 Construction Program.

Town Services

The Town Services team have undertaken extensive revitalisation of the entry statements approaching Jerramungup town site, also upgrading the gardens in front of the service station and hotel precinct. This has visually enhanced the approach into the town site area.

The crew have also been rectifying minor flood damage works on Little Boat Harbour Road due to the 200mm of rain Bremer Bay received in a recent storm event. These remedial works consisted of hand placed rock pitching through scoured sections with some gravel sheeting of the pavement at some other locations. Given the amount of rain in Bremer Bay there was very minimal damage sustained to the road network. The recent showers have also increased weed infestations within most road reserves which will keep the crew busy addressing these weeds.

There are still quite a few pot holes appearing in the older roads around Bremer Bay that have only been primer sealed which the team have been patching. This year's reseal contract will be addressing a lot of these roads which will eliminate this reoccurring.

Road Maintenance

The crew has undertaken trimming and the removal of overhanging vegetation along several roads recently which has dramatically improved sight lines and traffic safety for motorists on these sections.

This operation will continue throughout the road network as time and work commitments allow.

Conditions for routine maintenance grading have significantly improved with the onset of recent rains which has allowed the crew to undertake full winter grades and not just corrugation removal.

Please be aware of the ever changing road conditions given recent rain events, and drive accordingly as the pavement can deteriorate very quickly.

CONSULTATION:

Internal.

COMMENT:

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

STATUTORY ENVIRONMENT:

There are no statutory implications for this report.

STRATEGIC IMPLICATIONS:

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

Objectives:

3.4.1 – Continued improvements on the local road network.

FINANCIAL IMPLICATIONS:

The works completed are included in the 2020/2021 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 August 2020.

MOTION: OCM200902

MOVED: Cr Price	SECONDED: Cr Parsons
That Council RECEIVE the works report for August 2020.	

CARRIED: 6/0

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

Location/Address:	N/A
Name of Applicant:	N/A
Author:	Sarah Van Elden, Accounts Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	7 September 2020
Attachments:	a) List of Accounts Paid to 31 August 2020 b) Credit Card Statement 27 July 2020– 27 August 2020
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

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

CONSULTATION:

Internal consultation within the Finance Department.

COMMENT:

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2020-21 Annual Budget as adopted by Council at its meeting held 19 August 2020 (Minute No. OCM200805 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 August 2020. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28175	
Cheque Payment	28174	Cancelled
Cheque Payment	28175	\$131.00
EFT Payments	17488 – 17497	\$60,994.98
EFT Payments	17498 – 17499	Cancelled
EFT Payments	17500 – 17560	\$515,876.70
Direct Deposits		\$24,595.55
Municipal Account Total		\$601,598.23
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$601,598.23

CERTIFICATE

This schedule of accounts as presented, which was submitted to each member of the Council, has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices computation, and costings and the amounts shown have been paid.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

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

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

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

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

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

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

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

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

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

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

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

STRATEGIC IMPLICATIONS:

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

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

Objectives:

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

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Corporate Credit Card

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

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

MOTION: OCM200903

MOVED: Cr Bailey

SECONDED: Cr Iffla

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

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

CARRIED: 6/0

9.2.2 MONTHLY FINANCIAL REPORT – JULY 2020

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Tamara Pike, Senior Finance Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	9 September 2020
Attachments:	Monthly Financial Report for the period ending 31 July 2020
Authority/Discretion:	Information

SUMMARY:

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

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

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

BACKGROUND:

At its meeting held 19 August 2020 (Minute No. OCM200805 refers), Council adopted the annual budget for the 2020-21 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 31 July 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 19 August 2020, the Council adopted (Minute No. OCM200805 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2020-21 financial year:

Officer Recommendation 4: 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 2020/2021 financial year for monthly reporting purposes.

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

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

and

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

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

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

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

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

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

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

STRATEGIC IMPLICATIONS:

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

Objectives:

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 July 2020 has been incurred in accordance with the 2020-21 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP4 – Regional Price Preference

FP1 – Capitalisation and Depreciation of Non-Current Assets

FP2 – Rates and Accounts Collection

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

MOTION: OCM200904

MOVED: Cr Dawson

SECONDED: Cr Iffla

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

CARRIED: 6/0

9.2.3 MONTHLY FINANCIAL REPORT – AUGUST 2020

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Tamara Pike, Senior Finance Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	9 September 2020
Attachments:	Monthly Financial Report for the period ending 31 August 2020
Authority/Discretion:	Information

SUMMARY:

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

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

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

BACKGROUND:

At its meeting held 19 August 2020 (Minute No. OCM200805 refers), Council adopted the annual budget for the 2020-21 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 31 August 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 19 August 2020, the Council adopted (Minute No. OCM200805 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2020-21 financial year:

Officer Recommendation 4: 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 2020/2021 financial year for monthly reporting purposes.

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

(a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*

(b) *budget estimates to the end of the month to which the statement relates;*

and

(c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*

(d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*

(e) *the net current assets at the end of the month to which the statement relates.*

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

(a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*

(b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*

(c) *such other supporting information as is considered relevant by the local government.*

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

(a) *according to nature and type classification; or*

(b) *by program; or*

(c) *by business unit.*

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

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

STRATEGIC IMPLICATIONS:

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

Objectives:

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 July 2020 has been incurred in accordance with the 2020-21 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP4 – Regional Price Preference

FP1 – Capitalisation and Depreciation of Non-Current Assets

FP2 – Rates and Accounts Collection

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

MOTION: OCM200905

MOVED: Cr Bailey

SECONDED: Cr Iffla

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

CARRIED: 6/0

9.2.4 PROPOSED BUDGET AMENDMENT 2020/2021

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	9 September 2020
Attachments:	Nil
Authority/Discretion:	Legislative

SUMMARY:

This report seeks approval from Council for the proposed budget amendments as detailed in this report. Adoption of the Officers recommendation will result in a deficit of \$8,741.60 to the Shire's 2020/2021 amended budgeted closing position.

BACKGROUND:

Council adopted its 2020/2021 municipal budget on Wednesday, 19 August 2020 with a closing surplus of \$4,592.

Recent negotiations to secure a permanent Doctor will result in an additional expenditure of \$20,000 per annum payable in arrears to go towards the receptionist/running costs.

The remaining budget amendments proposed are due to confirmation of projects being ineligible under the Drought Communities Funding Program and a further review of asset classes for capital projects after the compilation of the municipal budget.

CONSULTATION:

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

COMMENT:

The purpose of this report is for Council to endorse the following budget amendments;

- Reduce Community Amenities Program by \$40,000 and reallocate \$40,000 to Recreation & Culture Program due to the consultant costs for the Bremer Bay Civic Centre design being ineligible under Drought Communities Funding Program.
- Reallocate \$7,000 from Economic Services Program to Recreation & Culture Program. This is due to the reduction in the Boxwood Dam project funded through the Drought Communities Program. The adoption of the Officers recommendation will result in no change to the Shire's current amended budgeted surplus position of \$4,592.
- Reallocate \$20,000 from Community Amenities Program to Recreation & Culture Program. This is due to the consultant cost to prepare the Adverse Event Plan is less than predicted. The adoption of the Officers recommendation will result in no change to the Shire's current amended budgeted surplus position of \$4,592.
- The reallocations listed above will increase the total budget allocated to the Needilup & Gairdner Progress Associations building upgrades projects to \$58,500 each. The adoption of the Officers recommendation will result in no change to the Shire's current amended budgeted surplus position of \$4,592.

- Reallocate \$6,591 from asset class Plant & Equipment to asset class Land & Buildings. This is due to a review of asset classes for this capital project. The adoption of the Officers recommendation will result in no change to the Shire's current amended budgeted surplus position of \$4,592.
- Reallocate \$77,000 from asset class Furniture & Equipment to asset class Land & Buildings. This is due to a review of asset classes for this capital project. The adoption of the Officers recommendation will result in no change to the Shire's current amended budgeted surplus position of \$4,592.
- Reallocate \$33,776 from asset class Furniture & Equipment to asset class Land & Buildings. This is due to a review of asset classes for this capital project. The adoption of the Officers recommendation will result in no change to the Shire's current amended budgeted surplus position of \$4,592.
- Increase operating expense by \$13,333.60 for the provision of receptionist/running costs associated with the successful appointment of a new Doctor. In negotiating with the prospective Doctor, the Doctor requested an annual contribution towards the receptionist/running costs. The Shire have agreed to a maximum annual contribution of \$20,000 per annum payable quarterly in arrears to go towards the Reception/running cost on the condition the Doctor provides a 4 day a week service to the community. The Doctor is expected to commence 1 November 2020 making the expected total annual contribution for 2020-2021 to be \$13,333.60. The adoption of the Officers recommendation will result in a deficit of \$8,741.60 to the Shire's predicted budgeted closing position.

STATUTORY ENVIRONMENT:

Section 6.8 of the *Local Government Act 1995* refers to expenditure from the municipal fund that is not included in the annual budget. In the context of this report, where no budget allocation exists, expenditure is not to be incurred until such time as it is authorised in advance, by an absolute majority decision of the Council.

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:

If approved by Council the deficit to the 2020/2021 municipal budget for the annual contribution towards receptionist/running costs will be reviewed with through the 2020/2021 budget review process.

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:

Absolute majority

OFFICER RECOMMENDATION:

That Council by **ABSOLUTE MAJORITY**,

ENDORSE the following budget amendments;

1. **APPROVE** a budget amendment to increase the operating expense to be allocated to Program GL07000 Expense Relating to Other Health by \$13,333.60 for an annual contribution towards the receptionist/running costs associated with the appointment of a new Doctor from 1 November 2020 to 30 June 2021.
2. **APPROVE** a budget amendment to reduce the operating expense of \$40,000 allocated to Community Amenities for the Bremer Bay Civic Centre Detailed Design and reallocate \$40,000 to capital expense, program Recreation & Culture, asset class Land & Buildings for the Needilup and Gairdner buildings upgrades.
3. **APPROVE** a budget amendment to reallocate \$6,591 for safety fencing from asset class Plant & Equipment to asset class Land & Buildings.
4. **APPROVE** a budget amendment to reallocate \$77,000 for Needilup and Gairdner buildings upgrade from asset class Furniture & Equipment to asset class Land & Buildings.
5. **APPROVE** a budget amendment to reduce Economic Services Program by \$7,000 and Community Amenities Program by \$20,000 and reallocate \$27,000 to Recreation & Culture Program.
6. **APPROVE** a budget amendment to reallocate \$33,776 for the Lions Park toilet upgrade from asset class Furniture & Equipment to asset class Land & Buildings.

MOTION: OCM200906

MOVED: Cr Dawson

SECONDED: Cr Parsons

That Council by **ABSOLUTE MAJORITY**,

ENDORSE the following budget amendments;

7. **APPROVE** a budget amendment to increase the operating expense to be allocated to Program GL07000 Expense Relating to Other Health by \$13,333.60 for an annual contribution towards the receptionist/running costs associated with the appointment of a new Doctor from 1 November 2020 to 30 June 2021.
8. **APPROVE** a budget amendment to reduce the operating expense of \$40,000 allocated to Community Amenities for the Bremer Bay Civic Centre Detailed Design and reallocate \$40,000 to capital expense, program Recreation & Culture, asset class Land & Buildings for the Needilup and Gairdner buildings upgrades.
9. **APPROVE** a budget amendment to reallocate \$6,591 for safety fencing from asset class Plant & Equipment to asset class Land & Buildings.
10. **APPROVE** a budget amendment to reallocate \$77,000 for Needilup and Gairdner buildings upgrade from asset class Furniture & Equipment to asset class Land & Buildings.
11. **APPROVE** a budget amendment to reduce Economic Services Program by \$7,000 and Community Amenities Program by \$20,000 and reallocate \$27,000 to Recreation & Culture Program.
12. **APPROVE** a budget amendment to reallocate \$33,776 for the Lions Park toilet upgrade from asset class Furniture & Equipment to asset class Land & Buildings.

CARRIED: 6/0

BY ABSOLUTE MAJORITY

9.3 DEVELOPMENT SERVICES

Nil

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN AUGUST 2020

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

SUMMARY:

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

BACKGROUND:

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

CONSULTATION:

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

COMMENT:

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

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

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

STATUTORY ENVIRONMENT:

Local Government (Administration) Regulations 1996

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

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

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

STRATEGIC IMPLICATIONS:

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

Objectives:

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

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

MOTION: OCM200907

MOVED: Cr Price

SECONDED: Cr Bailey

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

CARRIED: 6/0

9.4.2 CUSTOMER SERVICE CHARTER

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	2 September 2020
Attachments:	<ul style="list-style-type: none"> a) Existing Customer Service Charter b) Draft Customer Service Charter c) Integrated Communications and Customer Service Strategy
Authority/Discretion:	Review

SUMMARY:

For Council to endorse the draft Customer Service Charter.

BACKGROUND:

Customer service is a key component of every Council officer's role and it is of significant importance that all officers and the community have a clear indication of the service levels that can be expected.

The Customer Service Charter sets a standard for the Shire of Jerramungup community experience with Council's services.

It is a normal practice for local governments to have a Customer Service Charter adopted by Council that forms part of a suite of corporate documents rather than have a specific customer service policy. The Customer Service Charter is a supplementary document to several Council plans such as the Corporate Business Plan and the Strategic Community Plan.

In September 2009, Council adopted an integrated communications and customer service strategy. This strategy proposes a plan of action that will facilitate improved service delivery, the efficient allocation of resources and a greater integration in terms of community aspirations and the delivery of both operational and strategic projects. A key component in delivering this strategy was *"Strategic Focus Area 4.16: the development of a customer service charter/policy outlining internal and external service standard"*.

The Customer Service Charter also informs Council Policy AP8 Complaint Handling Policy.

CONSULTATION:

Internal Staff

COMMENT:

The updated Shire of Jerramungup Customer Service Charter will provide an agreed level of service and framework for which all community interactions will conform to. It will have a positive impact on Council's future consultation outcomes and Council's image within the community.

When adopted the Customer Service Charter will be made available online and at the Shire Offices, Libraries and will be communicated to all staff. The Customer Service Charter will be assigned to employees via the HR induction process to capture the acknowledgement and acceptance of the Charter as an annual compliance requirement.

STATUTORY ENVIRONMENT:

Whilst the new Customer Service Charter will not have legal status, the Charter will specify the level of service to be provided by the Shire and outline expectations of staff as they undertake their work.

In accordance with section 2.7(2)(b) of the *Local Government Act 1995* it is the role of the Council to determine the local government's policies. It is also common for a Council to adopt significant corporate documents and make these documents available to members of the public on the website. Corporate documents normally have a higher profile than policies and as a consequence have a greater exposure.

It is common practice for local governments to have a Customer Service Charter adopted by Council that forms part of a suite of corporate documents rather than have a specific policy.

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:

2.5.1 – Maintain a high standard of community consultation and engagement.

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

2.5.5 – Attract and retain a highly competent local workforce.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

The Customer Service Charter sets standards for all Shire of Jerramungup employees in conducting their day to day business.

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 ADOPTS the updated Shire of Jerramungup Customer Service Charter as attached to this report.

MOTION: OCM200908

MOVED: Cr Bailey

SECONDED: Cr Iffla

That Council ADOPTS the updated Shire of Jerramungup Customer Service Charter as attached to this report.

CARRIED: 6/0

9.4.3 LEASE – FITZGERALD BIOSPHERE GROUP INC

Location/Address:	Portion of Lot 250 Tobruk Road, Jerramungup
Name of Applicant:	Fitzgerald Biosphere Group Inc
File Reference:	CP.US.42
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	8 September 2020
Attachments:	Draft Lease
Authority/Discretion:	Legislative

SUMMARY:

The Fitzgerald Biosphere Group Inc (FBG) has requested a lease be renewed for a portion of Lot 250 Tobruk Road, Jerramungup.

The recommendation supports the new lease for a portion of Lot 250 Tobruk Road, Jerramungup.

BACKGROUND:

In April 2007, the Shire of Jerramungup executed a lease with the Western Australian Agricultural Authority for a portion of Lot 250 Tobruk Road. Towards the end of their lease they had no staff working from the facility in Jerramungup.

The Agricultural Authority sublet the facility to the Fitzgerald Biosphere Group Inc for a nominal rate.

Council consented to the early termination of the lease between the Shire and the Western Australian Agricultural Authority over lot 250 on Deposited Plan 55227 on 30 June 2013.

The Shire then negotiated a lease agreement with the Fitzgerald Biosphere Group Inc.

At the Ordinary Meeting of Council held 19 November 2014 Council resolved to;

1. *Authorise the Shire President and Chief Executive Officer to execute the lease agreement for a portion of Lot 250 Tobruk Road, Jerramungup to the Fitzgerald Biosphere Group Inc commencing 1st October 2014 and expiring 30th September 2019 subject to the Shire gaining consent from the Minister for Lands.*
2. *Endorse the following terms of the proposed lease;*
 - *\$nil rent for a period of 5 years with no option*
 - *Annual activity statement to be completed by no later than 30 June each year*
 - *An amount of \$10,000 per annum (indexed annually to CPI) to the Lessee as a contribution to costs incurred by the Lessee associated with the Premises*

A new lease is now required between the Shire of Jerramungup and the Fitzgerald Biosphere Group Inc.

CONSULTATION:

Fitzgerald Biosphere Group Inc

COMMENT:

The lease proposed will be for a portion of Lot 250 on Deposited Plan 55227, a sketch of the premises is attached to the lease.

The key terms agreed to by both parties are;

- Term: 5 years
- Further term: 5 years

- Rental: Peppercorn
- The Shire must consult with the FBG and receive written consent in relation to other leases in the building. This ensures the FBG's impartial status.
- Signage: With Shire's approval
- Insurance: Provided by the Shire
- Maintenance: Provided by the Shire
- The Shire will provide a contribution to the FBG's operating costs reflecting the Shire's historical support of the FBG's work within the District totalling \$10,000 per annum. This will contribute towards costs such as office cleaning, electricity consumption and other administrative expenses.
- The FBG will provide an annual activity statement by no later than 30 June each year

Given that the Shire is providing the facility at a peppercorn rate and provides an annual financial contribution, the Shire has included performance criteria to be assessed on the following pillars; Sustainable Agriculture, Healthy Ecosystems and Vibrant Enterprises for the FBG to report.

The annual activity statement is required to be supplied by 30 June each year.

STATUTORY ENVIRONMENT:

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

- (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
- (c) the land is disposed of to —
 - (i) the Crown in right of the State or the Commonwealth; or
 - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
 - (iii) another local government or a regional local government;

Land Administration Act 1997

18. Various transactions relating to Crown land to be approved by Minister

- (1) A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown land.
- (2) A person must not without authorisation under subsection (7) —
- (a) grant a lease or licence under this Act, or a licence under the *Local Government Act 1995*, in respect of Crown land in a managed reserve; or
 - (b) being the holder of such a lease or licence, grant a sublease or sublicense in respect of the whole or any part of that Crown land.
- (3) A person must not without authorisation under subsection (7) mortgage a lease of Crown land.
- (4) A lessee of Crown land must not without authorisation under subsection (7) sell, transfer or otherwise dispose of the lease in whole or in part.
- (5) The Minister may, before giving approval under this section, in writing require —

- (a) an applicant for that approval to furnish the Minister with such information concerning the transaction for which that approval is sought as the Minister specifies in that requirement; and
 - (b) information furnished in compliance with a requirement under paragraph (a) to be verified by statutory declaration.
- (6) An act done in contravention of subsection (1), (2), (3) or (4) is void.
- (7) A person or lessee may make a transaction under subsection (1), (2), (3) or (4) —
- (a) with the prior approval in writing of the Minister; or
 - (b) if the transaction is made in circumstances, and in accordance with any condition, prescribed for the purposes of this paragraph.
- (8) This section does not apply to a transaction relating to an interest in Crown land if —
- (a) that land is set aside under, dedicated or vested for the purposes of an Act other than this Act, and the transaction is authorised under that Act;
 - (b) that interest may be created, granted, transferred or otherwise dealt with under an Act other than —
 - (i) this Act; or
 - (ii) a prescribed Act;
 - (c) an agreement, ratified or approved by another Act, has the effect that consent to the transaction was not required under section 143 of the repealed Act; or
 - (d) the transaction is a lease, sublease or licence and the approval of the Minister is not required under section 46(3b).

STRATEGIC IMPLICATIONS:

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

The policy relates to the following components from the Shire of Jerramungup Strategic Community Plan 2016 – 2026;

Aspiration 1.2: – Environmental Planning and Restoration: To facilitate community programs and initiatives that deliver best practice environmental planning, management and mitigate the impacts of climate change.

Objective:

1.2.1 – Partner with local natural resource management groups to promote, preserve and improve the natural environment to attract people to the region and strengthen the local economy.

FINANCIAL/BUDGET IMPLICATIONS:

The annual contribution of \$10,000 will cover costs associated with cleaning, telephone, mobile phones, electricity consumption and other administrative costs.

WORKFORCE IMPLICATIONS:

Nil

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. **ACKNOWLEDGE** that the disposition is an exempt disposition in accordance with *Local Government (Functions and General) Regulations 1996*, section 30(2)(a)(ii).
2. **AUTHORISE** the Shire President and Chief Executive Officer to execute the lease agreement for a portion of Lot 250 Tobruk Road, Jerramungup to the Fitzgerald Biosphere Group Inc commencing 1 December 2019 and expiring 30 November 2024, subject to the Shire gaining consent from the Minister for Lands.
3. **ENDORSE** the following terms of the proposed lease;
 - \$nil rent for a period of 5 years with a further term of 5 years.
 - Annual activity statement to be completed by no later than 30 June each year.
 - An amount of \$10,000 per annum to the Lessee as a contribution to costs incurred by the Lessee associated with the Premises.

MOTION: OCM200909**MOVED: Cr Bailey****SECONDED: Cr Price**

That Council;

4. **ACKNOWLEDGE** that the disposition is an exempt disposition in accordance with *Local Government (Functions and General) Regulations 1996*, section 30(2)(a)(ii).
5. **AUTHORISE** the Shire President and Chief Executive Officer to execute the lease agreement for a portion of Lot 250 Tobruk Road, Jerramungup to the Fitzgerald Biosphere Group Inc commencing 1 December 2019 and expiring 30 November 2024, subject to the Shire gaining consent from the Minister for Lands.
6. **ENDORSE** the following terms of the proposed lease;
 - \$nil rent for a period of 5 years with a further term of 5 years.
 - Annual activity statement to be completed by no later than 30 June each year.
 - An amount of \$10,000 per annum to the Lessee as a contribution to costs incurred by the Lessee associated with the Premises.

CARRIED: 6/0

MOTION: OCM200910**MOVED: Cr Iffla****SECONDED: Cr Dawson**

That Council raise from the table Report 9.4.4 Transfer of Reserve No.30274 from Water Corporation to Shire of Jerramungup.

CARRIED: 6/0

9.4.4 TRANSFER OF RESERVE NO.30274 FROM WATER CORPORATION TO SHIRE OF JERRAMUNGUP

Location/Address:	Lot 51 Borden Bremer Bay Road, Boxwood Hill
Name of Applicant:	Shire of Jerramungup
File Reference:	A1606338
Author:	Noel Myers, Manager of Development and Charmaine Solomon Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	8 September 2020
Attachments:	a) Location Plan b) Site Plan c) Letter from Water Corporation d) Map – Original catchment area proposed e) Map – Proposed increased catchment footprint
Authority/Discretion:	Administrative

SUMMARY:

The purpose of this report is for Council to accept the transfer of the entire Reserve 30274 from the Water Corporation to the management control of the Shire of Jerramungup.

Council considered the proposed transfer of Reserve at the Ordinary Meeting held 20 May 2020 and resolved that Council table item 9.3.2 – Transfer of Reserve No. 30274 from Water Corporation to Shire of Jerramungup pending further investigation into the proposed location to construct the Boxwood Community Dam.

Shire Staff have further investigated the proposed location and catchment area with the Department of Water and Environmental Regulation.

It is recommended that the Council endorses the transfer of the Reserve that will enable the Council to progress with the construction of a dam for the Boxwood Hill Community.

BACKGROUND:

- The subject land is a Crown Reserve with a current management order to the Water Authority. The nominated land use is Water Supply.
- The Water Corporation have identified that the land is superfluous to their requirements and have agreed to relinquish their management control of the Reserve.
- The Reserve has an overall area of approximately 238ha and is reserved under Town Planning Scheme No.2: Public Purposes – Water Supply.
- Existing improvements include the Boxwood Hill Dam and catchment. The balance of the land is largely uncleared apart from the area surrounding a disused gravel pit.
- The existing dam is affected by salinification caused by an upstream salt seep that is expected to worsen over time.

- Council has, in conjunction with the Department of Water and Environmental Regulation (DWER), been investigating options for the construction of a new dam to service the Boxwood Hill community.
- The proposal to construct the new dam is being progressed under the Community Water Supply Project.
- Search of the Aboriginal Heritage Information System identifies the Reserve is clear of any registered Aboriginal sites.

CONSULTATION:

- Consultation about the possible transfer of the reserve has taken place with the Water Corporation's Regional Manager who has provided a letter of support to the transfer progressing.
- Consultation about the site's suitability for the development of a new dam has taken place with relevant officers from DWER.

COMMENT:

Following an onsite meeting with Shire Staff and Elected Members at Lot 51 Borden-Bremer Bay Road the Shire lodged a clearing permit with DWER for Lot 51 Borden Bremer Bay Road, Boxwood Hill to clear an additional 4.611 hectares to increase the catchment size for the proposed new dam and existing dam. It is expected that the clearing permit to clear an additional 4.611 hectares will take approximately 12 months before the Shire receives a response.

Shire Staff discussed the concerns of the catchment size regarding the originally proposed catchment area with DWER. DWER have since carried out further investigations and provided the following information on the original proposed catchment size;

According to the data, the 2.7ha of catchment will be sufficient for the new dam as the figures were run through DAMCAT (software developed by UWA and DPIRD to analyse dam and catchment sizes) the following information was based on the data entered;

- 91.38% reliability at 5m deep, 20,000 cubic metre dam, 2.5Ha catchment; annual use of 515.5 KL (based on 650dse (dry sheep equivalent) every month)
- 100% reliability at 6m deep, 20,000 cubic metre dam, 2.5Ha catchment; annual use of 634.4 KL (based on 800dse every month)
- 98.28% reliability at 6m deep, 20,000 cubic metre dam, 2.0Ha catchment; annual use of 793 KL (based on 1,000dse every month)

This data was based on Jerramungup's average rainfall of 441.19mm/yr. since 1950 – 2008.

The Shire has requested DWER present to Council at the Ordinary Meeting to be held 16 September 2020 to provide detailed information on the proposed project and answer any concerns Elected Members may have.

The Shire has been advised by DWER that their Community Water Supply Grant application for the Boxwood Community Dam was successful if the Shire wishes to proceed further with the construction of Boxwood Community Dam and clearing permit. Therefore a decision is required by Council on the transfer of the Reserve.

The Shire of Jerramungup has experienced significant decline in rainfall over an extended period of time. A new 20,000m³ dam, supporting infrastructure and larger catchment is proposed to address the demands of the community by increasing capacity for emergency farmland water supplies and for the provision of water to reticulate the nearby Boxwood Hill playing fields.

The transfer of the Reserve from the Water Corporation to the Shire will enable the Council to proceed with plans to construct a new dam that will supply water to the Boxwood Hill community.

The subject land is considered to be well suited to the purpose insofar that it has the appropriate zoning in place and is strategically located close to assets and has frontages to constructed roads.

STATUTORY ENVIRONMENT:

Land Administration Act 1997 – in respect to the transfer of the management order.

STRATEGIC IMPLICATIONS:

This item relates to the following components from the Shire of Jerramungup Community Plan 2016 – 2026;

Aspiration	Objective	Measurement
2.1 – Community Sport and Recreation	2.1.1 Continue support for community lead sporting infrastructure improvements and strong sporting clubs	Action will increase capacity to provide water for the reticulation of Boxwood Hill sporting complex playing fields.
2.4 – Emergency Management	2.4.1 Maintain a high standard of emergency planning and preparedness	Action will increase capacity to provide for emergency farmland water supply.
	2.4.4 Continue the delivery of fire mitigation strategies across the Shire	Action will increase capacity to provide a water supply to respond to bush fire threats
2.5 – Civic Leadership	2.5.1 Maintain a high standard of community consultation and engagement	Project has been progressed in consultation with local sporting club, farmers and volunteer and state emergency groups.

FINANCIAL/BUDGET IMPLICATIONS:

- The future construction of the dam will require Council to contribute 30% of the total project costs. The Shire's contribution towards the project has been factored into the 2020/21 budget.
- Shire will become responsible for ensuring that the land is compliant with annual firebreak notices which would be funded through the Works Department's annual budget.
- Maintenance of the existing and new dams will be funded through Works Department's annual budget.
- Costs associated with the transfer of the management order to the Shire (preparation of and registration of documentation with Landgate) will be included in project costs for the development of the new dam.

WORKFORCE IMPLICATIONS:

The Shire will become responsible for the maintenance of the existing and new dams and ensuring the land is compliant with the annual firebreak notice. The Shire has the capacity to deliver the additional works through their annual works program, there will be no requirement for additional works staff to maintain the area.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:**That COUNCIL:**

- a) **Accepts the transfer of the entire Reserve 30274, as delineated by the red boundary on the map – marked as Attachment No.1 and named Reserve 30274 contingent upon the approval of a clearing permit for the catchment area;**
- b) **Accepts that the reserve and all associated infrastructure will be transferred in its current state and condition and the Shire accepts responsibility for the future operation and maintenance of the infrastructure;**
- c) **Undertakes to cover all costs associated with the transfer of Reserve 30274 to the Shire; and**
- d) **Notifies the Water Corporation of the above decision and requests that the Water Corporation proceed to prepare and submit a transfer request to the Department of Planning, Lands and Heritage once the clearing permit for the catchment area has been approved.**

MOTION: OCM200911**MOVED: Cr Bailey****SECONDED: Cr Iffla****That COUNCIL:**

- a) **Accepts the transfer of the entire Reserve 30274, as delineated by the red boundary on the map – marked as Attachment No.1 and named Reserve 30274 contingent upon the approval of a clearing permit for the catchment area;**
- b) **Accepts that the reserve and all associated infrastructure will be transferred in its current state and condition and the Shire accepts responsibility for the future operation and maintenance of the infrastructure;**
- c) **Undertakes to cover all costs associated with the transfer of Reserve 30274 to the Shire; and**
- d) **Notifies the Water Corporation of the above decision and requests that the Water Corporation proceed to prepare and submit a transfer request to the Department of Planning, Lands and Heritage once the clearing permit for the catchment area has been approved.**

CARRIED: 6/0

10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**(CONFIDENTIAL MATTERS)****MOTION: OCM200912****MOVED: Cr Iffla****SECONDED: Cr Dawson****That the meeting be closed to the public to discuss Confidential Items 10.1 and 11.1.****CARRIED: 6/0****10.1 CONTRACT FOR THE PROVISION OF MEDICAL SERVICES**

Location/Address: N/A
Name of Applicant: N/A
File Reference:
Author: Martin Cuthbert, Chief Executive Officer
Responsible Officer: Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest: Nil
Date of Report: 9 September 2020
Attachments: CONFIDENTIAL – Draft Contract
Authority/Discretion: Confidential

OFFICER RECOMMENDATION:**That Council:**

- **Endorse the Contract for the Provision of Medical Services between the Shire of Jerramungup and the Doctor, as presented within the confidential agenda attachment.**
- **Authorise the Shire President and Chief Executive Officer to execute the Contract for the Provision of Medical Services.**

MOTION: OCM200913**MOVED: Cr Dawson****SECONDED: Cr Parsons****That Council:**

- **Endorse the Contract for the Provision of Medical Services between the Shire of Jerramungup and the Doctor, as presented within the confidential agenda attachment.**
- **Authorise the Shire President and Chief Executive Officer to execute the Contract for the Provision of Medical Services.**

CARRIED: 6/0

11.0 NEW BUSINESS OF AN URGENT NATURE

Cr Parsons declared a Financial interest in item 11.1. Due to the nature of this interest Cr Rex Parsons left the meeting at 3:50pm.

MOTION: OCM200914**MOVED: Cr Price****SECONDED: Cr Dawson**

That Council accept Item 11.1 Proposed Disposition of Reserve No.24619, Lot 155 Bremer Bay Road, Bremer Bay as a late item to this agenda.

CARRIED: 5/0**11.1 PROPOSED DISPOSITION OF RESERVE NO.24619, LOT 155 BREMER BAY ROAD, BREMER BAY**

Location/Address: Reserve 24619 Lot 155 Bremer Bay Road, Bremer Bay
Name of Applicant: Megatime Pty Ltd
File Reference: A1604429
Author: Noel Myers, Manager of Development
Responsible Officer: Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest: Nil
Date of Report: 4 September 2020
Attachments: Valuation Report/Legal Opinion (Privileged)
Authority/Discretion: Legislative

OFFICER RECOMMENDATION:**That COUNCIL:**

1. **Dispose of a Reserve 24619 – Lot 155 Bremer Bay Road, Bremer Bay via lease to Megatime Pty Ltd for purposes of Caravan and Camping subject to the following conditions:**
 - a. **All requirements of Section 3.58 (3) and (4) of the local Government Act being carried out;**
 - b. **Lease term to be 21 years commencing 30 September 2020 and expiring 30 September 2041;**
 - c. **Annual lease fee to be \$27,762 pa as per market valuation, indexed by Consumer Price Index annually; and**
 - d. **At every fifth anniversary of the commencement date, the rent is determined by the market value of the property.**

MOTION: OCM200915**MOVED: Cr Bailey****SECONDED: Cr Iffla****That COUNCIL:**

- 1. Dispose of a Reserve 24619 – Lot 155 Bremer Bay Road, Bremer Bay via lease to Megatime Pty Ltd for purposes of Caravan and Camping subject to the following conditions:**
 - a. All requirements of Section 3.58 (3) and (4) of the local Government Act being carried out;**
 - b. Lease term to be 21 years commencing 30 September 2020 and expiring 30 September 2041;**
 - c. Annual lease fee to be \$27,762 pa as per market valuation, indexed by Consumer Price Index annually; and**
 - d. At every fifth anniversary of the commencement date, the rent is determined by the market value of the property.**

CARRIED: 5/0**MOTION: OCM200916****MOVED: Cr Dawson****SECONDED: Cr Bailey****That Council reopen the meeting to the public.****CARRIED: 5/0**

Cr Parsons returned to the meeting at 4:21pm

12.0 COUNCILLOR REPORTS

Cr Andrew Price

Attended WALGA Zone meeting

Attended Jerramungup Volunteer Emergency Services AGM

Cr Joanne Iffla

Attended Great Southern Development Commission meeting

Attended Bremer Bay Sports Club meeting

Cr Drew Dawson

Attended Great Southern Regional Advisory Group meeting

Attended St John Ambulance AGM

Attended Bremer Bay Tennis Club AGM

Cr Robert Lester

Attended WALGA Zone meeting

Attended interviews for South Coast Alliance Executive Officer position

Spoke to Cr Keith House from Gnowangerup regarding CCTV

Cr Parsons advised that the ‘Welcome to the Shire of Jerramungup’ signs on the entrance roads to the Shire have deteriorated and are now unreadable and require replacing.

Cr Iffla raised concerns regarding the appearance of the Bremer Bay Cemetery and status of the Niche Wall upgrade. Cr Iffla will approach Bremer Bay Op Shop to see if they have funds available to complete the upgrade.

13.0 CLOSURE

13.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 21 October 2020, commencing at 2.00pm, in the Council Chambers, Jerramungup.

MOTION: OCM200917

MOVED: Cr Parsons

SECONDED: Cr Dawson

To move the next ordinary meeting of Council, previously being held on Wednesday 21 October, to Thursday 22 October 2020 commencing at 2.00pm in the Council Chambers, Jerramungup.

CARRIED: 6/0

13.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at 5:00pm

These minutes were confirmed at a meeting held

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Signed:

Presiding Person at the meeting at which these minutes were confirmed

Date: