



SHIRE OF JERRAMUNGUP

NOTICE OF COUNCIL MEETING

To the President and Councillors,

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

Wednesday, 17 July 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 July 2019

AGENDA

This page has been left intentionally blank

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.

COPYRIGHT

Any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

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
Table of Contents
Ordinary Meeting of Council
Wednesday 17 July 2019**

1.0	DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS	8
2.0	RECORD OF ATTENDANCE	8
2.1	ATTENDANCE	8
2.2	APOLOGIES.....	8
2.3	APPROVED LEAVE OF ABSENCE.....	8
2.4	ABSENT	8
2.5	DISCLOSURE OF INTERESTS.....	8
2.5.1	<i>DECLARATIONS OF FINANCIAL INTERESTS.....</i>	<i>8</i>
2.5.2	<i>DECLARATIONS OF PROXIMITY INTERESTS.....</i>	<i>8</i>
2.5.3	<i>DECLARATIONS OF IMPARTIALITY INTERESTS</i>	<i>8</i>
3.0	APPLICATIONS FOR LEAVE OF ABSENCE	9
4.0	ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS.....	9
5.0	RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	9
6.0	PUBLIC TIME.....	9
6.1	PUBLIC QUESTION TIME.....	9
6.2	PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS	9
7.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	9
8.0	RECOMMENDATIONS AND REPORTS OF COMMITTEES	9
9.0	REPORTS	10
9.1	TECHNICAL SERVICES	10
9.1.1	WORKS REPORT FOR JUNE 2019	10
9.2	CORPORATE SERVICES	12
9.2.1	ACCOUNTS FOR PAYMENT – JUNE 2019	12
9.2.2	MONTHLY FINANCIAL REPORT – JUNE 2019	15
9.2.3	SIGNIFICANT MATTER RAISED IN 2017/18 AUDIT	18
9.2.4	ADOPTION OF 2019/2020 ANNUAL BUDGET	22
9.3	DEVELOPMENT SERVICES	29
9.4	EXECUTIVE SERVICES	30
9.4.1	INFORMATION BULLETIN JUNE 2019	30
9.4.2	INFORMATION STATEMENT REVIEW.....	32
10.0	COUNCILLOR REPORTS.....	34
11.0	NEW BUSINESS OF AN URGENT NATURE	34
12.0	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	34
13.0	CLOSURE	34
13.1	DATE OF NEXT MEETING	34
13.2	CLOSURE OF MEETING.....	34

ORDINARY COUNCIL MEETING AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atpm by the Shire President.

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

Cr Rex Parsons, 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 19 June 2019.

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held at the Council Chambers, 8 Vasey Street, Jerramungup, on 19 June 2019 be CONFIRMED

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Nil

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR JUNE 2019

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:	8 July 2019
Attachments:	Road Construction Schedule June 2019
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

Road Construction

As a result of the dry conditions, the crew have been undertaking maintenance works including, gravel sheeting clay sections on bus routes to improve the skid resistance, patching pavement failures and culvert upgrades.

As weather conditions improve, the crew will recommence improvement works on Meechi Road at the Devil Creek crossing. These works consist of cutting 2 metres off the hill to the south of the creek crossing and 1.5 metre fill over the culvert. This cut to fill works will significantly improve the vertical alignment of the road and combined with the curve realignment to the north of the crossing, will dramatically improve traffic safety for motorists at this location.

Attached is the year to date 2018/2019 construction program.

Town Services

The recent rains have helped rejuvenate the lawns and established native gardens within both town sites that were struggling as a result of the dry spell. Unfortunately, with the rain comes the onset of weeds so the annual spray program has commenced on the most affected roads.

The Great Southern Technical and Further Education (TAFE) campus have now propagated in excess of 12,000 native plants from seeds collected within work areas and these will be planted at rehabilitation sites by Cert III and IV students as part of their Cert III CLM training. TAFE may even exceed having 20,000 native seedlings propagated by the time the rehabilitation works commence later this year. This type of exposure to real time works has been invaluable training to these students undertaking their Cert III and Cert IV CLM units.

I am pleased to welcome Jamie Turner to our Town Services team who started on the 4 June. Jamie will be working predominantly with town services and with the road maintenance crew as required. Jamie has completed his Certificate III and IV in Conservation and Land Management and will be working towards completing his Diploma in Conservation and Land Management.

Road Maintenance

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

Some gravel patching has been undertaken to rectify failures in the road pavement and all road users are urged to drive accordingly given the ever changing 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 2018/2019 Shire of Jerramungup budget.

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for June 2019.

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

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

SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of June 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 2018-19 Annual Budget as adopted by Council at its meeting held 23 July 2018 (Minute No. SC180701 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month of June 2019. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28170	
EFT Payments	16097 – 16098	\$8,680.41
EFT Payments	16101 – 16218	\$496,655.00
Direct Deposits		\$28,555.23
Municipal Account Total		\$533,890.60
Trust Account		
EFT Payments	16099 – 16100	\$144,894.98
EFT Payments	16219	\$440.00
Trust Account Total		\$145,335.00
Grand Total		\$679,225.60

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

9.2.2 MONTHLY FINANCIAL REPORT – JUNE 2019

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Tamara Pike, Senior Finance Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	9 July 2019
Attachments:	Monthly Financial Report for the period ending 30 June 2019
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

At its meeting held 23 July 2018 (Minute No. SC180701 refers), Council adopted the annual budget for the 2018-19 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 2019 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 of 23 July 2018, the Council adopted (Minute No. SC180701 part 1.6 refers) the following material variance reporting threshold for the 2018-19 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 2018/2019 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 June 2019 has been incurred in accordance with the 2018-19 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 June 2019 in accordance with section 6.4 of the *Local Government Act 1995*.

9.2.3 SIGNIFICANT MATTER RAISED IN 2017/18 AUDIT

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:	8 July 2019
Attachments:	<ol style="list-style-type: none"> 1. Independent Auditors Report 2. Lincoln’s Auditors Report 3. Report to the Department
Authority/Discretion:	Legislative

SUMMARY:

This item addresses the Shire’s obligation to provide the Audit Committee and Council with a report addressing matters identified as “significant” in the 2017/2018 Audit Report, pursuant to section 7.12A of the *Local Government Act 1995*.

The recommendation is to endorse the report and recommend to Council that it accepts this report so a copy can be forwarded to the Minister for Local Government.

BACKGROUND:

The 2017/18 Annual Financial Statements were prepared in accordance with the *Local Government Act 1995* and *Local Government Financial Management Regulations 1996*. The audit this year was carried out by Lincolns Accountants and Business Advisors under direction of the Auditor General.

The adoption of the Annual Report for 2017/2018, as per section 5.53 of the *Local Government Act 1995* was endorsed by Council at the Audit Committee meeting and Ordinary Meeting of Council held 20 February 2019.

The following matter was identified as significant by the Auditor;

Following Office of the Auditor General guidelines, the following “Significant Adverse Trends” occurred;

- *The Operating Surplus Ratio has been below the DLGSCI standard for the past 3 years.*

As the matter is identified as significant by the Auditor the local government is required to follow the process outlined in section 7.12A (4) and (5) of the *Local Government Act 1995*. The report is now overdue, the Department Local Government Sport and Cultural Industries requires the Shire of Jerramungup to remedy this non-compliance.

CONSULTATION:

Senior Staff

Lincolns Accountants and Business Advisors

COMMENT:

The significant trend was identified in the report to the Audit Committee and Council on 20 February 2019 however a formal report was not sent to the Department Local Government Sport Cultural Industries to address the significant trend as per section 7.12A.

Officers are disappointed that the Shire’s Auditors did not make staff aware or discussed during the audit or the exit interview that the below standard ratio constituted a trigger for the process described in section 7.12A(4) and (5) of the *Local Government Act 1995*.

The operating surplus ratio is a measurement of whether own source revenue raised is able to meet operational needs and have revenues available for capital or other purposes.

Depreciation is included as an expense and forms part of the ratio calculation. Due to Fair Value implementation asset values have increased and therefore depreciation has also increased, which than affects this ratio.

Officers are currently reviewing the useful life and residual values for various components of road infrastructure which is believed will affect future depreciation expenses. The Shire have also allowed a provision in the 2019/20 draft budget for a consultant to provide asset management mentoring and support services. The Shire will commence by undertaking a gap analysis of the Shire's asset management practices with staff. Following on from the gap analysis, officers will develop a 'desired' asset management position and framework.

The trend in this ratio is also attributable to the reduction in operating grants and an increase in employee costs booked to operations.

Under the *Local Government Operational Guidelines Financial Ratios*, the Operating Surplus Ratio Standards are listed below:

- Basic Standard between 1% and 15% (0.01 and 0.15)
- Advanced Standard > 15% (>0.15)

Below is the Shire's Operating Surplus Ratio since 2014:

- 2014 - (0.20)
- 2015 - (0.03)
- 2016 - (0.55)
- 2017 - (0.12)
- 2018 – (0.01)

It is known that most country local governments struggle to fully cash fund asset depreciation, as their revenue sources are limited. The only major source of funding that Council has control over is rates. The challenge for Council to achieve an Operating Surplus Ratio result within the Benchmarks established by the Department of Local Government Sport and Cultural Industries is striking a balance between how much of a rate burden should be placed on ratepayers, and how much of a reduction in service levels should occur to contain rising operating expenses.

Council will be undertaking a full review of our Integrated Planning and Reporting documents in the 2019/20 financial year which will include the review of the Shire's Long Term Financial Plan and will discuss strategies to improve the Operating Surplus Ratio. It is possible that this ratio will remain at levels below the "Standard", due to the standard of service levels required for our community (ie Doctor and waste management) and limited revenue sources available. The Shire of Jerramungup will undertake a fiscally responsible approach to achieve and maintain an acceptable benchmark.

As the Auditors Report was provided to Council on 20 February 2019, the report on the significant matter is now overdue and the Department Local Government Sport and Cultural Industries requires the local government to remedy this non-compliance within the next 60 days from the date of the letter received by the local government (20 June 2019).

STATUTORY ENVIRONMENT:

Local Government Act 1995

Division 4 – General

7.12A. Duties of local government with respect to audits

- (1) *A local government is to do everything in its power to —*
 - (a) *assist the auditor of the local government to conduct an audit and carry out the auditor’s other duties under this Act in respect of the local government; and*
 - (b) *ensure that audits are conducted successfully and expeditiously.*
- (2) *Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.*
- (3) *A local government must —*
 - (aa) *examine an audit report received by the local government; and*
 - (a) *determine if any matters raised by the audit report, require action to be taken by the local government; and*
 - (b) *ensure that appropriate action is taken in respect of those matters.*
- (4) *A local government must —*
 - (a) *prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and*
 - (b) *give a copy of that report to the Minister within 3 months after the audit report is received by the local government.*
- (5) *Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government’s official website.*

STRATEGIC IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

A review of the Long Term Financial Plan in 2019/20 will be carried out which has been identified in the 2019/20 annual draft budget.

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:

1. **RECONFIRMS** its acceptance of the Auditor’s Management Report for the year ended 30 June 2018 supplied by Council’s Auditor, Mr Russell Harrison of Lincolns Accountants and Business Advisors.
2. **NOTES** the following matter is identified as significant by the Auditor;
 - *The Operating Surplus Ratio has been below the DLGSCI standard for the past 3 years.*
3. **ACCEPTS** the Report prepared under section 7.12A(4)(a) of the *Local Government Act 1995* acknowledging the significant matter.
4. **NOTES** the Shire has breached section 7.12A(4)(b) of the *Local Government Act 1995* by not forwarding the report to the Minister within 3 months of receiving the Auditor’s Report for 2017/2018.
5. **AUTHORISE** the Chief Executive Officer to forward the report to the Minister for Local Government.
6. **WITHIN 14 days** after a local government gives a report to the Minister under subsection (4)(b), the Chief Executive Officer must publish a copy of the report on the Shire of Jerramungup’s website.

9.2.4 ADOPTION OF 2019/2020 ANNUAL BUDGET

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:	10 July 2019
Attachments:	<ol style="list-style-type: none"> 1. Separate cover – 2019/2020 Shire of Jerramungup Draft Budget 2. 2019/2020 Road Construction Program 3. 2019/2020 Asset Acquisition List

Authority/Discretion: Legislative

SUMMARY:

The purpose of this item is to put the 2019/2020 annual draft budget to Council for adoption.

BACKGROUND:

The budget preparation this year has been carried out through consultation with the elected group, senior staff and with guidance from the Shire's integrated planning documents. The Shire's operational budgets are largely derived from historical levels of expenditure with known items of maintenance or renewal derived from quotes or cost estimates. The Shire's major project in 2019/2020 will be the construction of 5 x Seniors Independent Living Units and 4 x residential dwellings (one 3x2 dwelling and two 3x1 dwellings to be constructed in Jerramungup and one 4x2 dwelling to be constructed in Bremer Bay).

CONSULTATION:

The draft budget has been developed with consultation between executive staff, elected members, community submissions and Moore and Stephens Accountants. The budget is also driven by the Shire's Corporate Business Plan and contains a number of projects and income/expenditure parameters from this document.

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 2019/2020 budget continues to focus on renewing and improving Council assets with particular focus on the road network. \$2.7 million will be spent on Council's road construction program.

\$1.162 million in funding will contribute to these works from Main Roads WA (Regional Road Group) and Roads to Recovery Funding.

The construction of Seniors Independent Living Units and Key Worker Accommodation housing will be undertaken in 2019/2020 which includes;

- Five, 2x1 Seniors Independent Living Units in Bremer Bay
- One, 3x2 dwelling in Jerramungup
- Two, 3x2 dwellings in Jerramungup
- One, 4x2 dwelling in Bremer Bay

The total budget allocation for 2019/2020 is \$3.486 million with \$2.175 million in funding contributing to this project through the Regional Aged Accommodation Program (RAAP) and Building Better Regions Funding (BBRF); the Shire's contribution of \$1.310 million will be made up of reserve funds, in-kind works, proceeds from the sale of Shire houses and a \$500,000 loan through Treasury to go towards the Seniors Independent Living Units. The Shire has commenced the process to sell 3 Shire houses to offset the remaining contribution towards the project of \$500,000. The following houses have been listed for sale;

- 9 Monash Avenue, Jerramungup
- 2 Coral Sea Road, Jerramungup
- 8 Derrick Street, Jerramungup

However in the event that these houses are not sold in the 2019/2020 financial year the Shire will fund the remaining \$500,000 by a second loan through Treasury which will go towards the Key Worker Accommodation. Utilising loan funds spreads the cost implications over 10 years.

The Shire has also been committed to working with the Department of Education to reach a sustainable solution for the future of the Jerramungup school/community swimming pool.

The latest costings for the school pool include additional escalation and bring the project cost up to approximately \$2.3 million. On 20 June 2019 the Department of Education confirmed commitment of \$1million towards the replacement of the swimming pool which was received prior to end of the 2018/19 financial year.

The Shire is currently seeking external funding through the Department of Local Government, Sport and Cultural Industries 2020-2021 Forward Planning Grant Funding Round. The deadline for submissions of funding applications is 27 September 2019. Grants in this category may be allocated in one or a combination of the years in the next triennium, the Shire's contribution towards the project in the 2019/2020 financial year will be offset by funds in the Community Sport and Recreation Reserve. The remaining contribution will be carried over into the 2020/2021 budget.

If approved, the Shire believe that based on confirmed funding of 2/3 of the project (1/3 Council and 1/3 DoE) and the strength of our planning and documentation to date, we will have a very high likelihood of securing external funding for the final 1/3. Subject to Council approval our intention is that the project is funded through; Department of Education, Shire of Jerramungup and external funding.

Council will contribute \$214,680 towards the Paperbarks ablution block upgrade to compliment the Paperbarks Park Project. The upgrade includes;

- Retention of the existing building with internal fit out of new fixtures and fittings;
- A new freestanding UAT that achieves the required gradients for access;
- Rendering of the outside of the existing building to match the new UAT;
- Retaining the existing artwork on the front of the Paperbarks Park ablution block;
- Upgrade of the septic system; and
- Retaining wall to be located behind the UAT and carpark which will allow for formalised parking in this space including a disabled parking bay.

A recent fire event in December 2018 has shown a number of improvements that are required to the existing water bomber turnaround infrastructure in Bremer Bay to improve its efficiency and effectiveness in a bushfire event. The proposed improvements include;

- Bitumen sealing the portion of the turnaround in which planes refill and taxi to take off;
- Improving access to the turnaround area to allow planes to stack and manoeuvre effectively;
- Add a standpipe to the existing water tank to allow for fast filling of the water tank;

- Construct a vehicle access track to separate vehicles from aircraft; and
- Improve volunteer comfort by constructing a shelter for protection from wind and sun.

The proposed changes to the water bomber turnaround will decrease turnaround times for water bombers, reduce wear and tear on planes and increase the capacity of the Bremer Bay Airfield to respond to bushfires in the surrounding district and most importantly in the Fitzgerald River National Park. The Shire submitted a grant application under the Natural Disaster Resilience Program (NDRP). The outcome was announced on 26 June 2019 with the Shire's application for the Bremer Bay Airfield Water Bomber Turnaround Improvements funding being successful and will be carried out in 2019/2020. The total project cost is \$100,345 with 50% of funds coming from the NDRP of \$50,170.

The Shire will acquire a new road construction grader, tandem axle prime mover, pruning saw, 3 x executive staff vehicles and 1 x town services vehicle as part of the Shire's 10 year plant replacement program. The Shire will also invest in a new floor scrubber for the Entertainment Centre.

There are no major upgrades to Council's buildings however the lights will be replaced at the Entertainment Centre with LED lights, 1 x Shire unit will receive upgrades in the form of paint and carpet and 1 x executive staff house will receive upgrades in the form of paint and minor maintenance.

The Jacup Fire Shed project will carryover into the 2019/2020 financial year, it is expected that the shed will be fully constructed and operational by late October 2019. The costs will be offset with capital funding from the Department Fire and Emergency Services.

A provision has also been made in the budget for a dump point to be installed at the Lions Park and the installation of a swipe tag access at the Bremer Bay standpipe to identify users and charge accordingly as the classification has changed to a commercial standpipe. All water used for fire fighting is free from usage and service charges.

Significant areas of operational expenditure within the 2019/2020 budget include:

- \$801,928 in maintenance of roads, townsite streets and footpaths made up of contractor and internal employee and plant related costs;
- \$569,000 in waste management contractor and internal employee and plant related costs;
- \$205,000 in administrative and business support services for the local General Practitioner;
- \$152,682 in contract cleaning services in Bremer Bay;
- \$80,698 in expenses relating to the Bremer Bay and Jerramungup libraries;
- \$257,353 in expenses relating to fire prevention and fire fighting expenses;
- \$155,694 in ranger services for contractor and internal employee and plant related costs;
- \$63,017 in pool maintenance including contractor and internal employee and plant related costs; \$138,571 in contractor and internal employee and plant related costs associated with the maintenance of parks and gardens, walk trails, public toilets and fish cleaning facilities; and
- \$596,000 in parts and repairs, fuel and oil and tyres.

STATUTORY ENVIRONMENT:

Sections 6.2, 6.11 and 6.47 of the Local Government Act 1995

(Preparation of annual budget & Concessions), Reserve Accounts

Clauses 24 and 25 of the Local Government (Financial Management) Regulations 1996

(Service charges & fees and charges)

Section 67 of the Waste Avoidance and Resource Recovery Act 2007

(Receptacle Charges for Waste Collections)

*Clause 34(5) of the Local Government (Financial Management) Regulations 1996***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:

Budget Expenditures and Revenues as detailed in the budget.

WORKFORCE IMPLICATIONS:

Staff numbers are forecast to increase slightly with the employment of a project officer for the housing project and a 12 month maternity leave development administration officer. Total expenditure on net employee costs is forecast to increase by 6.94% on last year's budget this is mainly due to the 3% increase to the works department hourly wage and the employment of the project officer.

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:**1.1 Adoption of 2019/2020 Budget – section 6.2 Local Government Act 1995**

That Council:

- a) **Adopt the budget for the financial year ending 30 June 2020 which has been prepared in accordance with the *Local Government Act 1995* and associated *Financial Management Regulations 1997*; and**
- b) **Endorse the Rate Setting Statement as detailing the amount to be made up from rates for the financial year ending 30 June 2020 being \$3,344,443.**

1.2 Adoption of Rates – section 6.32 Local Government Act 1995

That Council:

a) General Rates:

Impose the following rates in dollar and minimum rates for properties within the Shire of Jerramungup to generate a 1.73% yield increase in total rates.

GRV: 9.8994 cents in the dollar

UV: 1.0125 cents in the dollar

GRV: \$685.00 minimum rate

UV: \$801.00 minimum rate

b) Interest – section 6.51 Local Government Act 1995

Apply an interest rate of 11% per annum to rates which remain unpaid beyond due dates and where no election has been made to pay rates by instalments.

c) Rates Instalment Payment Options

Offer the following rates instalment options:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by the 27 September 2019 or the 35th day after the date of issue, whichever is the latter.

OR

Option 2

To pay by four instalments as detailed on the rates notices with the first instalment due on 27 September 2019 and in two monthly intervals thereafter.

OR

Option 3

To pay by two instalments as detailed on the rates notices with the first instalment due on 27 September 2019 and second instalment due four months after.

d) Administration Charge – section 6.45(3) Local Government Act 1995

Impose an administration charge of \$8 per instalment and 5.5% simple interest to the amount on the rate notice where payment of a rate is made via the instalment option.

e) Rubbish and Recycling Collection Charges

The Shire did not raise service charges for the year ended 30 June 2020.

a. Residential Properties – 240L Bin

- i. \$397.00 per annum per occupied Lot for one 240L General Rubbish Bin serviced weekly
- ii. \$229.00 per annum per occupied Lot for one 240L Recycling Bin serviced fortnightly
- iii. \$397.00 per annum per additional 240L Rubbish Bin

b. Commercial Collections – 240L Bin

- i. \$397.00 per annum per occupied Lot for one 240L Bin serviced weekly
- ii. \$229.00 per annum per additional 240L Bin as listed on their properties bin count.

f) Effluent Rate – Townsite of Jerramungup

The Shire did not raise specified area rates for the year ended 30 June 2020.

- a. That Council impose the following rates in dollar for GRV properties within the townsite of Jerramungup for the management and maintenance of the Jerramungup Effluent System.

GRV: 4.7226c in the dollar

- b. That Council impose the following minimum rate for GRV properties within the townsite of Jerramungup for the management and maintenance of the Jerramungup Effluent System.

GRV: \$309.00

Non Rateable First Fixture: \$309.00

Additional Fixture: \$173.00

g) Point Henry Fire Levy

Impose a levy of \$110 on all properties within the Point Henry Peninsula to be used for the maintenance of firefighting equipment and firebreaks on the Point Henry Peninsula. Any balance of funds created by the levy is to be put to the Point Henry Fire Levy Reserve.

1.3 Members Meeting Attendance Fees – section 5.99 *Local Government Act 1995*

That Council:

Set the annual meeting attendance fee of \$14,000.00 for the Shire President

Set the annual meeting attendance fee of \$7,000.00 for Elected Members

1.4 Shire President Allowance – section 5.98 and 5.98A *Local Government Act 1995*

That Council:

Set the Shire President allowance of \$12,000.00

Set the Deputy Shire President allowance of \$3,000.00

1.5 Telecommunications Allowance – section 5.99A *Local Government Act 1995*

That Council:

Set a telecommunication allowance of \$1,000.00 for Elected Members.

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.

1.7 Statutory Compliance

That Council confirms that it is satisfied that the services and facilities it provides:

- a) Integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body;**
- b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and**
- c) are managed efficiently and effectively.**

In accordance with section 3.18(3) of the *Local Government Act 1995*.

1.8 Consideration of funding requests

That Council approve the following funding requests:

- Fitzgerald Biosphere Group – \$7,000 contribution towards “Dancing in the Dirt Pre-Harvest Ball”.**
- Jerramungup District Motorcycle Club – \$3,000 contribution towards the construction of a scrutineering shed.**
- Bremer Bay Occasional Childcare Centre – \$500 contribution towards the purchase of new toys.**
- Jerramungup Occasional Childcare Centre – \$250 contribution towards the annual Christmas Tree event.**

- **Needilup Progress Association – \$1,000 contribution towards concreting the front pavilion.**
- **Bremer Bay Community Resource Centre – \$250 contribution towards annual Rec Fish West event.**
- **Bremer Bay Community Resource Centre – \$3,000 contribution towards web designer and yearly subscription cost for website.**
- **Jerramungup Community Resource Centre – \$200 contribution towards REDcycle program.**
- **Bremer Bay Occasional Childcare Centre – \$3,000 annual funding contribution.**
- **Jerramungup Occasional Childcare Centre – \$3,000 annual funding contribution.**
- **Boxwood Hill Combined Sports Club – \$21,977 contribution towards 1/3 running expenses of the Boxwood Hall, lining of netball shed and verandah, replace rusted guttering and outside taps.**
- **Gairdner Progress Association – \$1,010 contribution towards running expenses of the Gairdner Hall.**

9.3 DEVELOPMENT SERVICES

Nil

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN JUNE 2019

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:	8 July 2019
Attachments:	June 2019 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

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

9.4.2 INFORMATION STATEMENT REVIEW

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:	4 July 2019
Attachments:	a) Current Information Statement 2018-2019 b) Draft Information Statement 2019-2020
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for Council to review, prior to the publishing of, the Shire of Jerramungup Information Statement as required under the *Freedom of Information Act 1992*.

BACKGROUND:

Section 96(1) of the *Freedom of Information Act 1992* requires each government agency, including local governments, to prepare and publish annually an Information Statement.

The Information Statement must set out:

- The Agency's Mission Statement;
- Details of legislation administered;
- Details of the agency structure;
- Details of decision-making functions;
- Opportunities for public participation in the formulation of policy and performance of agency functions;
- Documents held by the agency; and
- The operation of Freedom of Information (FOI) in the agency.

CONSULTATION:

Internal – Relevant Shire staff have been consulted.

COMMENT:

The Shire of Jerramungup's Information Statement is attached to this agenda. The document complies with the requirements of the *Freedom of Information Act 1992*, as outlined above.

A copy of the Information Statement will be forwarded to the Commissioner. The Shire is required to submit a statistical return annually, reporting any access applications and allowing the Office of the Information Commissioner to be appraised of where the Shire stands in relation to its obligations under sections 94 through to 97 of the *Freedom of Information Act 1992*.

STATUTORY ENVIRONMENT:***Freedom of Information Act 1992***

Section 96. Information statement, each agency to publish annually

- (1) *An agency (other than a Minister or an exempt agency) has to cause an up-to-date information statement about the agency to be published in a manner approved by the Minister administering this Act —*

- (a) within 12 months after the commencement of this Act; and*
- (b) at subsequent intervals of not more than 12 months.*

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 ADOPT the Shire of Jerramungup 2019/2020 Information Statement as presented and attached to this agenda and publish in accordance with the *Freedom of Information Act 1992*.

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, 21 August 2019, commencing at 2.00pm, at the Emergency Services Shed, Bremer Bay.

13.2 CLOSURE OF MEETING

The Presiding Member closed the meeting atpm

These minutes were confirmed at a meeting held

.....

Signed:

Presiding Person at the meeting at which these minutes were confirmed

Date: