SHIRE OF JERRAMUNGUP

AGENDA

COUNCIL ORDINARY MEETING

18th OCTOBER 2017

Dear President and Councillors,

NOTICE OF ORDINARY COUNCIL MEETING

Please note that the next Ordinary Meeting of Council of the Shire of Jerramungup will be held in the Town Hall, Bremer Bay on Wednesday 18th October 2017, commencing at 8:30am.

BRENT BAILEY
CHIEF EXECUTIVE OFFICER

12th October 2017

DISCLAIMER

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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, and statement or intimation of approval made by a member or officer of the Jerramungup Shire Council during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Jerramungup Shire Council. The Jerramungup Shire Council warns that anyone who has any application lodged with the Council 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 Jerramungup Shire Council in respect of the application.

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SHIRE OF JERRAMUNGUP

ORDINARY MEETING OF COUNCIL TO BE HELD IN THE TOWN HALL, BREMER BAY ON WEDNESDAY 18th OCTOBER 2017, COMMENCING AT 8:30AM.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE

3. APOLOGIES

4. LEAVE OF ABSENCE PREVIOUSLY APPROVED

5. PUBLIC QUESTION TIME

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. PETITIONS / DEPUTATIONS / PRESENTATIONS

Melanie Price from Aurora Consulting - Draft Coastal Management Plan

8. DECLARATIONS OF FINANCIAL INTEREST

9. CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held 20th September 2017

W O R K S

SUBMISSION TO:	**Works**
AGENDA REFERENCE:	10.1.1
SUBJECT:	Works Report
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	
AUTHOR:	Murray Flett
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	October 2017

ATTACHMENT

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

ROAD CONSTRUCTION

The Construction crew has finished gravel sheeting 5kms of Lake Magenta Road. The crew completed this section well ahead of schedule due to the fact there was no clearing involved and gravel material was available close to the job site which considerably saved on cartage costs.

The crew has now moved to Jacup North Road where they started clearing and forming the first 3km section commencing at South Coast Highway. These works were progressing well until the crew were stopped due to persistent rain and as a result lost one week of productivity. The crew were busy addressing flooding issues in the lower south west corner of our region with some areas recording 120mm of rain for the week.

The crew is also completing gravel sheeting on Rabbit Proof Fence Road which had been deferred due to wet weather previously. Works are expected to be completed on this job by mid-October.

Attached is the completed 2017/18 construction program.

ROAD MAINTENANCE

The roadside spraying program has been hindered due to the onset of the spring rains and will commence when the weather improves to restrict weed infestations within the road reserve.

Routine Maintenance grading and gravel patching is continuing on roads in both the Bremer Bay and Jerramungup areas with emphasis on patching all the blowouts in the pavement.

TOWN SERVICES

The town services team have been busy cleaning up after the recent deluge in the Bremer Bay town site. These works include gravel patching and drainage related issues. They have also been patching potholes in both Jerramungup and Bremer Bay

town sites and some of our sealed roads. These potholes are reflective of the age of the seals on these roads.

STATUTORY REQUIREMENTS

Nil

STRATEGIC IMPLICATIONS

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

Aspiration 3.4: To lobby, advocate for and deliver a first class transport and telecommunications network.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

WORKFORCE IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

COMMENTS

Nil

RECOMMENDATION

That Council adopt the August works report.

F I N A N C E

SUBMISSION TO:	**Finance**
AGENDA REFERENCE:	10.2.1
SUBJECT:	Accounts Payable
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	
AUTHOR:	Kiara Leeson
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	6th October 2017

ATTACHMENT

Attachment 10.2.1(a) - List of Accounts Paid to 31st August 2017
Attachment 10.2.1(b) - Credit Card Statement 18/07/2017 – 18/08/2017

BACKGROUND

FUND	**VOUCHERS**	**AMOUNTS**
Municipal Account		
Last Cheque Used	28143	
	EFT 13808 – 13877	$ 345,550.66
	EFT 13880 – 13954	$ 422,905.52
	Cheque 28144 – 28149	$ 22,462.25
	Direct Deposit	$ 24,267.81
Municipal Account Total		**$ 815,186.24**
Trust Account		
	EFT 13878 – 13879	$ 3630.00
Trust Account Total		**$ 3630.00**
Grand Total		**$ 818,816.24**

CERTIFICATE

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, confirm;

a) The List of Accounts Paid to 30th September 2017 as detailed in Attachment 10.2.1(a); and
b) The Credit Card Statement for 18/08/2017 – 18/09/2017 as detailed in Attachment 10.2.1(b)

SUBMISSION TO:	**Finance**
AGENDA REFERENCE:	10.2.2
SUBJECT:	Monthly Financial Report
LOCATION/ADDRESS:	Shire of Jerramungup
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	9th October 2017

SUMMARY

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

ATTACHMENT

Attachment 10.2.2 – Monthly Financial Report Period Ending 30th September 2017

BACKGROUND

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

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

CONSULTATION

Council financial records.

COMMENT

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

STATUTORY REQUIREMENTS

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

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

STRATEGIC IMPLICATIONS

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

Aspiration 2.5: To provide strong civic leadership and governance systems that are open and transparent and ethical.

FINANCIAL IMPLICATIONS

As detailed within the Monthly Financial Report

POLICY IMPLICATIONS

Accounting policies as detailed within the Monthly Financial Report

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receive the Monthly Financial Report for the period ending 30th September 2017 in accordance with Section 6.4 of the Local Government Act 1995.

HEALTH, BUILDING & TOWN PLANNING

SUBMISSION TO:	**Health, Building and Town Planning**
AGENDA REFERENCE:	10.3.1
SUBJECT:	Local Planning Strategy Amendment No.1
LOCATION/ADDRESS:	Jerramungup & Bremer Bay
NAME OF APPLICANT:	Council
FILE REFERENCE:	LU.PL.10
AUTHOR:	Manager of Development, Craig Pursey
DISCLOSURE OF ANY INTEREST:	None
DATE OF REPORT:	9 October 2017

SUMMARY

Council is to consider final adoption of Amendment No.1 to the Shire of Jerramungup Local Planning Strategy No.2 (Local Planning Strategy).

The Council initiated an amendment to the Local Planning Strategy in December 2016, the strategy was advertised for public comment and a number of submissions have been received.

This report recommends adopting Amendment No.1 for final approval without modification and that it is forwarded to the WAPC for final endorsement.

ATTACHMENTS

Attachment 10.3.1(a) - Schedule of Submissions
Attachment 10.3.1(b) - Proposed modifications to townsite figures

BACKGROUND

Council has engaged town planning consultants to assist in the preparation of Amendments to the Planning Scheme to rezone additional land in Jerramungup and Bremer Bay for industrial purposes noting that:

- In Bremer Bay this also includes rationalising the existing Commercial zone; and
- In Jerramungup the project has included a wider examination of industrial land supply.

These Scheme Amendments have resulted in the need to review the guiding strategic document – the Local Planning Strategy. Proposed amendments to the Local Planning Strategy include modifications to justify and describe the changes required to:

- Ensure that the Bremer Bay Town Centre is the principal place for civic, retail, business and administration within the town, whilst allowing flexibility for non-commercial uses.
- Adjust areas on the western edge of Bremer Bay to recognize the need for an industrial area (refer to Attachment 10.3.1(b));
- Adopt the 'Jerramungup Industrial Land Study' to highlight the current shortage of industrial land in Jerramungup and identify new industrial zones and existing industrial zones that may be defunct; a full copy of the Industrial Study will be forwarded to Councilors separately and is available on request; and
- Allow for a wider range of land uses in the Town Center zone in Jerramungup to allow for minor service type industries such as mechanics.

Previous Considerations

Council adopted Amendment No.1 to the Local Planning Strategy at their meeting in December 2016.

This was referred to the Department of Planning for permission to advertise in January 2017.

The Department of Planning requested a number of modifications to the Amendment in April 2017. These modifications did not affect the intent of the Amendment but there were numerous requirements to fix minor grammatical errors and rewording of paragraphs for clarity.

The modifications were made and permission to advertise the Amendment to the Strategy was granted in June 2017.

The Strategy amendment was advertised in conjunction with Scheme Amendment 13 (Bremer Bay Commercial zoning changes) in July 2017 with the advertising period closing on the 8th September 2017.

CONSULTATION

During the 42 day advertising period eight (8) submissions were received, all from government agencies. These are summarised at the Schedule of Submissions found at Attachment 10.3.1(a).

No objections were raised during the advertising period and no modifications are recommended.

COMMENT

The submissions received are summarised in the Schedule of Submissions at Attachment 10.3.1(a) along with an assessment of the submission and recommendations as to how the submission should be addressed.

All of the issues raised have not resulted in a requirement for any modifications to Amendment No.1.

STRATEGIC IMPLICATIONS

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

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

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

The Local Planning Strategy is the guiding planning document at the local government level. It guides land use and zoning decisions and needs to be kept up to date with major developments within the Shire. Failure to do so may result in difficulties or a failure to be able to capitalise on opportunities.

STATUTORY REQUIREMENTS

Regulation 17 of the Planning and Development (Local Planning Schemes) Regulations 2015 allows for a Local Planning Strategy to be modified.

Regulation 14 guides how submissions are to be considered.

FINANCIAL IMPLICATIONS

None

POLICY IMPLICATIONS

None

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

1. **That Council adopt Amendment No.1 to the Shire of Jerramungup Local Planning Strategy No.2 pursuant to Regulation 17 of the Planning and Development (Local Planning Schemes) Regulations 2015 without modification as follows:**

Bremer Bay Industrial Land

(a) Modify the following sections and Figures 15 and 19 to reflect the proposed Industrial Investigation Area on the south-western corner of Lot 1208 Borden Bremer Bay Road and Don Ende Drive (including removal of references to Amendment No 6 which has been abandoned);

- **8.1.3.8 Area 8: Long Term Rural Residential;**
- **8.1.3.9 Area 9: Long Term (potential) Residential;**
- **8.1.3.10 Area 10: Long Term Investigation Area; and**
- **8.1.3.14 Area 14: Medium to Long term Farmlet and Rural Residential lots.**

(b) Modifying Figures 15 and 19 to reference the above as shown in Attachment 10.3.1(b)

Bremer Bay Town Centre

(c) Modify Section 8.1.3.1 Area 1: Bremer Bay Town Centre and Figure 19 to reference the consolidation and relocation of the existing commercial and public purpose uses in Mary Street to the new town centre.

(d) Modifying Figure 15 to reference the above as shown in Attachment 10.3.1(b)

Jerramungup Industry

(e) Modify the following sections:

- **8.2.2 Constraints to include reference and discussion of issues associated with UCL, lot sizes, vegetation, water supply and separation distances.**
- **8.2.3.3 Area 3: Light Industry to:**
  - **Qualify the limited potential for further growth and expansion within the existing Light Industry zone;**
  - **Promote the investigation of additional land within the adjoining reserves;**
  - **To consider exchanging undeveloped UCL in the Light Industry Zone for adjacent Parks and Recreation land; and**
  - **Promote the investigation of an additional industrial area suitable for a large occupier such as a farm service centre.**

- **8.2.3.4 Area 4: Town Centre to highlight the underutilised land and the potential to accommodate small scale service industries such as mechanical repairs.**
- **8.2.3.5 Area 5: General Industry to promote the investigation of additional land within the adjoining reserves.**
- **8.2.4 Strategies and Actions for Jerramungup townsite Strategy 2 to reference a possible farm service center.**
- **8.2.4 Strategies and Actions for Jerramungup townsite Strategy 4 to reference the possible development of 'dry industries' and the need to identify alternate solutions for demonstrating appropriate access to essential services.**

(f) Modifying Figure 29 to reference the above as shown in Attachment 10.3.1(b).

2. That Amendment No.1 to the Local Planning Strategy be submitted to the WAPC for endorsement pursuant to Regulation 15.

SUBMISSION TO:	**Health, Building and Town Planning**
AGENDA REFERENCE:	10.3.2
SUBJECT:	Proposed Directional Sign
LOCATION/ADDRESS:	Corner Frantom Way and Bremer Bay Road
NAME OF APPLICANT:	Bremer Bay Resort
FILE REFERENCE:	TT.SI.2
AUTHOR:	Manager of Development, Craig Pursey
DISCLOSURE OF ANY INTEREST:	None
DATE OF REPORT:	9 October 2017

SUMMARY

Council has received a request from the Bremer Bay Resort to add non-standard directional signage to the existing sign post at the corner of Frantom Way and Bremer Bay Road.

The signage is to direct people to the recently installed electric car charging station in the south east corner of the Bremer Bay resort car park.

Although the proposed signage does not comply with Council's adopted Directional Signage Guidelines this report recommends supporting the proposed sign subject to it being maintained by the applicant.

ATTACHMENT

Nil

BACKGROUND

Council adopted Directional Signs Guidelines at their meeting in December 2013 that essentially limits signage in public spaces to uniform, Australian Standard signage that contain generic description and/or symbols rather than a specific business or trade name Permitted signs in these Guidelines include:

- *Signage in road reserves will generally be limited to directional signage including street, settlement, tourism and service signs.*
- *No private advertising signs may be erected permanently on public land unless with good cause and in specific circumstances as agreed by the Council. Advertising signs and detailed public information should be located either on private property immediately adjacent to the business or service being advertised or with a Shire information bay with the prior approval of Council.*
- *No temporary private advertising signs may be erected on public land without the approval of the Council.*
- *All signs within a road reserve are governed by the Council and the Council reserves the right to remove unapproved signs without notice. The Council also reserves the right to modify, relocate or remove signage where necessary with or without notice*

CONSULTATION

Extensive consultation was undertaken with the adoption of the Directional Signs Guidelines. No comment has been sought regarding the proposed sign.

COMMENT

The Proposal

Bremer Bay Resort has have installed a TESLA (electric car) charger in the south-east corner of their carpark. The resort has a spare red Tesla sign and have requested that it be installed on the main road (on the existing post at corner of Frantom Way and Bremer Bay Road) in order to direct people to the charger.

Car charger at Bremer Bay Resort car park with existing signage.

The car charger is only the second located between Albany and Esperance.

Assessment

The electric car chargers are being rolled out throughout the state by Tesla and will eventually form part of a network of charging stations.

Although the proposed signage does not comply with the Directional Signage Guidelines it is supported in this instance for the following reasons:

- Guidelines and policies are not binding upon Council when making a decision but Council should have ‘due regard’ to their requirements when making a decision;
- People traveling looking for charging stations will inevitably be looking for the red and white Tesla signs;
- Although the signage has a company name, the Tesla charging station will be available to all electric car users; and
- There is no generic Australian Standard signage for charging stations as yet.

There is the option to require the Resort to apply for and pay for a purpose built blue and white directional sign. However, the Resort has facilitated the charging station but do not benefit significantly from its installation and are therefore unlikely to be willing to bear any additional cost.

Approval for the signage is proposed subject to conditions including that the Resort be responsible for its ongoing maintenance and that a directional arrow be added to the bottom of the sign directing people to the charging station.

STRATEGIC IMPLICATIONS

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

1.2.4 - Ensure that new development is well designed and sustainable, where community needs are met while conserving our natural and built environment

STATUTORY REQUIREMENTS

All development in the road reserve occurs entirely at the discretion of Council.

FINANCIAL IMPLICATIONS

The cost of any maintenance of the sign and its eventual replacement should be borne by the Bremer Bay Resort.

POLICY IMPLICATIONS

Council adopted the Directional Signage Guidelines in December 2013. Whilst Council is not bound by the Guidelines it should have 'due regard' to the recommendations of a guidelines or policy when making a decision.

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

That Council approve the application for a sign at the corner of Frantom Way and Bremer Bay Road for a Tesla (electric car) charging station subject to the following conditions:

1. **A directional arrow being added to the sign to the satisfaction of the Chief Executive Officer.**
2. **All costs with maintaining and/or replacing the sign are to be borne entirely by the applicant.**
3. **Council reserves the right to remove the sign should it be damaged or poorly badly maintained without notice.**

A D M I N

SUBMISSION TO:	**Administration**
AGENDA REFERENCE:	10.4.1
SUBJECT:	Corporate Business Plan
NAME OF APPLICANT:	
FILE REFERENCE:	
AUTHOR:	Brent Bailey and Lizzy Hyde
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	10th September 2017

SUMMARY

The introduction of regulations under section 5.56(2) of the Local Government Act 1995 require the Shire to develop a strategic planning framework.

The minimum requirement to meet the intent of section 5.56(2) is the development of:

- Community Plan (CP); and
- Corporate Business Plan (CBP)

The purpose of this item is for Council to consider the CBP and determine whether or not to adopt it.

ATTACHMENT

Attachment 10.4.1 - Corporate Business Plan

BACKGROUND

The Shire's CP was prepared for Council consideration in July 2016. The draft plan was endorsed by Council and advertised for public submissions.

A number of submissions on the draft plan were received. The comments contained within the submissions were assessed and incorporated into the revised document where possible.

The final CP was adopted by Council in September 2016. This document contains the vision, aspirations and objectives of the community.

Since the adoption of this document, the Shire of Jerramungup has been fulfilling the other compliance requirements as defined under section 5.56(2) of the Local Government Act 1995 and associated regulations.

More specifically, the Shire has been working on a Workforce Plan, Long Range Financial Plan and Asset Management Strategy. These documents and other associated strategies have been used to assess the Shire's resource capacity and have been used as the basis in establishing the CBP.

The Shire's CBP covers 4 financial years and details the services, operations and projects the Shire will deliver and/or advocate for over the defined period to achieve the community's priorities and aspirations as contained within the CP.

CONSULTATION

In developing the CP, the Shire invited all and various stakeholders to attend a series of community workshops and stakeholder meetings.

COMMENT

The CBP is responsible for activating the strategic direction of the Shire, articulated within CP, into specific priorities and actions at an operational level to inform the annual budget. The Plan also draws together actions contained within the informing strategies of Council's Integrated Planning Framework including but not limited to the Long Term Financial Plan, Asset Management Plans and capital works plans.

Some of the major projects identified in the CBP include:

1) Completion of the Jerramungup Waste Transfer Station
2) Develop and implement tourism development / destination marketing strategy
3) Undertake land rezoning to increase the supply of industrial land in Bremer Bay and Jerramungup
4) Refurbish the Jerramungup Swimming Pool
5) Continue the rollout of the Point Henry Shared Trail network
6) Promote the opportunity for construction of aged care residential in the Bremer Bay Town Centre
7) Lobby Department of Housing or other not for profit groups for construction of new community affordable housing
8) Advocate for the construction of new medical centres in Bremer Bay and Jerramungup
9) Carry out upgrades to Jerramungup and Bremer Bay airstrips including facilities for patient transfer and water bomber operations
10) Shire's bushfire mitigation plan
11) Review the existing recreational boating facilities and carry out detailed design for replacement / upgrade at Fishery Beach Marina.
12) Construct the Bremer Bay Civic Square including the new skate park and nature play area
13) Lobby the State Government to upgrade access roads from Bremer Bay to Point Anne to a sealed all weather access standard

STATUTORY REQUIREMENTS

Section 19DA of the *Local Government (Administration) Regulations 1996* relate to this item.

19DA. Corporate business plans, requirements for (Act s. 5.56)

(1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

(3) A corporate business plan for a district is to —

(a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
(b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

(4) A local government is to review the current corporate business plan for its district every year.

(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.

(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

STRATEGIC IMPLICATIONS

The CBP has been developed based on the priority areas and aspirations expressed by the community as contained within the CP.

FINANCIAL IMPLICATIONS

The CBP incorporates data contained within the 10 year financial plan and documents the key projects and service level changes expected to meet the goals and aspirations of the CP.

It must be noted that a majority of capital projects outlined within then CBP are reliant on external funding. If external funding is not forthcoming, projects could be delayed or will not be completed.

WORKFORCE IMPLICATIONS

At the September Council meeting Council adopted the Workforce Plan which has been developed to meet the needs and expectations of the CP and CBP.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council adopt the Corporate Business Plan 2017 - 2021 as presented in attachment 10.4.1.

SUBMISSION TO:	**Administration**
AGENDA REFERENCE:	10.4.2
SUBJECT:	Related Party Disclosures
LOCATION/ADDRESS:	
NAME OF APPLICANT:	
FILE REFERENCE:	
AUTHOR:	Tamara Pike
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	10 October 2017

SUMMARY

The purpose of this report is for Council to consider adopting various transactions as ordinary citizen transactions so that they do not have to be disclosed in the "Related Party Disclosures" forms.

ATTACHMENT

Nil

BACKGROUND

In March 2015, the Scope of AASB 124 Related Party Disclosures was extended to include application by not-for-profit entities. AASB 124 requires Shires/Councils to disclose certain related party relationships and related party transactions together with information associated with those transactions in the Annual Financial report as of 1 July 2016.

Related parties include Councillors, Shire's key management personnel, their close family members, and any entities that they or any of their close family members control or jointly control.

A related party transaction is any transaction between the reporting local government and any of the related parties, whether monetary or not.

Some of those related party transactions could be classified as Ordinary Citizen Transactions. Ordinary Citizen Transactions refer to a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council. Unless specified in a policy or by an annual resolution to council those transactions have to be included in the *Related Party Disclosures Declaration*.

CONSULTATION

Moore Stephens and WALGA have provided guidance on the "Related Party Disclosure" requirements.

COMMENT

To minimise excessive reporting obligations it is recommended that Council adopt a list of transactions that are Ordinary Citizen Transactions and therefore do not need to be listed on *Related Party Disclosures – Declaration.*

In doing so it is important to note that these transactions only refer to those which would ordinarily be undertaken by any member of the public and there is clearly no financial gain made in the transaction by the reporting party. If a reporting party was to receive a discount for some reason on an Ordinary Citizen Transactions then it would become a reportable disclosure.

The proposed Ordinary Citizen Transactions are as follows:

1) Paying Rates
2) Fines
3) Use of Shire owned facilities such as Recreation Centre, libraries, parks, ovals and other public open spaces (whether charged a fee or not)
4) Other statutory charges such as building and planning permits as listed in Councils schedule of fees and charges.
5) Attending Council functions that are open to the public

STATUTORY REQUIREMENTS

Australian Accounting Standard AASB 124 – Related Party Disclosures requires 'related party transactions' to be recorded and any material items included in the Annual Financial Report.

STRATEGIC IMPLICATIONS

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

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

FINANCIAL IMPLICATIONS

There are no financial implications applicable to this report.

POLICY IMPLICATIONS

Currently there is no policy in place regarding "Related Party Disclosures" however in future a policy may be implemented.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council declares that in its opinion, based on the facts and circumstances, the following Ordinary Citizen Transactions are provided on terms and conditions no different to those applying to the general public and are unlikely to influence the decisions that users of the Council's financial statements make. As such no disclosure in the quarterly Related Party Declaration form will be required.

The Ordinary Citizen Transactions are:

1) **Paying Rates**
2) **Fines**
3) **Use of Shire owned facilities such as Recreation Centre, libraries, parks, ovals and other public open spaces (whether charged a fee or not)**
4) **Other statutory charges such as building, health, and planning permits, and dog and cat registrations as listed in Councils schedule of fees and charges.**
5) **Attending Council functions that are open to the public**

COUNCILLOR REPORTS

11. COUNCILLOR REPORTS

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

12.1 From Officers

12.2 From Elected Members

13. NEXT MEETING/S

Ordinary Meeting – to be held Wednesday 15th November, 2017 commencing 8:30am at the Council Chambers, Jerramungup.

14. CLOSURE