



# **SHIRE OF JERRAMUNGUP**

## **ORDINARY COUNCIL MEETING**

**Held at the Emergency Services Shed  
Bremer Bay  
Wednesday, 19 August 2020**

### **MINUTES**

This page has been left intentionally blank

**Shire of Jerramungup**  
**Table of Contents**  
**Ordinary Meeting of Council**  
**Wednesday 19 August 2020**

<b>1.0</b>	<b>DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS .....</b>	<b>4</b>
<b>2.0</b>	<b>RECORD OF ATTENDANCE .....</b>	<b>4</b>
2.1	ATTENDANCE .....	4
2.2	APOLOGIES.....	4
2.3	APPROVED LEAVE OF ABSENCE.....	4
2.4	ABSENT .....	4
2.5	DISCLOSURE OF INTERESTS.....	4
2.5.1	DECLARATIONS OF FINANCIAL INTERESTS.....	5
2.5.2	DECLARATIONS OF PROXIMITY INTERESTS.....	5
2.5.3	DECLARATIONS OF IMPARTIALITY INTERESTS .....	5
<b>3.0</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>5</b>
<b>4.0</b>	<b>ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS.....</b>	<b>5</b>
<b>5.0</b>	<b>RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>5</b>
<b>6.0</b>	<b>PUBLIC TIME.....</b>	<b>5</b>
6.1	PUBLIC QUESTION TIME.....	5
6.2	PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS .....	5
<b>7.0</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS .....</b>	<b>5</b>
<b>8.0</b>	<b>RECOMMENDATIONS AND REPORTS OF COMMITTEES .....</b>	<b>6</b>
<b>9.0</b>	<b>REPORTS .....</b>	<b>7</b>
9.1	TECHNICAL SERVICES .....	7
9.1.1	WORKS REPORT FOR JULY 2020 .....	7
9.2	CORPORATE SERVICES .....	9
9.2.1	ACCOUNTS FOR PAYMENT – JULY 2020 .....	9
9.2.2	ADOPTION OF BUDGET FOR THE FINANCIAL YEAR 2020/2021.....	12
9.3	DEVELOPMENT SERVICES .....	22
9.4	EXECUTIVE SERVICES .....	23
9.4.1	INFORMATION BULLETIN JULY 2020 .....	23
9.4.2	INFORMATION STATEMENT REVIEW.....	25
9.4.3	2020 WA LOCAL GOVERNMENT ASSOCIATION AGM AND APPOINTMENT OF VOTING DELEGATES.....	27
<b>10.0</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>29</b>
<b>11.0</b>	<b>COUNCILLOR REPORTS.....</b>	<b>29</b>
<b>12.0</b>	<b>NEW BUSINESS OF AN URGENT NATURE .....</b>	<b>30</b>
12.1	PROPOSED OVERHEIGHT DWELLING.....	30
<b>13.0</b>	<b>CLOSURE .....</b>	<b>36</b>
13.1	DATE OF NEXT MEETING .....	36
13.2	CLOSURE OF MEETING.....	36

## ORDINARY COUNCIL MEETING MINUTES

### 1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 2:16pm by the Shire President.

### 2.0 RECORD OF ATTENDANCE

#### 2.1 ATTENDANCE

##### ELECTED MEMBERS:

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

##### STAFF:

Martin Cuthbert	Chief Executive Officer, entered at 2:21pm
Murray Flett	Manager of Works
Noel Myers	Manager of Development
Rachel Smith	Executive Assistant

##### VISITORS:

Nathan McQuoid	Fitzgerald Biosphere Community Collective
----------------	---

##### GALLERY:

Nil

#### 2.2 APOLOGIES

Charmaine Solomon, Deputy CEO

#### 2.3 APPROVED LEAVE OF ABSENCE

Cr Rex Parsons

#### 2.4 ABSENT

Nil

#### 2.5 DISCLOSURE OF INTERESTS

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

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

**2.5.1 DECLARATIONS OF FINANCIAL INTERESTS**

Nil

**2.5.2 DECLARATIONS OF PROXIMITY INTERESTS**

Nil

**2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS**

Nil

**3.0 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS**

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

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

Nil

**6.0 PUBLIC TIME****6.1 PUBLIC QUESTION TIME**

Nil

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

Fitzgerald Biosphere Community Collective – Nathan McQuiod gave a presentation to Council.

Nathan McQuiod left the meeting at 3:01pm

Martin Cuthbert left the meeting at 3:01pm and returned at 3:02pm

**7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

Ordinary Council Meeting held 15 July 2020.

**That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chambers, Jerramungup on 15 July 2020 be CONFIRMED**

Local Emergency Management Committee Meeting held 13 July 2020.

**That the Minutes of the Local Emergency Management Committee Meeting held at the Council Chambers, 8 Vasey Street, Jerramungup and via eMeeting on 13 July 2020 be CONFIRMED**

**MOTION: OCM200801**

**MOVED: Cr Bailey**

**SECONDED: Cr Price**

**That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chambers, Jerramungup on 15 July 2020 be CONFIRMED**

**CARRIED: 6/0**

**MOTION: OCM200802**

**MOVED: Cr Leenhouders**

**SECONDED: Cr Iffla**

**That the Minutes of the Local Emergency Management Committee Meeting held at the Council Chambers, 8 Vasey Street, Jerramungup and via eMeeting on 13 July 2020 be CONFIRMED**

**CARRIED: 6/0**

**8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES**

Nil

## 9.0 REPORTS

### 9.1 TECHNICAL SERVICES

#### 9.1.1 WORKS REPORT FOR JULY 2020

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Murray Flett, Manager of Works
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	12 August 2020
<b>Attachments:</b>	Road Construction Schedule July 2020
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

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

#### BACKGROUND:

##### Road Construction

The Construction crew completed gravel re-sheeting works on Jerramungup North Road and then undertook maintenance works along Rabbit Proof Fence Road, White Road, and Cameron Roads.

These works consisted of pruning and removal of the overhanging vegetation along the backslopes which greatly enhances the outlook of the road once completed. After this the crew undertook gravel sheeting of the clay areas on these roads to improve the skid resistance at these locations.

The crew then started forming the next 3km section on Rabbit Proof Fence Road prior to re-sheeting with gravel.

The new UD prime mover has been used extensively on both the water tanker and locally hired side tipper which in conjunction with sourcing materials on the job, has greatly increased productivity.

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

##### Town Services

The Town Services team with the assistance of a local contractor have been clearing and pruning vegetation along Meechi Road. This vegetation was then placed along the old road alignment and reclaimed farmland to assist in the revegetation process whilst also providing a habitat for flora and fauna. This in conjunction with mosaic planting of the propagated native tube stock, will provide the optimum revegetation outcome.

Some of the older sealed roads have not performed well during the recent rains with numerous pot holes appearing. This is a clear sign the existing seal is becoming brittle from old age and has lost its plasticity.

The recent isolated showers have also increased weed infestations within most road reserves which has kept the crew busy addressing these weeds.

##### Road Maintenance

The onset of recent patchy rains has improved conditions for routine maintenance grading which means the crew can now undertake full winter grades and not just cut off the corrugations to make the running surface smoother.

Given the recent rain events we have had, please be aware of the ever changing road conditions and drive accordingly as the pavement can deteriorate very quickly.

**CONSULTATION:**

Internal.

**COMMENT:**

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

**STATUTORY ENVIRONMENT:**

There are no statutory implications for this report.

**STRATEGIC IMPLICATIONS:**

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

Objectives:

3.4.1 – Continued improvements on the local road network.

**FINANCIAL IMPLICATIONS:**

The works completed are included in the 2019/2020 Shire of Jerramungup budget and Draft 2020/2021 Shire of Jerramungup budget.

**WORKFORCE IMPLICATIONS:**

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

**POLICY IMPLICATIONS:**

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

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVE the works report for July 2020.**

**MOTION: OCM200803**

<b>MOVED: Cr Dawson</b> <b>That Council RECEIVE the works report for July 2020.</b>	<b>SECONDED: Cr Price</b>
--	---------------------------

**CARRIED: 6/0**



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

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>Author:</b>	Sophie Pocock, Administration Officer
<b>Responsible Officer:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	13 August 2020
<b>Attachments:</b>	a) List of Accounts Paid to 31 July 2020 b) Credit Card Statement 27 June 2020– 27 July 2020
<b>Authority/Discretion:</b>	Information

**SUMMARY:**

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

**BACKGROUND:**

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

**CONSULTATION:**

Internal consultation within the Finance Department.

**COMMENT:**

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2019-20 Annual Budget as adopted by Council at its meeting held 17 July 2019 (Minute No. OCM190706 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable, or is included in the Draft 2020/2021 Annual Budget.

The table below summarises the payments drawn on the funds during the month of July 2020. Lists detailing the payments made are appended as an attachment.

<b>FUND</b>	<b>VOUCHERS</b>	<b>AMOUNTS</b>
<b>Municipal Account</b>		
Last Cheque Used	28173	
EFT Payments	17402 – 17487	\$592,859.39
Direct Deposits		\$32,953.46
<b>Municipal Account Total</b>		<b>\$625,812.85</b>
<b>Trust Account</b>		
<b>Trust Account Total</b>		<b>\$0.00</b>
<b>Grand Total</b>		<b>\$625,812.85</b>

**CERTIFICATE**

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

**STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulations 1996*

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

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

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

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

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

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

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

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

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

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

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

**STRATEGIC IMPLICATIONS:**

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

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

Objectives:

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

**FINANCIAL IMPLICATIONS:**

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

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

Finance Policy FP5 – Corporate Credit Card

Finance Policy FP6 – Procurement of Goods and Services

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

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

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

**MOTION: OCM200804****MOVED: Cr Bailey****SECONDED: Cr Dawson**

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

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

**CARRIED: 6/0**

**9.2.2 ADOPTION OF BUDGET FOR THE FINANCIAL YEAR 2020/2021**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	11 August 2020
<b>Attachments:</b>	a) Separate cover – Budget for the Financial Year 2020/2021 b) 2020/2021 Road Construction Program
<b>Authority/Discretion:</b>	Legislative

**SUMMARY:**

The purpose of this item is to present the Budget for the Financial Year 2020/2021 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.

**CONSULTATION:**

The draft budget has been developed with consultation between executive staff, elected members, community submissions and Moore Australia 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:**

Rates contribute towards the upkeep and maintenance of the Shire's infrastructure, including roads, townsite streets and footpaths, waste management, administrative and business support services for the General Practitioner, library services in Bremer Bay and Jerramungup, fire prevention and fire fighting expenses, ranger services, parks and gardens, walk trails, public toilets and fish cleaning facilities and community groups.

In the 2020/2021 financial year, 26% of rates raised will be from properties on a gross rental valuation (GRV) (predominately within the townsite), and 74% will be from unimproved valuation (UV)(rural).

Good to strong market activity has continued to support and drive broadacre values. Strong interest from family farmers, with some large purchases from corporate investors, has seen values lift across the whole Shire.

Summary of the general valuation 2020/21 – Rural assessments is;

**Total Valuation**                **\$252,146,100**

**Average Overall Change**        **3.93%**

Rates are calculated by multiplying a rate in the dollar by property valuation, subject to the minimum payment. The valuation is supplied by the WA State Government department Landgate.

Council sets the rate in the dollar as part of each year's budget process. It is based on the Shires expenditure requirements, both operating and capital, offset by other forms of income such as government grants and fees for service.

Unimproved Value (UV) is used for primary producers whose main source of income is derived from the land, with activities such as farming. This valuation is based on the unimproved capital value of the land.

Gross Rental Value (GRV) is used for residential, commercial, industrial and vacant properties. On improved properties, the GRV represents the gross annual rental that a property might reasonably be expected to earn annually if it were rented, including rates, taxes, insurance and other outgoings. Many factors are taken into consideration when assessing the valuation, such as location, age of the premises and size of the improvements.

For non-residential properties, GST is also included. The GRV is calculated for all rateable properties regardless of whether the property is being rented or owner occupied. For land that is undeveloped, a statutory valuation of 3 per cent of the unimproved value is applied for residential properties and 5% for non-residential.

Landgate revalues GRV rated properties every 3-6 years and UV rated properties every year.

The Shire provides rubbish and recycling collection services to all residential properties within the townsites of Bremer Bay including Point Henry, Jerramungup and Boxwood. This service is identified as 'domestic waste collection'.

Council sets a rates minimum payment amount to ensure that all ratepayers contribute an equitable amount for Shire services.

If the calculation of valuation multiplied by the rate in the dollar is less than the minimum amount, then the minimum will be applied. If the valuation multiplied by the rate in the dollar is more than the minimum, then the higher amount is payable.

Significant areas of Operational Expenditure within the 2020/2021 budget include;

- \$988,178 in maintenance of roads, townsite streets, footpaths and traffic signs maintenance made up of contractor and internal employee and plant related costs;
- \$557,014 in waste management contractor and internal employee and plant related costs;
- \$193,307 in administrative and business support services for the local General Practitioner;
- \$138,700 in contract cleaning services in Bremer Bay;
- \$83,702 in expenses relating to the Bremer Bay and Jerramungup libraries;
- \$710,451 in contractor and internal employee and plant related costs associated with fire prevention and fire fighting expenses;
- \$132,691 in ranger services for contractor and internal employee and plant related costs;
- \$286,959 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
- \$551,000 in parts and repairs, fuel and oil and tyres.

Key major projects to be undertaken this financial year are highlighted in the attached Budget document.

#### **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**Local Government (COVID-19 Response) Order 2020.***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:**

Council agreed to a nil overall rate increase this financial year, as per the State Government announcement requiring Local Government to freeze rates, fees and charges to 2019/2020 levels it is hoped that this will provide some relief to our Ratepayers. There will be a moderate impact on the 2020/2021 budget by our inability to increase our fees and charges in line with inflation. As \$719,420 is expected to be raised by fees and charges, the loss of CPI increase represents approximately \$17,985 in lost revenue. The 2020/2021 budget has also predicted a reduction of fees and charges of approximately \$120,879 compared to 2019/2020 Actuals. Major factors that are contributing to this reduction include;

- Nil income from swimming pool memberships, the pool will not be open this coming season due to the replacement of the Jerramungup Swimming Pool.
- Reduction in affiliation fees being charged for sporting groups utilising the entertainment centre due to COVID-19 restrictions. Sporting groups were unable to commence their normal competitions and access to the entertainment centre was restricted.
- Reduction in rental income being received from Police Housing.
- No rental income predicted in 2020/2021 for the newly constructed Bremer Bay house located at Lot 208 McGlade Close, Bremer Bay.
- Delay in rental income being received for the key worker accommodation.

Budget Expenditures and Revenues as detailed in the budget.

**WORKFORCE IMPLICATIONS:**

Staff numbers are forecast to increase with the employment of a Bushfire Risk Planning Coordinator, the ongoing employment of the Building Administration Officer and a provision to employ two additional Plant Operators. Total expenditure on net employee costs is forecast to increase by 4.22% on last year's budget this is mainly due to the 2% increase to the works department hourly wage, administration staff review of wages, return of staff from maternity leave and a provision to employ two additional plant operators.

It should be noted that Executive Staff will not receive an increase in their annual salary this financial year.

**POLICY IMPLICATIONS:**

AP4 – Regional Price Preference

FP1 – Capitalisation and Depreciation of Non-Current Assets

FP2 – Rates and Accounts Collection

FP3 – Investments

FP6 – Purchasing

FP7 – Pensioner Rebates on Rural Properties

FP8 – Financial Hardship Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

**VOTING REQUIREMENT:**

Absolute Majority

**OFFICER RECOMMENDATION 1:****THAT Council ADOPTS:****1.1 Adoption of Rates – section 6.32 *Local Government Act 1995***

That Council adopt the following municipal rates in the dollar on unimproved values and gross rental valuations for the 2020/2021 financial year:

**a) General Rates:**

Impose the following rates in dollar and minimum rates for properties within the Shire of Jerramungup;

GRV: 9.8994 cents in the dollar

UV: 0.9750 cents in the dollar

GRV: \$685.00 minimum rate

UV: \$685.00 minimum rate

**b) Effluent Rate – Townsite of Jerramungup**

- 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

**c) 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.

**1.2 The following Refuse Collection and Recycling Charges for the Shire of Jerramungup for the 2020/2021 financial year;****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.

- 1.3 Pursuant to the provisions of section 6.2 *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, the Municipal and Trust Fund Budgets as contained in the Attachment to this agenda and the minutes for the Jerramungup for the 2020/2021 financial year which includes the following;**
- Statement of Comprehensive Income by Nature and Type showing a net result for the year of \$4,904,788.
  - Statement of Comprehensive Income by Program showing a net result for the year of \$4,904,788.
  - Statement of Cash Flows showing cash and cash equivalents at year end of \$2,462,711.
  - Rate Setting Statement showing an amount required to be raised from rates of \$3,400,860.
  - Notes to and Forming Part of the Budget.
  - Transfer to/from Reserves Accounts as detailed.
- 1.4 Pursuant to section 6.11 of the *Local Government Act 1995*, maintain the following reserves (noting the purpose of each reserve detailed in the budget;**
- Leave Reserve
  - Developer Contributions Reserve
  - Carpark Payment in Lieu Reserve
  - Plant Reserve
  - Community Recreation Reserve
  - Bremer Bay Youth Camp Reserve
  - Building Reserve
  - Bremer Bay Retirement Units Reserve
  - Jerramungup Retirement Units Reserve
  - Jerramungup Entertainment Centre Reserve
  - Effluent Reserve
  - Point Henry Fire Levy Reserve
  - Bremer Bay Boat Ramp Reserve
  - Capital Works Reserve
  - Swimming Pool Reserve
  - Roe Park Reserve
  - Skate Park Reserve
- 1.5 The due dates for payment of Rates and Rubbish Collection Charges for 2020/2021 financial year;**
- Pay rates in full 9 October 2020.
  - Pay by two instalments:
    - First Instalment Payment 9 October 2020; and
    - Second Instalment: 12 February 2021.
  - Pay by four instalments:
    - First Instalment Payment 9 October 2020; and
    - Second Instalment: 11 December 2020
    - Third Instalment: 12 February 2021
    - Fourth Instalment: 16 April 2021



**OFFICER RECOMMENDATION 2:**

THAT, Council IMPOSES the following Rates and Charges to provide for Administration and Interest Charges on Rating, Rubbish, Waste Recycling and General Debtor Collection Charges for the 2020/2021 financial year;

- **Instalment Plan Administration Fee**

In accordance with section 6.45(3) of the *Local Government Act 1995* and clause 13 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, gazetted on 8 May 2020, an Instalment Plan Administration Fee will not be imposed for the 2020/2021 financial year.

- **Instalment Plan Interest Charge**

In accordance with section 6.45(3) of the *Local Government Act 1995* and clause 13 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, gazetted on 8 May 2020, interest on instalments shall be 5.5% per annum calculated daily from the date the first instalment is due until the date each subsequent instalment is due subject to;

- This interest rate cannot be applied to an excluded person, as defined in the *Local Government (COVID-19 Response) Ministerial Order 2020*, that has been determined by the Shire of Jerramungup as suffering financial hardship as a consequence of the COVID-19 Pandemic.

- **Late Payment Interest Charge**

In accordance with section 6.51(1) of the *Local Government Act 1995* and clause 14 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, gazetted on 8 May 2020, where payments are received after the due date, penalty interest at a rate of 8% per annum, to be calculated on a daily basis will be imposed on all outstanding rates and service charges subject to;

- This interest rate cannot be applied to an excluded person, as defined in the *Local Government (COVID-19 Response) Ministerial Order 2020*, that has been determined by the Shire of Jerramungup as suffering financial hardship as a consequence of the COVID-19 Pandemic.
- Pensioners who are registered in accordance with the *Rates Rebates and Deferrals Act 1993* are to be exempt from this provision.

**OFFICER RECOMMENDATION 3:**

THAT Council SETS the Elected Member Sitting Fees and Allowances as prescribed by the *Local Government (Administration) Regulations 1996* per annum, being;

- Shire President annual meeting attendance fee of \$14,000.
- Elected Members annual meeting attendance fee of \$7,000.
- Shire President allowance of \$12,000.
- Deputy Shire President allowance of \$3,000.
- Telecommunication allowance of \$1,000 for Elected Members
- Annual Travel and Accommodation Allowance (allowable claims will be reimbursed).

**OFFICER RECOMMENDATION 4:**

THAT Council ADOPTS a material variance level of 10% with a minimum \$10,000.00 variance for the 2020/2021 financial year for monthly reporting purposes.

**OFFICER RECOMMENDATION 5:**

**THAT Council APPROVES the following funding requests:**

- Gondwana Link Inc – \$3,200 contribution towards Nowanup and Community Music and Arts Festival.
- Bremer Bay Community Resource Centre – \$4,000 contribution towards internet and computer upgrades.
- Jerramungup Community Resource Centre – \$1,207 contribution towards blinds to be installed in meeting room.
- Bremer Bay Occasional Childcare Centre – \$3,000 annual funding contribution.
- Jerramungup Occasional Childcare Centre – \$3,000 annual funding contribution.
- Boxwood Hill Combined Sports Club – \$4,452 contribution towards 1/3 running expenses of the Boxwood Hall.
- Gairdner Progress Association – \$673 contribution towards running expenses of the Gairdner Hall.
- Jerramungup Community Resource Centre – \$6,591 contribution towards the erection of safety fencing.

**MOTION: OCM200805**

**MOVED: Cr Bailey**

**SECONDED: Cr Dawson**

**OFFICER RECOMMENDATION 1:**

**THAT Council, BY AN ABSOLUTE MAJORITY, ADOPTS:**

**1.6 Adoption of Rates – section 6.32 *Local Government Act 1995***

That Council adopt the following municipal rates in the dollar on unimproved values and gross rental valuations for the 2020/2021 financial year:

**b) General Rates:**

Impose the following rates in dollar and minimum rates for properties within the Shire of Jerramungup;

GRV: 9.8994 cents in the dollar

UV: 0.9750 cents in the dollar

GRV: \$685.00 minimum rate

UV: \$685.00 minimum rate

**d) Effluent Rate – Townsite of Jerramungup**

- 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**

**e) 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.

**1.7 The following Refuse Collection and Recycling Charges for the Shire of Jerramungup for the 2020/2021 financial year;**

**c. 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

**d. 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.

**1.8 Pursuant to the provisions of section 6.2 *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, the Municipal and Trust Fund Budgets as contained in the Attachment to this agenda and the minutes for the Jerramungup for the 2020/2021 financial year which includes the following;**

- Statement of Comprehensive Income by Nature and Type showing a net result for the year of \$4,904,788.
- Statement of Comprehensive Income by Program showing a net result for the year of \$4,904,788.
- Statement of Cash Flows showing cash and cash equivalents at year end of \$2,462,711.
- Rate Setting Statement showing an amount required to be raised from rates of \$3,400,860.
- Notes to and Forming Part of the Budget.
- Transfer to/from Reserves Accounts as detailed.

**1.9 Pursuant to section 6.11 of the *Local Government Act 1995*, maintain the following reserves (noting the purpose of each reserve detailed in the budget);**

- Leave Reserve
- Developer Contributions Reserve
- Carpark Payment in Lieu Reserve
- Plant Reserve
- Community Recreation Reserve
- Bremer Bay Youth Camp Reserve
- Building Reserve
- Bremer Bay Retirement Units Reserve

- Jerramungup Retirement Units Reserve
- Jerramungup Entertainment Centre Reserve
- Effluent Reserve
- Point Henry Fire Levy Reserve
- Bremer Bay Boat Ramp Reserve
- Capital Works Reserve
- Swimming Pool Reserve
- Roe Park Reserve
- Skate Park Reserve

**1.10 The due dates for payment of Rates and Rubbish Collection Charges for 2020/2021 financial year;**

- Pay rates in full 9 October 2020.
- Pay by two instalments:
  - First Instalment Payment 9 October 2020; and
  - Second Instalment: 12 February 2021.
- Pay by four instalments:
  - First Instalment Payment 9 October 2020; and
  - Second Instalment: 11 December 2020
  - Third Instalment: 12 February 2021
  - Fourth Instalment: 16 April 2021

**OFFICER RECOMMENDATION 2:**

THAT, BY AN ABSOLUTE MAJORITY, Council IMPOSES the following Rates and Charges to provide for Administration and Interest Charges on Rating, Rubbish, Waste Recycling and General Debtor Collection Charges for the 2020/2021 financial year;

- **Instalment Plan Administration Fee**  
In accordance with section 6.45(3) of the *Local Government Act 1995* and clause 13 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, gazetted on 8 May 2020, an Instalment Plan Administration Fee will not be imposed for the 2020/2021 financial year.
- **Instalment Plan Interest Charge**  
In accordance with section 6.45(3) of the *Local Government Act 1995* and clause 13 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, gazetted on 8 May 2020, interest on instalments shall be 5.5% per annum calculated daily from the date the first instalment is due until the date each subsequent instalment is due subject to;
  - This interest rate cannot be applied to an excluded person, as defined in the *Local Government (COVID-19 Response) Ministerial Order 2020*, that has been determined by the Shire of Jerramungup as suffering financial hardship as a consequence of the COVID-19 Pandemic.
- **Late Payment Interest Charge**  
In accordance with section 6.51(1) of the *Local Government Act 1995* and clause 14 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, gazetted on 8 May 2020, where payments are received after the due date, penalty interest at a rate of 8% per annum, to be calculated on a daily basis will be imposed on all outstanding rates and service charges subject to;

- This interest rate cannot be applied to an excluded person, as defined in the *Local Government (COVID-19 Response) Ministerial Order 2020*, that has been determined by the Shire of Jerramungup as suffering financial hardship as a consequence of the COVID-19 Pandemic.
- Pensioners who are registered in accordance with the *Rates Rebates and Deferments Act 1993* are to be exempt from this provision.

**OFFICER RECOMMENDATION 3:**

THAT Council SETS the Elected Member Sitting Fees and Allowances as prescribed by the *Local Government (Administration) Regulations 1996* per annum, being;

- Shire President annual meeting attendance fee of \$14,000.
- Elected Members annual meeting attendance fee of \$7,000.
- Shire President allowance of \$12,000.
- Deputy Shire President allowance of \$3,000.
- Telecommunication allowance of \$1,000 for Elected Members
- Annual Travel and Accommodation Allowance (allowable claims will be reimbursed).

**OFFICER RECOMMENDATION 4:**

THAT Council ADOPTS a material variance level of 10% with a minimum \$10,000.00 variance for the 2020/2021 financial year for monthly reporting purposes.

**OFFICER RECOMMENDATION 5:**

THAT Council APPROVES the following funding requests:

- Gondwana Link Inc – \$3,200 contribution towards Nowanup and Community Music and Arts Festival.
- Bremer Bay Community Resource Centre – \$4,000 contribution towards internet and computer upgrades.
- Jerramungup Community Resource Centre – \$1,207 contribution towards blinds to be installed in meeting room.
- Bremer Bay Occasional Childcare Centre – \$3,000 annual funding contribution.
- Jerramungup Occasional Childcare Centre – \$3,000 annual funding contribution.
- Boxwood Hill Combined Sports Club – \$4,452 contribution towards 1/3 running expenses of the Boxwood Hall.
- Gairdner Progress Association – \$673 contribution towards running expenses of the Gairdner Hall.
- Jerramungup Community Resource Centre – \$6,591 contribution towards the erection of safety fencing.

**CARRIED: 6/0  
BY AN ABSOLUTE MAJORITY**

**9.3 DEVELOPMENT SERVICES**

Nil

## 9.4 EXECUTIVE SERVICES

### 9.4.1 INFORMATION BULLETIN JULY 2020

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	13 August 2020
<b>Attachments:</b>	July 2020 Information Bulletin
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

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

#### BACKGROUND:

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

#### CONSULTATION:

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

#### COMMENT:

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

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

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

#### STATUTORY ENVIRONMENT:

##### *Local Government (Administration) Regulations 1996*

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

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

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

**STRATEGIC IMPLICATIONS:**

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

Objectives:

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

**FINANCIAL IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

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

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

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

**MOTION: OCM200806****MOVED: Cr Leenhouders****SECONDED: Cr Price**

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

**CARRIED: 6/0**



**9.4.2 INFORMATION STATEMENT REVIEW**

<b>Location/Address:</b>	Shire of Jerramungup
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	12 August 2020
<b>Attachments:</b>	Draft Information Statement 2020-2021
<b>Authority/Discretion:</b>	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*.

There were no substantial changes to the 2020-2021 Information Statement, the only changes involved staff and Elected Member names and/or positions.

**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/BUDGET 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 2020/2021 Information Statement as presented and attached to this agenda and publish in accordance with the *Freedom of Information Act 1992*.

**MOTION: OCM200807****MOVED: Cr Dawson****SECONDED: Cr Iffla**

That Council **ADOPT** the Shire of Jerramungup 2020/2021 Information Statement as presented and attached to this agenda and publish in accordance with the *Freedom of Information Act 1992*.

**CARRIED: 6/0**

**9.4.3 2020 WA LOCAL GOVERNMENT ASSOCIATION AGM AND APPOINTMENT OF VOTING DELEGATES**

<b>Location/Address:</b>	Shire of Jerramungup
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	10 August 2020
<b>Attachments:</b>	Correspondence from WALGA
<b>Authority/Discretion:</b>	Executive

**SUMMARY:**

For Council to nominate which two members will be the voting delegates for this year's Annual General Meeting (AGM) of the WA Local Government Association (WALGA) to be held in Perth on Friday 25 September commencing at 1.30pm.

**BACKGROUND:**

WALGA will hold its Annual General Meeting, to discuss and consider local government industry issues. Each member Council of WALGA has the ability to elect two (2) voting delegates to participate at the WALGA Annual General Meeting, being elected members or serving employees (non-voting delegates are also able and encouraged to attend). As a member of WALGA, it is important that Council attend WALGA's Annual General Meeting, requiring the election of voting delegates by Council.

Two proxy voting delegates can also be nominated.

Only registered delegates or proxies will be permitted to exercise voting entitlements on behalf of the Shire of Jerramungup.

**CONSULTATION:**

Nil

**COMMENT:**

Due to Covid-19, the 2020 WA Local Government Convention and Trade Exhibition (Local Government Week) has been cancelled so the WALGA AGM will now be a standalone meeting and is being held on Friday 25 September 2020, commencing at 1.30pm.

**STATUTORY ENVIRONMENT:**

The Western Australian Local Government Association Constitution states that each Ordinary Member of the Association is entitled to be represented by two delegates at any Annual General Meeting or Special General 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/BUDGET IMPLICATIONS:**

There is an allocation in the 2020/2021 budget for elected members to attend conferences.

**WORKFORCE IMPLICATIONS:**

Government Policies provide direction for all Shire of Jerramungup employees.

**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 with respect to the 2020 WA Local Government Association's Annual General Meeting, Council:

1. **APPOINT** President Rob Lester and Deputy Shire President Jo Iffla to represent the Shire of Jerramungup as voting delegates at the Western Australian Local Government Association's Annual General Meeting, to be held on Friday 25 September 2020; and
2. **APPOINT** Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_ as proxy voting delegates for the Western Australian Local Government Association's Annual General Meeting, to be held on Friday 25 September 2020.

**MOTION: OCM200808****MOVED: Cr Iffla****SECONDED: Cr Leenhouders**

That with respect to the 2020 WA Local Government Association's Annual General Meeting, Council:

1. **APPOINT** President Rob Lester and Deputy Shire President Jo Iffla to represent the Shire of Jerramungup as voting delegates at the Western Australian Local Government Association's Annual General Meeting, to be held on Friday 25 September 2020; and
2. **APPOINT** the Chief Executive Office and any available Councillor as proxy voting delegates for the Western Australian Local Government Association's Annual General Meeting, to be held on Friday 25 September 2020.

**CARRIED: 6/0**

Reason for change to Officer Recommendation:

Names added to resolution.

## **10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

### **(CONFIDENTIAL MATTERS)**

Nil

## **11.0 COUNCILLOR REPORTS**

### **Cr Andrew Price**

Attended presentation from Great Southern Police, Superintendent Ian Clarke, Inspector Glenn Spencer and Sergeant Simon Bickers.

### **Cr Joanne Iffla**

Attended South Coast Alliance meeting

Attended Main Roads presentation on South Coast Highway Upgrades

Attended presentation from Great Southern Police, Superintendent Ian Clarke, Inspector Glenn Spencer and Sergeant Simon Bickers.

### **Cr Bill Bailey**

Attended Boxwood Hill Operation Care

Attended presentation from Great Southern Police, Superintendent Ian Clarke, Inspector Glenn Spencer and Sergeant Simon Bickers.

### **Cr Drew Dawson**

Attended Boxwood Hill Operation Care

Attended Bremer Bay School Council Meeting

Attended presentation from Great Southern Police, Superintendent Ian Clarke, Inspector Glenn Spencer and Sergeant Simon Bickers.

### **Cr Julie Leenhouders**

Attended South Coast Alliance meeting

Attended presentation from Great Southern Police, Superintendent Ian Clarke, Inspector Glenn Spencer and Sergeant Simon Bickers.

### **Cr Robert Lester**

Attended meeting with Senator Matt O'Sullivan regarding drought

Attended South Coast Alliance meeting

Met with prospective Doctor in Bremer Bay

Attended meeting with Peter Watson MLA

Attended presentation from Main Roads to Council on South Coast Highway roadworks

Attended South Coast Alliance meeting to discuss Amazing South Coast Tourism Inc and South Coast Alliance Executive Officer applications

Attended meeting with Department of Transport to discuss marina development

Attended presentation from Great Southern Police, Superintendent Ian Clarke, Inspector Glenn Spencer and Sergeant Simon Bickers.

## 12.0 NEW BUSINESS OF AN URGENT NATURE

### 12.1 PROPOSED OVERHEIGHT DWELLING

<b>Location/Address:</b>	Lot 84 Trevally Place, Bremer Bay
<b>Name of Applicant:</b>	J & A Cheshire
<b>File Reference:</b>	
<b>Author:</b>	Noel Myers, Manager of Development
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Applicant J Cheshire is a Shire employee
<b>Date of Report:</b>	17 August 2020
<b>Attachments:</b>	Plans
<b>Authority/Discretion:</b>	Legislative

#### SUMMARY:

The purpose of this report is for Council to consider a development application proposing the construction of new single dwelling and garage.

The plans submitted show that a portion of the building exceeds the permitted 'as by right' height limitation of five (5) metres and as such the matter is referred to Council for determination.

It is the opinion of the Administration that the proposed building will not be a visually obtrusive structure in the locality and as such is recommended for approval.

#### BACKGROUND:

Lot 84 Trevally Place is Residential Rural residential under the Shire of Jerramungup Local Planning Scheme No.2.

The Objectives of the Residential Zone are:

- *To select areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, and rural-residential retreats;*
- *To make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas;*
- *To locate Rural Residential zones generally within 5 km of the towns of Jerramungup and Bremer Bay so that residents have convenient access to services and facilities without a drain on resources of the wider community; and*
- *To encourage the use of cluster development in areas of natural beauty to minimize*

#### Location and Site Description:

- The subject lot is located toward the cul de sac head of the road and is located on the south eastern side of the road;
- The property has an irregular shape whereby it has a relatively narrow road frontage with the bulk of the land being contained toward the rear boundary that abuts Reserve No. 46774 which has a management order in favour of the Shire – purpose Parkland;
- There are no lots or other roads between its rear boundary and Native Dog and Blossoms Beach which are located approximately 250m and 650m away;
- A strategic firebreak bisects the lot in a generally east-west direction;
- The land falls approximately 3m from road frontage to the rear boundary.

#### COMMENT:

The proposal before Council is for the approval of a building that exceeds a height limit of 5 meters within the Rural Residential Zone as provided for within Town Planning Scheme No.2.

All other aspects of the development including a proposed amendment to the location of the building envelope, water tanks and access arrangements are deemed to comply with Scheme and Policy requirements. As such, the only aspect of the development that requires Council to exercise its discretion on is in relation to those elements of the building that exceed 5 meters in height above the natural ground level.

#### **STATUTORY ASSESSMENT:**

The application is assessed against clause 5.24.3 j) Development Requirements as set out within TPS No.2:

Scheme requirement	Proposed
Buildings are not to exceed 5 meters in height from natural ground level to the apex of the roof unless the local government is satisfied that the higher building will not be visually obtrusive	<ul style="list-style-type: none"> <li>• 6.8m max (top of skillion) – north elevation</li> </ul>

Comment:

As shown on plan, the two storey element of the building that exceeds 5.0m in height is contained at the front of the building and is a relatively modest section that measures 9m in length and is 10m wide and incorporates a skillion roof. As such the over height section of the building is not regarded as introducing a building that has significant bulk and scale into the landscape. It is noted that the site will be cut to achieve a level building pad rather than introducing fill and this approach assists in minimising the overall building height.

The location of the building envelope is set some 280m from the road frontage which combined with the fall in levels from the road and screening afforded by onsite vegetation would mean that the building would not be an overly obtrusive element within the landscape when viewed from the surrounding road network.

The rising and falling topography in this area of the peninsula means that there will always be some element and aspect of a building that will be visible from some locations and this is the situation with the majority of existing developments in the area. In this situation the subject lot is relatively large and is relatively isolated away from adjoining properties and ground levels mean that those buildings set away further 'up slope' whilst being able to see the roof line of the building, would not have views of significance blocked or unreasonably interrupted. There are a number of two storey dwellings that have been constructed across the peninsula and also dwellings that have been elevated to capture views and respond to sloping ground levels. As such the current application does not seek to introduce a form of development that is either inconsistent or incompatible with the surrounding built form. As required by Council Policy, the building is to be finished in non-reflective muted colourbond material to assist preserve the visual amenity and character of the area.

Having regard to the above it is considered that the building as proposed will not be of a form and type that will be visually obtrusive or would negatively impact the character and amenity of the area and may be supported.

#### **CONSULTATION:**

- Local Planning Policy No.11 – Consultation applies to applications proposing variations to Scheme requirements such as changes to building envelopes and building height. Clause 8 of the Policy makes provision for this consultation to be undertaken by owners/applicants;
- Prior to submitting the application, the applicant had consulted with the Manager of Development over proposed amendment to the location and shape of the building envelope and it was agreed

that the revised location of the building envelope was to be advertised in accordance with the Level 2 consultation procedures which involves consulting with all surrounding landowners;

- No objections to the revised location of the building envelope were received and evidence of the consultation being undertaken has been provided;
- Whilst the documentation provided included the revised location of the envelope and floor plans of the proposed development, it did not include elevations that demonstrate the proposed two storey element of the building that exceeds 5m.

Due to recent staff resource issues, the further referral of the plans has not yet been undertaken.

In order to assist to progress the application it is the recommendation of the Administration that the Council delegate authority to the CEO to issue the approval upon the conclusion of the consultation period and on the basis that there are no sustainable planning objections arise from the consultation. Should an objection arise that cannot reasonably be either dismissed on planning grounds or satisfactorily resolved the matter would be brought back to Council at the next available meeting for determination.

#### **Past Approvals:**

The subject land is vacant – file records do not indicate any previous planning or building approvals have been granted.

#### **STATUTORY ENVIRONMENT:**

- Local Planning Scheme No.2
- Local Planning Policy No.11 – Consultation
- Local Planning Policy No.5 – Use of Reflective Building Materials
- *Planning and Development (Local Planning Schemes) Regulations 2015*

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the WAPC.

#### **STRATEGIC IMPLICATIONS:**

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

Strategic Community	Direction 2:	Aspiration Liveability	2.2 - Improved	2.2.8 Increased housing availability options (ownership, rentals, workers accommodation)
------------------------	-----------------	---------------------------	----------------	--

#### **FINANCIAL/BUDGET IMPLCATIONS:**

None arising from the consideration of a planning application.

#### **WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

#### **POLICY IMPLICATIONS:**

Nil

#### **SUMMARY:**

The proposed development is considered to be of a form and type that is consistent with existing development found across the Point Henry Peninsula. Further, it is considered that the position of the building will not cause or create a view of the building that is unreasonably visually obtrusive in the



landscape nor will it cause an unreasonable adverse impact to the visual amenity or landscape values of the locality.

Having regard to the above, it is the recommendation of the Administration that the application may be supported subject to conditions.

**VOTING REQUIREMENT:**

Simple majority – Absolute majority where indicated

**OFFICER RECOMMENDATION:**

**That COUNCIL:**

1. That Council approves the application for a single house on Lot 84 Trevally Place, Bremer Bay subject to the following conditions;
  - (a) the development to be carried out in full and fully implemented in accordance with approved plans and details submitted with the planning application including the Bushfire Attack Level (BAL) assessment report and the Bushfire Management Statement;
  - (b) A new crossover being constructed to the Shire's specification and satisfaction. A permit from the shire is required to be obtained prior to any work being carried out within the Trevally Place road reserve;
  - (c) All stormwater from roofed and paved areas shall be collected and disposed of on-site to the satisfaction of Council;
  - (d) Water tank(s) with a minimum capacity of 92 kiloliters and approved on site effluent disposal must be installed and be in operation prior to the occupation of the dwelling;
  - (e) At least 20,000 liters of water is to be available/retained for firefighting purposes. The tank is to be fitted with a 50mm male camlock to allow access to the tank in case of fire and be accessible from a compliant turn around area;
  - (f) The dwelling being connected to an on-site effluent disposal system to the satisfaction of the Shire's appointed Environmental Health Officer;
  - (g) The external walls and roof of the building are to be constructed out of non-reflective materials and be to the satisfaction of the Chief Executive Officer;
  - (h) The driveway is to be maintained in a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance to vegetation of 6m and a vertical clearance of 5m and a maximum grade of 8 degrees;
  - (i) A turnaround area is to be provided and maintained thereafter within 50m of the house that is designed to accommodate "3.4" fire appliances and enable them to turn around safely;
  - (j) All buildings are to be constructed in accordance with 'AS3959' Construction of Buildings in Bushfire Prone Areas and be to the standard of BAL 12.5;
  - (k) An Asset Protection Zone being cleared and maintained around the dwelling consisting of parkland cleared area established in accordance with:
    - The BAL assessment and Bushfire Management Statement lodged with the planning application;
    - WAPC Guidelines for Planning in Bushfire Prone Areas;
    - Prior to occupancy of the house; and
    - Maintained in a permanently in a low fuel state
2. That Council by ABSOLUTE MAJORITY delegates authority to the Chief Executive Officer to issue Development Approval upon the conclusion of the consultation period on the basis that there are no sustainable planning objections arise from the consultation.

Should an objection arise that cannot reasonably be either dismissed on planning grounds or satisfactorily resolved the matter would be brought back to Council at the next available meeting for determination.

**MOTION: OCM200810**

**MOVED: Cr Dawson**

**SECONDED: Cr Bailey**

**That COUNCIL:**

1. That Council approves the application for a single house on Lot 84 Trevally Place, Bremer Bay subject to the following conditions;
  - (l) the development to be carried out in full and fully implemented in accordance with approved plans and details submitted with the planning application including the Bushfire Attack Level (BAL) assessment report and the Bushfire Management Statement;
  - (m) A new crossover being constructed to the Shire's specification and satisfaction. A permit from the shire is required to be obtained prior to any work being carried out within the Trevally Place road reserve;
  - (n) All stormwater from roofed and paved areas shall be collected and disposed of on-site to the satisfaction of Council;
  - (o) Water tank(s) with a minimum capacity of 92 kiloliters and approved on site effluent disposal must be installed and be in operation prior to the occupation of the dwelling;
  - (p) At least 20,000 liters of water is to be available/retained for firefighting purposes. The tank is to be fitted with a 50mm male camlock to allow access to the tank in case of fire and be accessible from a compliant turn around area;
  - (q) The dwelling being connected to an on-site effluent disposal system to the satisfaction of the Shire's appointed Environmental Health Officer;
  - (r) The external walls and roof of the building are to be constructed out of non-reflective materials and be to the satisfaction of the Chief Executive Officer;
  - (s) The driveway is to be maintained in a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance to vegetation of 6m and a vertical clearance of 5m and a maximum grade of 8 degrees;
  - (t) A turnaround area is to be provided and maintained thereafter within 50m of the house that is designed to accommodate "3.4" fire appliances and enable them to turn around safely;
  - (u) All buildings are to be constructed in accordance with 'AS3959' Construction of Buildings in Bushfire Prone Areas and be to the standard of BAL 12.5;
  - (v) An Asset Protection Zone being cleared and maintained around the dwelling consisting of parkland cleared area established in accordance with:
    - The BAL assessment and Bushfire Management Statement lodged with the planning application;
    - WAPC Guidelines for Planning in Bushfire Prone Areas;
    - Prior to occupancy of the house; and
    - Maintained in a permanently in a low fuel state
3. That Council by ABSOLUTE MAJORITY delegates authority to the Chief Executive Officer

**to issue Development Approval upon the conclusion of the consultation period on the basis that there are no sustainable planning objections arise from the consultation.**

**Should an objection arise that cannot reasonably be either dismissed on planning grounds or satisfactorily resolved the matter would be brought back to Council at the next available meeting for determination.**

**CARRIED: 6/0  
BY AN ABSOLUTE MAJORITY**

Cr Price left the meeting at 4:58pm

Murray Flett left the meeting at 5:00pm

Cr Price returned to the meeting at 5:01pm

## 13.0 CLOSURE

### 13.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 16 September 2020, commencing at 2.00pm, in the Council Chambers, Jerramungup.

### 13.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at 5:02pm

These minutes were confirmed at a meeting held

.....

Signed: .....

Presiding Person at the meeting at which these minutes were confirmed

Date: .....